



May 8, 2018

The Honorable John W. Hickenlooper
Governor, State of Colorado
136 State Capitol
Denver, CO 80203

RE: Request for Veto: HB18-1258

Dear Governor Hickenlooper:

We are writing to respectfully request that you veto the above-referenced bill. Smart Colorado, a non-profit formed by concerned parents after the passage of Amendment 64, looks out for Colorado kids in the midst of marijuana commercialization.

Our concerns about HB18-1258 follow:

First, we are concerned about drugged driving. In 2016, 77 Colorado fatalities involved a marijuana-impaired driver. According to the Fatality Analysis Reporting System, 16 of these fatalities were under the age of 21. Marijuana DUIs have continued to rise; the Department of Public Safety reported the number of marijuana-related DUI citations jumped from 684 in 2014 and 652 in 2015 to 781 in 2016.

Allowing on-site consumption of Colorado's highly-potent marijuana products is especially concerning. Marijuana concentrate used for vaping can contain nearly 100% THC, resulting in a rapid onset of significant impairment.

Edible consumption presents an additional safety challenge. The Colorado Department of Public Health and Environment advises that an individual who uses marijuana less than once a week should wait at least eight hours after eating or drinking marijuana products for impairment to resolve.

With no limit on the amount of marijuana that can be consumed and no restriction on the potency of the products sold in these public use facilities, the bill increases the likelihood that individuals will drive stoned on Colorado roads. This puts all Coloradans and visitors to our great state in harm's way.

Second, Amendment 64 expressly prohibits the open and public consumption of marijuana. It's often stated by the marijuana industry that Colorado citizens voted to regulate marijuana like alcohol. We respectfully disagree. This is one place where the voters voiced a specific preference for marijuana to NOT be regulated the same as alcohol. Amendment 64 states: "[N]othing in this section shall permit consumption that is conducted openly and publicly or in a manner that endangers others." Unlike the laws that govern alcohol -- which allow for public consumption on licensed premises -- this language governing marijuana expressly prohibits it.

Third, the consumption establishments allowed by HB18-1258 have been dubbed "tasting rooms" even though they do not operate that way. Whereas a tasting room is located on the premises of an alcohol manufacturer -- a tap room at a brewpub or a wine cellar at a vineyard -- these are nothing more than thinly veiled secondary locations of retail marijuana stores where consumption can occur.

Why would an individual go to a retail store where they can't consume marijuana when they can go to one of the consumption establishments allowed by HB18-1258 -- which has the same products and purchase limits as the retail store -- and consume at the same time they buy? We are, thus, concerned that this law could potentially double the number of storefronts selling marijuana throughout our state.

We know from alcohol and tobacco that greater access to product leads to increased youth use. Additionally, according to the 2015 Healthy Kids Colorado Survey, the perception of harm around marijuana dropped from 54% to 48% in two short years. All the while, the marijuana and marijuana products (see example attached) sold in state-licensed stores have become more potent, and in forms that are easily hidden.

Finally, we understand the conundrum that marijuana tourism presents to communities and the frequent complaint that marijuana flower is smoked in parks and public places. Tourists complain there is no place to smoke the marijuana they buy. HB18-1258 doesn't resolve this problem because it will not allow the indoor smoking of flower in these establishments.

For these reasons, and on behalf of the thousands of parents community members who support Smart Colorado, we ask that you veto HB18-1258 to protect Colorado kids.

With deep appreciation,



Henry Lasley
Executive Director

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