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FAQs: Personal Use

Q: When can I smoke/use recreational marijuana?

A: As of July 1, 2015, Oregonians are allowed to grow up to four plants on their property, possess up to eight ounces of usable marijuana in their homes and up to one ounce on their person. Recreational marijuana cannot be sold or smoked in public. For more information go to: www.whatslegaloregon.com.

Q: Where and when can I buy marijuana?

A: You may purchase marijuana items at an OLCC licensed retail location.

Q: How much marijuana can I have?

A: The personal possession limits are:

- One ounce of usable marijuana in a public place;
- Eight ounces of usable marijuana;
- 16 ounces of a cannabinoid product in solid form;
- 72 ounces of a cannabinoid product in liquid form;
- Five grams of cannabinoid extracts or concentrates, whether sold alone or contained in an inhalant delivery system;
- Four immature marijuana plants; and
- Ten marijuana seeds.

Q: What is meant by “useable” marijuana?

A: Useable marijuana refers to dried marijuana flowers or leaves. In other words, marijuana that is ready to smoke.

Q: Can I grow marijuana at home and when?

A: Yes, with limits. As of July 1, 2015, Oregonians can home grow of up to four plants per residence, regardless of how many people live in the residence. Four adults in one residence does not mean 16 plants. The limit is four per residence.

Q: Is synthetic marijuana legal?

A: No, the Oregon Board of Pharmacy has voted to ban sale and possession of synthetic marijuana. Synthetic marijuana is comprised of a number of different chemicals, none of which are derived from the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae. The chemicals contained in synthetic marijuana have been added to the Oregon Board of Pharmacy’s list of controlled substances.

Q: Can a landlord tell tenants not to grow recreational marijuana or smoke in rental units?

A: Chapter 475B does not affect existing landlord/tenant laws.

Q: What if an employer requires drug testing?

A: Chapter 475B does not affect existing employment law. Employers who require drug testing can continue to do so.

Q: Can I smoke marijuana in a bar/restaurant?

A: No. Marijuana cannot be smoked or used in a public place. The OLCC considers any establishment with a state liquor license to be public, including patios or decks set aside for smokers. Allowing marijuana use may put an establishment’s liquor license in jeopardy. In addition, smoking and vaping in most businesses is limited by the Indoor Clean Air Act.

Q: What is the definition of a public place?

A: Chapter 475B defines a public place as “a place to which the general public has access and includes, but is not limited to, hallways, lobbies, and other parts of apartment houses and hotels not constituting rooms or apartments designed for actual residence, and highways, streets, schools, places of amusement, parks, playgrounds and premises used in connection with public passenger transportation.”

Q: Who can smoke recreational marijuana? What is the minimum age?

A: As of July 1, 2015, anyone at least 21 years of age can consume recreational marijuana in Oregon. Marijuana use or possession of recreational marijuana by anyone under 21 years of age is illegal. That includes home consumption.

Q: Who will enforce recreational marijuana laws?

A: Enforcement of the home grow/personal possession provisions of Chapter 475B will be at the discretion of local jurisdictions, the state police and possibly other law enforcement agencies. The OLCC is responsible for enforcement actions against businesses that the OLCC licenses to grow, process, wholesale and sell recreational marijuana and related products.

Q: How much will recreational marijuana cost?

A: The retail price of recreational marijuana will be determined through a competitive marketplace.

Q: Can Oregon recreational marijuana be taken to the state of Washington where it is also legal?

A: No. Taking marijuana across state lines is a federal offense.

Q: How will children be protected from recreational marijuana and marijuana products?

A: Chapter 475B prohibits the sale of recreational marijuana to anyone under the age of 21. The act also gives OLCC authority to regulate or prohibit advertising. In writing the rules necessary to implement the new law, the OLCC may also regulate packages and labels to ensure public safety and prevent appeal to minors.

Q: Can I get a DUII while under the influence of marijuana?

A: Yes. Current laws for DUII have not changed. Driving under the influence of intoxicants (DUII) refers to operating a motor vehicle while intoxicated or drugged, including impairment from the use of marijuana. In addition, Chapter 475B requires OLCC to examine, research and present a report to the Legislature on driving under the influence of marijuana. The OLCC will do this in conjunction with the Department of Justice Criminal Investigation Division and Oregon State Police.

Q: Can I lose my job for using marijuana?

A: That depends on who you work for and what your employer says about the use of marijuana by employees. Passage of Chapter 475B does not change existing employment law in Oregon.

Q: Where will marijuana stores be located?

A: Unless meeting the exemptions in Oregon Law 2017, Ch. 7 and 613, marijuana retailers may not be located within 1000 feet of a school. All licensed businesses must be located in an area that is appropriately zoned. Also, local jurisdictions have authority to adopt reasonable regulations regarding the location of marijuana businesses, including regulations requiring that the businesses be located no less than 1000 feet from one another. To keep up to date, [click here](#).

Q: Who collects the tax on recreational marijuana?

A: Taxes on recreational marijuana will be collected by the Oregon Department of Revenue at the retail level.

Q: Is it legal to possess or use recreational marijuana on Federal or Tribal land in Oregon?

A: Chapter 475B does not address the possession or use of recreational marijuana on the land of Federally Recognized Tribes in Oregon. This is an issue between the Federal Government and Tribal Governments

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