



Rhode Island - State Specific Information

Information provided is current as of December 20, 2025, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized – 2006 (Medical Marijuana Act)
Recreational Use	Legalized – 2022 (Rhode Island Cannabis Control Commission (CCC) / Office of Cannabis Regulation (OCR))
Possession/Personal Use Specifics	Adults aged 21 and up to possess (up to one ounce in public or up to 10 ounces at home), home-cultivate (up to six plants, no more than three mature), and purchase limited amounts of cannabis.
	Smoking marijuana in public remains illegal. This includes anywhere smoking cigarettes is prohibited,

State Regulatory Agency Information

State Regulatory Agency	Office of Cannabis Regulation
State Forms (If Applicable)	None Specified

State Testing Policy

General Information	Under the Standards for Workplace Drug and Alcohol Testing Act (RISWDATA) , Rhode Island strictly limits testing. Employers must have "reasonable grounds" based on specific observations of impairment to test current employees. Furthermore, if a non-safety-sensitive employee tests positive, the employer cannot terminate them for a first offense; instead, they must refer the employee to a substance abuse professional for assistance. Termination is generally only permitted if the employee refuses help or fails subsequent tests during a two-year follow-up period. Remember, establishing robust documentation is a key risk mitigant for employers in states like Rhode Island.
Safety Sensitive Positions	Rhode Island defines safety-sensitive roles as those that are "hazardous, dangerous, or essential to public welfare." For these specific positions, employers may implement policies prohibiting the use of cannabis within the 24-hour period prior to a scheduled shift. This includes roles such as pilots, commercial drivers (CDL), first responders, and heavy machinery operators.
Privacy Laws	Rhode Island doesn't have specific laws directly limiting employer drug testing, but employers must act cautiously to avoid infringing on common-law privacy rights. This means obtaining consent or reasonable suspicion for alcohol tests, conducting tests with a clear policy and procedures to minimize privacy invasions, and following state and federal anti-discrimination laws to protect employee privacy.

Recommended Procedures

Does the state have recommended procedures?	Private employers may only test current employees if they have contemporaneous, documented observations of impairment. If an employee tests positive, they must be given a reasonable opportunity to rebut or explain the result and, for a first offense, must be referred to a licensed substance abuse professional rather than being terminated. Pre-employment testing is permitted after a conditional offer of employment, provided the test is administered in private and the results are kept strictly confidential.
State Employee Procedures and Policies	No detailed Drug-Free Workplace program exists for Rhode Island state employees, but agencies enforce drug-free environments through federal and state laws (Drug-Free Workplace Act, ORS 352.008), often supplemented by stricter policies for "safety-sensitive" roles.

Protections for Use Outside Workplace/ Work Hours

Is Rhode Island a "Right to Weed State"?	Under the Rhode Island Cannabis Act, employers are prohibited from taking adverse action against an employee "solely for an employee's private, lawful use of cannabis outside the workplace." Because THC metabolites can stay in the system for weeks, a positive drug test alone is not legal proof of impairment. Employers must demonstrate that the employee was "working under the influence" through documented physical or behavioral symptoms.
More Detailed Information	ACLU Rhode Island

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements:	Rhode Island Testing Policy
Main Requirement:	Private Rhode Island employers can drug test applicants with a job offer and employees with reasonable suspicion (excluding off-duty marijuana use), but random testing is limited, and privacy matters: consent or suspicion for alcohol tests, defined policies, and adherence to anti-discrimination laws are crucial.