

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 342 BY ADDING CERTAIN SECTIONS TO
CONFORM WITH ARTICLE XIV OF THE MISSOURI CONSTITUTION.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Excelsior
Springs, Missouri, as follows:

Section 1. Section 342.021 is hereby added to read as follows:

Section 342.021 Transit Related Offenses Involving Marijuana.

A. It shall be unlawful for any person to:

1. Operate or be in physical control of any motor vehicle, train, aircraft, motorboat, or other motorized form of transport while under the influence of marijuana. Notwithstanding the foregoing, a conviction of a person who is at least twenty-one years of age for any applicable offenses shall require evidence that the person was in fact under the influence of marijuana at the time the person was in physical control of the motorized form of transport and not solely on the presence of tetrahydrocannabinol (THC) or THC metabolites, or a combination thereof, in the person's system.
2. Consume marijuana while operating or being in physical control of a motor vehicle, train, aircraft, motorboat, or other motorized form of transport while it is being operated.
3. Smoke marijuana within a motor vehicle, train, aircraft, motorboat, or other motorized form of transport while it is being operated.

Section 2. This Ordinance shall be in full force and effect from and after the date of its passage.

INTRODUCED IN WRITING, read by title two times, passed and approved this _____
day of _____, 2023.

Mark D. Spohn, Mayor

ATTEST:

Shannon Stroud, City Clerk

REVIEWED BY:

Molly McGovern, City Manager