



Maryland - State Specific Information

Information provided is current as of December 23, 2025 and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized – 2014 (Maryland Medical Marijuana Caregiver Program)
Recreational Use	Legalized – 2023 (Question 4)
Possession/Personal Use Specifics	Adults 21+ can possess up to 1.5 ounces of flower, 12 grams of concentrate. Can grow up to 2 cannabis plants per household (Medical 4) for personal use, provided the plants are not visible from public areas. Public consumption of cannabis is prohibited, and use is restricted to private property. Registered medical marijuana patients have similar possession limits but can possess up to 120 grams of medical cannabis.

State Regulatory Agency Information

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

State Testing Policy

General Information	Maryland remains a "pro-employer" state, allowing pre-employment, random, and reasonable suspicion tests. However, the legal shift regarding "odor" means that an employer's Reasonable Suspicion policy should rely on documented physical impairment (e.g., slurred speech, erratic behavior) rather than just the smell of smoke. Maryland prohibits breath alcohol testing; only blood, urine, saliva, and, for pre-employment only, hair specimens.
Safety Sensitive Positions	Identified as a "legitimate business purpose" standard. This includes positions involving national security, public safety, or the operation of heavy machinery/vehicles where a lapse in attention could result in injury or death.
Privacy Laws	Only disclosed to individuals with a legitimate need to know, such as human resources personnel or supervisors involved in decision-making. Employers must inform an employee of a positive result within 30 days (or 7 days of receiving the result) and provide a copy of the lab report and company policy.

Recommended Procedures

Does the state have recommended procedures?	It is always recommended to have standardized documentation and training procedures and regular employee evaluations to set clear performance expectations. 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	Requires drug testing for safety-sensitive positions or based on reasonable suspicion, includes pre-employment and potentially random testing, mandates confidentiality of results, and necessitates clear, written policies that comply with state and federal regulations, with testing conducted by sufficiently trained individuals to ensure accurate and fair assessments.

Protections for Use Outside Workplace/ Work Hours

Is Maryland a "Right to Weed State"?	While state law doesn't explicitly protect private sector off-duty use, several local jurisdictions (including Baltimore City, Baltimore County, and Howard County) have recently passed ordinances banning pre-employment or random cannabis screening for most public sector employees.
More Detailed Information	HB 628

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements:	§683. Testing procedures
Main Requirement:	The main requirement in Maryland for a drug and alcohol testing program is that employers must establish and maintain a clear, written policy outlining the procedures, reasons for testing, and consequences of testing. This policy must be communicated to all employees, ensuring transparency and consistency in the implementation and enforcement of the testing program.