

March 17, 2014

Chairman Tom Ammiano  
Assembly Committee on Public Safety  
1020 N Street, Room 111  
Sacramento, CA 95814

**RE: AB 2500 (Frazier) – Oppose**

Dear Chairman Ammiano:

I am writing on behalf of Americans for Safe Access (ASA), the nation's leading medical cannabis patients' advocacy organization, in opposition to AB 2500. AB 2500 will make it a crime to drive with any detectable quantity of delta-9-tetrahydrocannabinol (THC), one of the active compounds in cannabis, in your blood. Because legal medical cannabis patients will test positive for cannabis use when not impaired, the bill will criminalize responsible, law abiding patients.

Regular medical cannabis users may have detectable levels of THC in their blood for up to two days after using medicine (G. Skopp and L. Potsch, "Cannabinoid concentrations in spot serum samples 24-48 hours after discontinuation of cannabis smoking," *Journal of Analytical Toxicology* 32: 160-4, 2008). However, impairment from medical cannabis use lasts only a few hours. This means that a legal medical cannabis user could be in violation of AB 2500 while not impaired, because he or she has a detectable amount of THC long after there is any potential for impairment.

In addition to being unfair for legal patients, it is unclear that there is a bona fide public safety need for AB 2500 as it relates to medical cannabis use. According to data from the US Department of Transportation, traffic fatalities in California fell by 31% between 1996, when voters adopted Proposition 215 allowing medical cannabis use, and 2010. This data refutes a study published by the *American Journal of Epidemiology* in January that erroneously claimed that adopting medical cannabis laws results in higher traffic mortality. In fact, a study published last year by the *Journal of Law & Economics* (Vol. 56, No. 5, 2013) found that traffic fatalities decline following the adoption of medical cannabis laws. (See Op-Ed: "If Medical Marijuana Laws Cause A 'Surge in Drugged Driving Deaths,' Why Are Fatalities Falling?," *Forbes*, February 17, 2014).

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No one wants to see impaired drivers on the road. California law enforcement should enforce existing laws against drugged driving and established methods for impairment testing to protect public safety. If new legislation is needed, ASA calls on you and your colleagues in the state legislature to find solutions that respect the rights and protect the welfare of Californians who lawfully and responsibly use medical cannabis.

Thank you,



Don Duncan  
California Director  
Office (916) 449-3976

Enc. "If Medical Marijuana Laws Cause A 'Surge in Drugged Driving Deaths,' Why Are Fatalities Falling?," Forbes, February 17, 2014

cc. Assembly Member Jim Frazier

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