



FAQs for Rule on Marijuana Possession at COS Airport

When will the Rule prohibiting marijuana possession at the Colorado Springs Airport go into effect?

This Rule will go into effect Friday, January 10, 2014.

Does this new Rule need to be approved by the Mayor or City Council?

The Director of Aviation has the authority to enact a Rule to enforce polices at the Colorado Springs Airport. Once a Rule is published in the official city newspaper, The Daily Transcript, the Rule will immediately go into effect. The Rule will also be available at: flycos.coloradosprings.gov/rulesandregulations.

Why is the Airport issuing a Rule against marijuana possession?

Although possession of marijuana is allowed in the State of Colorado, it is still considered an illegal controlled substance under federal law. The airport recognizes the need to protect the federal interests identified in the Department of Justice's guidance on its federal marijuana enforcement policy including preventing the diversion of marijuana from states where it is legal under state law in some form to other states and preventing state-authorized marijuana activity from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal activity. Additionally, it is against Federal Law/Federal Aviation Regulations for anyone to operate a civil aircraft with knowledge that marijuana is carried on the aircraft. Therefore, the airport will support TSA's prohibited items list and federal law.

What areas of the airport does the ban cover?

The ban covers those areas of the airport where the boarding of air carrier and general aviation aircraft takes place. In addition to the restrictions already outlined in the current City Ordinance, possession of marijuana will not be allowed in the passenger terminal facility, overhangs and general aviation area, also known as the Air Operations Area.*

**Air operations area (AOA) means a portion of an airport, specified in the airport security program, in which security measures specified in this part are carried out. This area includes aircraft movement areas, aircraft parking areas, loading ramps, and safety areas, for use by aircraft regulated under 49 CFR part 1544 or 1546, and any adjacent areas (such as general aviation areas) that are not separated by adequate security systems, measures, or procedures.*

Can passengers leave marijuana in their vehicles at the airport?

Yes, the Rule does not include the parking areas around the airport. People are encouraged to leave their marijuana at home or in their vehicles while visiting the Colorado Springs Airport.

How will travelers and airport visitors be made aware of the Rule prohibiting marijuana possession in certain areas of airport property?

The Colorado Springs Airport wants to ensure that airport visitors know and understand what this Rule entails and will make every effort to provide education and awareness. Therefore, the airport will post signs on airport property and make the Rule available through several sources.

The Rule can be viewed by visiting flycos.coloradosprings.gov/rulesandregulations

- The Rule will also be published in The Daily Transcript, the official newspaper for Colorado Springs and in The Gazette newspaper on Friday, January 10, 2014.
- Copies of the Rule will also be available at the Airport Administration Office and Colorado Springs City Clerk's Office.
- Signs with the following verbiage will be posted throughout airport property

NOTICE: MARIJUANA IS PROHIBITED IN THIS FACILITY

It is unlawful to possess, consume, use, display, transfer, distribute, sell, transport, or grow marijuana (including both recreational and medical) in or upon the passenger terminal facility, any overhang area to the passenger terminal facility, or the Air Operations Area (AOA) of the Colorado Springs Municipal Airport. This includes all passenger carry-on and checked baggage. You must dispose of any and all marijuana before entering prohibited areas and/or checking baggage.

Violators may be assessed a fine of not more than \$2,500, imprisonment up to 189 days, probation, or a combination of fine, imprisonment, or probation, in addition to any other applicable penalties under state or federal law.

Colorado Springs City Code sec. 1.2.201, as amended; Colorado Springs Airport Rules and Regulations, Chapter 2.

What happens if a TSA agent discovers marijuana during a routine inspection?

If TSA finds marijuana in checked baggage, carry-on baggage or in your possession they will contact the local law enforcement authorities. Colorado Springs Police Department has local jurisdiction and will be called to address the situation.

What about passengers carrying medical marijuana?

Although a passenger has a state-issued card to carry medical marijuana it is still illegal under federal law to transport marijuana on an aircraft and all passengers will be subject to this rule regardless of the reason for possession. TSA makes no distinction between medical and recreational marijuana. Both are prohibited items.

What will happen to people found to be in possession of marijuana?

The goal of the airport is to offer a safe environment at the airport and we are asking for voluntary compliance. The airport will install amnesty boxes on airport property. The airport will give people the opportunity to dispose of the marijuana before entering the passenger terminal facility by leaving it in their vehicles, turning it in at an amnesty box or giving it to someone to take off of airport property. However, we want to emphasize that possessing marijuana on a commercial service aircraft is a federal offense and punishable under federal law.

Although the airport's goal is for airport visitors to voluntarily comply with the Rule, violating the Rule is unlawful under City Code. Persons found to be carrying marijuana may be issued a ticket and are subject to the penalties and provisions stated in the Code which may include fine, imprisonment and/or probation.

Current as of January 8, 2014.