



Maryland - State Specific Information

Information provided is current as of February 1, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized – 2014 (HB 881)
Recreational Use	Legalized – 2023 (The Cannabis Reform Act)
Possession/Personal Use Specifics	Adults 21+ can possess up to 1.5 ounces of flower, 12 grams of concentrate, or a total THC amount of 750mg within various cannabis products.
	Smoking cannabis (including hemp) is banned in ALL public spaces, both indoors and outdoors. This includes parks, streets, sidewalks, bars, restaurants, public transport, and workplaces.

State Regulatory Agency Information

State Regulatory Agency	Maryland Cannabis Administration - MCA
State Forms (If Applicable)	None Specified

State Testing Policy

General Information	Maryland is one of the states with mandatory rules that employers in the state MUST follow if they wish to conduct drug & alcohol testing. What some may find surprising is that fact that Maryland's law prevents private employers from requiring breath alcohol testing of employees.
Safety Sensitive Positions	The Commissioner designates crane operators, signal persons, riggers, and crane operator trainees as safety sensitive positions.
Privacy Laws	Employee drug testing requires written consent (except in pre-screening for safety-sensitive roles). Results are confidential, shared only on a need-to-know basis for testing/disciplinary purposes. They must be used solely for the testing purpose and can't fuel discrimination. Employees have the right to access and challenge their results through an independent lab at their own cost.

Recommended Procedures

Does the state have recommended procedures? While Maryland doesn't mandate specific procedures for drug-free workplace programs, the [Maryland Center for Workplace Safety and Health](#) offers recommended guidelines to aid employers.

State Employee Procedures and Policies The state of [Maryland prohibits](#) substance abuse while on duty or impacting job performance, outlines testing procedures like reasonable suspicion and post-accident, and details disciplinary actions for violations. Additionally, the program emphasizes employee education, confidential support resources, and non-discrimination based on protected characteristics

Protections for Use Outside Workplace/ Work Hours

Is Maryland a "Right to Weed State"? Nothing in [Maryland law prevents employers](#) from disciplining employees or contractors or denying employment for either medical or recreational use, according to the cannabis commission. Employers are allowed to conduct drug tests for alcohol and controlled substances.

More Detailed Information [HB 628](#)

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements: [Maryland HB 556](#)

Main Requirement: Employers that want to conduct pre-employment drug tests must register with [Office of Health Care Quality at the Department of Health and Mental Hygiene](#). Employers may use single-use tests meeting FDA requirements at an appropriate collection site. If an employee's supervisor has a reasonable suspicion that the employee is under the influence while performing his/her job duties, the employee shall be referred for drug testing.