

# Marijuana Laws in Colorado

- [Home](#)
- [Marijuana Laws in Colorado](#)

With the passing of Amendment 64, adults 21 or older in Colorado can legally possess one ounce (28 grams) of marijuana or THC.

## Possession

---



If you are an adult 21 years of age or older, you can now legally possess 1 ounce of marijuana in Colorado. The way the amendment is worded actually allows for possession of 1 ounce of THC. This is great news because in addition to flower (bud), you can also enjoy many types of concentrates, edibles, topicals, etc. during your visit. Cannabis seeds are also available for sale in Colorado.

As long as you are 21 years or older, you have a constitutional right to possess and consume marijuana in Colorado. **You will need a government-issued identification to prove you are 21 years or older**, so a drivers license or passport would be sufficient enough. Note that you don't need to be a Colorado resident to possess recreational cannabis and there isn't any type of registration system. Only residents who apply for medical marijuana cards need to register with the state.

## Purchasing Limits

---

Previously, tourists in Colorado were restricted to purchasing 7 grams or less, while Colorado residents could purchase up to 28 grams. This law changed in June 2016, and now **both tourists and residents can purchase 28 grams in a single transaction.**

This law has some grey areas, such as what is a 'single transaction', so most recreational stores err on the side of caution and will only serve you once a day.

### As of October 1st, 2016 the laws have changed.

The Marijuana Enforcement Division (MED) in Colorado performed studies to determine what the THC equivalent of concentrates and edibles are in relation to marijuana in flower form. They argue that since products such as concentrates have a much higher level of THC, then you shouldn't be able to purchase the same amount of concentrates as you can flower. As a result, the MED has issued 'Marijuana Equivalency' guidelines.

**As of October 1<sup>st</sup>, 2016, the following rules took effect in regards to recreational sales (medical sales remain unchanged):**

- **1oz Flower = 8g of Concentrate (Shatter, Wax, etc)**
- **1oz Flower = 800mg of Edibles**

You can still mix and match, but it gets confusing. For example, you can purchase 2 grams of concentrate, but then you will be limited to buying an additional 3/4 oz of flower (as 2 grams of concentrate is now equivalent to 1/4oz of flower). These laws will be a big challenge for budtenders as they attempt to sell combinations of products while ensuring that the buyer is within the legal limits.

One important thing to note is these restrictions only apply to retail sales, not possession. You can legally possess up to 28 grams of concentrates or THC as defined in the Colorado Constitution.

Read more about Colorado's recreational cannabis equivalency laws [here](#).

## Store Hours

---

Currently, the state allows marijuana stores to operate from 8am until Midnight. Having said this, cities are allowed to establish their own rules within the allocated timeframe. For example, [Denver](#) stores must close by 10pm. If you're looking to purchase marijuana in Denver after 10pm, head to [Edgewater](#) and [Glendale](#) (two cities bordering Denver), which both allow stores to stay open until 12am. Another great option is [Aurora](#), which allows stores to stay open until 10pm as well.

You can learn more about [your privacy when visiting a recreational marijuana store](#) in our blog.

## Consumption

---

So you made it to Colorado and bought yourself a big bag of green. Great job! Now the question is: "Where can I smoke my weed?" This is a highly debated topic at the moment, so here's some helpful insight into what's legal and what's practical.

First and foremost, you will find the following statement to be true during your visit:

Discretion is appreciated, and usually required.

Amendment 64 does **NOT** permit the consumption of marijuana "openly and publicly." So before you start blazing those blunts while walking down the street, remember that you can still get a ticket for doing so, similar to open container laws for drinking in public.

In general, there aren't any coffee shops or marijuana bars where you can purchase cannabis products like you might find in Amsterdam. However, thanks to [Initiative 300](#), bring-your-own-cannabis lounges are beginning to open their doors to consumers.

In addition to the new social consumption lounges, several '[private](#)' [cannabis clubs](#) are open to adults as well. These clubs are a great place for tourists and locals alike to come together and consume marijuana products safely and legally. Some even allow indoor smoking since they are 'private,' while others just allow inside vaping and outside smoking.

Remember, public consumption is illegal and can result in tickets and fines. **Denver Police have also increased citations for public consumption over the years. In the first three quarters of 2014, Denver Police issued 668 public consumption citations. This amounts to a 470% increase from the same period in 2013, when 117 citations were issued. On 4/20 in 2018, police issued 72 citations, almost twice as many as the previous year. (Most of these citations were issued to people of color)**

Even though concert venues and bars are considered 'private,' prohibitionists argue that they are 'publicly accessible private venues', and therefore consumption of marijuana is prohibited. From our experience, it depends upon the place and the crowd. Most down to earth venues will usually turn a blind eye to things unless they are getting complaints or police visits.

To be discreet, edibles or a [portable vaporizer](#) can be your best friend. These have become very popular in Colorado, as they don't really leave any odor and can be consumed almost anywhere.

## Driving Under the Influence

---

A new DUI law is in effect in Colorado which sets a legal limit for the amount of active THC in your system while driving. The legal limit is 5 nanograms per milliliter of blood. This law was fiercely debated with the main issue being that people metabolize THC at different rates and as a result, the amount of impairment varies drastically from person to person. Unlike alcohol, where if you are over 0.08 you are impaired, it's hard to determine if a person is impaired or not based upon THC levels alone.

**The bottom line is be smart and don't drive under the influence.** If your car doesn't smell like you ran over a pack of skunks and your eyes aren't bloodshot, it is unlikely that you will be singled out. If the police do suspect you are driving stoned, they can require you take a blood test. Refusal to do so can result in similar penalties as refusing a breathalyzer test, such as loss of license.

The possibility of being involved in a serious car accident, even through no fault of your own, always exists, so it's best to sleep off the high. The law does allow for a defendant charged with driving under the influence of marijuana to introduce evidence that pot did *not* impair their ability to drive. This is a last-ditch strategy, the best advice is to simply drive sober.

In 2014, 354 people received marijuana only DUIs in Colorado. If you find yourself in need of legal representation for a marijuana DUI, we recommend [Jeff Gard from Gard & Bond](#).

## Transporting Marijuana

---

The "open container" law in Colorado makes it illegal to possess marijuana in the passenger area of a vehicle if it is in an open container, a container with broken seals, or if there is evidence of consumption. But what constitutes as an open container of marijuana in a motor vehicle? If your buds are in a plastic bag, is that considered open container. We expand upon this topic and provide practical advice in our blog article, [Driving with Marijuana in Colorado](#).

## Exporting Marijuana

---

Simply put, don't do it. The Feds are watching Colorado closely and although it is tempting to bring some recreational cannabis back to your home state, doing so has the potential to give the DEA and law enforcement even more reason to crack down.

In the states bordering Colorado, the police are extremely angry that we have such relaxed marijuana laws and as a result, they are profiling people and performing questionable (and sometimes illegal) searches of vehicles.

Mailing marijuana home is also a bad idea. U.S. Postal Service inspectors seized 207 packages of marijuana being sent from Colorado through the mail in 2013. In 2014, 320 packages of marijuana were seized. Compare these numbers to 2010, when only 15 packages were intercepted. Be smart or you and the receiver could face major fines and jail time. ([Read the prohibitionists' report here - September 2015 - PDF](#))

## Federal Land and Properties in Colorado

---



Please be aware that your right to possess marijuana in Colorado does not apply when you are visiting national parks, national forests, monuments, or other federal properties such as courthouses. Also be aware that many ski areas are located on federal land (mainly just the actual ski runs, not the towns or base of the mountain).

A recent review of federal court data by the AP showed that in **2013 through July, at least 135 people were cited for marijuana possession on federal land in Colorado**. Although many of the federal park rangers are nice, we've met plenty that would like nothing more than to ruin your vacation -- the numbers above speak the truth. As always, make sure you take the necessary precautions.

Possession of marijuana on federal land is punishable by up to a year in jail and a fine of \$1,000 on the first offense, along with a 15-day mandatory sentence that can be extended to two years in prison for a second offense. After that, perpetrators can receive a 90-day to three-year prison term, and a \$5,000 fine.

### Cultivation

---

The law allows residents 21 years of age or older to cultivate up to 6 plants, 3 of which can be in the flowering stage in an enclosed, locked space. For more information on seeds, growing indoor, outdoor or with clones, [check out our blog](#) for a wide variety of helpful content.

# Denver Social Cannabis Consumption Update

Monday October 2, 2017

By [Andrew Ward](#)



Amongst all the marijuana legalization and election hubbub of 2016 was the passing of Denver's Initiative 300, more commonly known as [social consumption](#). The passing ushered in a four-year pilot program that intends to allow users to consume cannabis indoors and outdoors at licensed businesses in Denver. However, since its passing, Initiative 300 has turned into a headache for many establishments, neighborhoods and even some of its earliest supporters.

A new committee formed to draft the program's rules and regulations once it was passed. They included individuals from education and cannabis backgrounds, as well as community representatives. The group also included Yes on 300 policy advocate, Emmett Reistroffer.

## Initiative 300 Social Use Overview

---

Several highly-contested sticking points arose between 300's proponents and those in the opposition. The major point of concern was the allowance of social consumption in establishments that sell liquor. Supporters believe it should be included to reflect what the voting public had chosen in the election.

Some of the other contested rules included the requirement to have patrons sign waivers upon entrance, which was not adopted into regulations; businesses must post signs much like bars about responsible consumption; and designated consumption zones.

Deliberations took nine months before the city finally began accepting applications in late August of this year. Additional laws state that:

- Businesses can be open from 7 a.m. to 2 a.m.
- Customers must be 21 or older to get in
- Surface-level outdoor smoking can't be visible from public places.
- No consuming marijuana within 500 feet of a residential zone, and 1,000 feet from schools, daycares, churches or treatment centers.

Now that social consumption is in motion, supporters are awaiting the outcome of early implementation. Voting results showed that the measure was heavily preferred in the urban parts of the city. Meanwhile, much of the suburbs opted for the status quo. This leads many in the opposition to believe this could be a passing trend.

Rachel O'Bryan, Campaign Manager for the group Protect Denver's Atmosphere, said that "Back in 2012, marijuana legalization passed with a strong majority in Denver. Four years later, Initiative 300 has passed by a much slimmer margin. It appears that many Denver voters who originally supported marijuana legalization do not want to see marijuana consumption everywhere in Denver."



Initiative 300 passed in November 2016 via ballot initiative.

Meanwhile, the long and drawn out deliberations surrounding implementation now leaves it unclear about any future amendments or future laws. If the rollout and the subsequent program doesn't succeed, this could be the last attempt made for some time.



## Minimal Business Interest

---

Strict regulations leave many businesses less than enthused about social consumption in Denver. Many establishments are immediately disqualified from applying for either selling alcohol or being too close to other designated establishments. Bars, art galleries and even [concert](#) halls are out of the equation, despite these being the ideal locations that 300's proponents had envisioned.

Tim Morgen, community relations rep for Denver's BGood, told [BuzzFeed](#) that this was a no-win situation for the industry as a whole and wasn't worth the fight. "This is what I would expect out of Jeff Sessions' office if he had to come up with a permitting program for social cannabis."

No application data has been released so far and social consumption proponents do not expect many to apply under the current rules. This could result in the stalled implementation of other city's efforts. However, there is at least one interested business vying to be the first to market.

[Denver Vape and Play](#), although still in its infancy stage, hopes to open its doors to cannabis enthusiasts by winter 2018.

[Las Vegas awaits Denver's outcome](#) before exploring a similar path toward social marijuana use. Although, if Denver does struggle with its rollout, Las Vegas could potentially find a better solution that appeases both cannabis supporters and the communities they occupy.

## Potential Legal Implications

---

Unlike the state's [recreational sales](#) rollout, this could become a botched effort for Denver. The topic has become such a sore issue that two of the measure's creators are now considering suing the state.

The aforementioned Reistroffer and Kayvan Khaltabari drafted the initiative and contend to the city's zoning requirement most of all. The two informed Denver officials in August that unless restrictions were revised a lawsuit would be likely.

Back in June, Reistroffer explained his worries that [soon proved correct](#). "I think we're making history, but I think we also still have an uphill battle to really achieve that policy," Reistroffer said. "There are a lot of rules being proposed that concern me because they remove a vast majority of businesses from being able to participate."

It's too early to determine how the rollout will fare. While proponents of social consumption contend that the regulations fail to live up to the measure's intention, not all seem concerned.

The actual issue at hand is the disconnect between proponents and opponents. The ugliness of the nine months that led to the rollout revealed a gap between both sides. Without a resolution between these two, no progress can be made. In past expansions of its program, Colorado and its capital have served as examples for what to do right. In this case, only time will tell where this program ends up. One thing is for sure, the road to getting here was far rockier than anyone expected