



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 02/24/2026

REQUESTER: JEANNE SNIDER, ASSISTANT CITY ATTORNEY

PRESENTER: JEANNE SNIDER, ASSISTANT CITY ATTORNEY

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2526-22 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN AMENDING SECTION 32-426 TO INCLUDE CONSUMPTION OF MARIJUANA; INHALING SECONDHAND MARIJUANA SMOKE AND OPEN CONTAINER THAT CONTAINS MARIJUANA IN PASSENGER AREA OF MOTOR VEHICLE

BACKGROUND:

Public consumption of marijuana and exposure to secondhand marijuana smoke present health risks and regulatory challenges similar to those associated with public tobacco use. A recent state law, Oklahoma Senate Bill 786, took effect on November 1, 2025, and specifically addresses these concerns within the context of motor vehicle operation.

DISCUSSION:

Alcohol, marijuana, and other drugs can affect driving by slowing coordination, reaction time, and judgment. Each year thousands of Americans die in traffic crashes, with impairment being the second leading factor after speeding. These facts highlight the need for policies that promote responsible use and safe driving, ensuring public safety without discouraging lawful marijuana consumption.

Under SB 786, it will be unlawful for a person operating a motor vehicle on a public highway, street, or alley to consume marijuana, including medical marijuana. The law also prohibits inhaling secondhand marijuana smoke from another person's consumption while operating a vehicle. This means that both active use and passive exposure to marijuana smoke are prohibited for drivers.

The legislation further prohibits possession of an open container of marijuana within the passenger area of a motor vehicle. An open container is defined as any container whose seal is broken, has been opened, or is otherwise not fully sealed in its original packaging. The passenger area includes all portions of the vehicle accessible to occupants, excluding a locked truck or other enclosed compartment.

RECOMMENDATION:

Staff recommends adoption of O-2526-22 consistent with this new state law to regulate the public consumption of marijuana and exposure to secondhand marijuana smoke. Such alignment would

support public health objectives, provide clear enforcement authority, and maintain consistency with state law once it becomes effect.