

FHWA's Position on Moving Marijuana (March 2014)

Question: Since marijuana is illegal under federal law, but it is now legal to possess small amounts in Washington State, would FHWA approve a local Agency's payment for moving expenses to relocate Marijuana that is considered personal property?

Answer: The position of FHWA HQ currently is that they do not participate in costs associated with activities that are not "legal" under Federal law. Until and unless that position changes, it means they would not participate in costs associated with relocating marijuana plants. However, if an agency chooses to do so with their own funds, that would not affect FHWA's ability to participate in those costs that are not directly associated with the "illegal" (per Federal) activity. So, they could participate in the other costs associated with the displacement.