



# OREGON LIQUOR CONTROL COMMISSION

## Retailer Home Delivery Guide

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### What is this document?

A retailer may register with the Commission to engage in the home delivery of marijuana items to recreational customers. This document explains the privileges and restrictions applicable to any home delivery. If you hold a retailer license and wish to engage in the home delivery of recreational marijuana items to consumers, you should be familiar with this guide and the administrative rules relating to home delivery.

### Who can deliver marijuana items to a consumer's home?

Only a retailer and that retailer's representatives may engage in this privilege. Any person delivering marijuana items on behalf of a retailer must be registered in the Cannabis Tracking System (CTS) as an employee of that retailer with a valid marijuana worker permit number and be declared on the required transport manifest as recorded in CTS.

### I want to hire another company such as a wholesaler to do my home deliveries. How do I do that?

This is not permitted. Although a wholesaler licensee may transfer marijuana items between licensed premises on behalf of another licensee, in order for a person to provide home delivery of marijuana on behalf of a retailer, that person must be an employee of the retailer and must be recorded as such in the Cannabis Tracking System. A person may not be an employee representing multiple retailers simultaneously and may not provide home delivery for multiple retailers simultaneously.

### Can I make multiple deliveries to the same address in a single day?

No. A retailer may not make more than one delivery to the same address in a single day, even if the delivery is to a different individual.

### Can I deliver non-marijuana items as well?

Nothing in OLCC's administrative rules prohibits a retailer licensee from delivering non-marijuana items to a residence. However, these items may not be "bundled" with marijuana items; each item must have a separate price and a licensee may never discount a marijuana item contingent upon the purchase of any other item.

For example, a licensee may not sell a non-marijuana item at an inflated price in order for a customer to receive a marijuana item at a discounted price and a licensee may not require the purchase of a non-marijuana item in order to receive a marijuana item.



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### Location of Deliveries

A retailer may only deliver marijuana items in the jurisdiction in which the retailer premises is licensed. For a retailer in an incorporated local city, this means that no deliveries can be made to any location outside of the city limits. **Note the city listed in the address of a home location may or may not be the actual jurisdiction in which that home is located.** For a retailer in an unincorporated county area, this means no deliveries can be made into different counties or into any incorporated city area.

The only exception is delivery to an OMMP patient or a patient's designated primary caregiver. A retailer with this registration may deliver marijuana items to a patient or a patient's designated primary caregiver at an individual's residence in Oregon, regardless of the jurisdiction where the residence is located.

It is your responsibility to confirm that a home delivery location is within the jurisdiction in which you are licensed. This jurisdiction will usually be the same as the local or county government from which you received a determination on your Land Use Compatibility Statement, but there can be exceptions. For example, if a retailer is outside city limits but within an urban growth boundary (UGB), the jurisdiction for delivery purposes is the county because they are outside city limits, but in some cases the city may sign their LUCS if they authorize land use within the UGB. You may wish to contact the jurisdiction in which you are licensed to determine specific boundaries.

A delivery may be made only to a residence such as a house or apartment. Deliveries may not be made to dormitories, hotels, motels, bed & breakfasts, or other similar commercial businesses.

### Receiving Orders

- An order must be placed before 8:00 PM on the day the delivery is to be made.
- An order may only be placed by the person who will receive the order.
- An order must contain:
  - The requestor's name & date of birth.
  - The date of requested delivery.
  - The address of the residence to which the product must be delivered.
  - A description of the marijuana items proposed for delivery and the amounts.
  - A statement that the marijuana items are for personal use and not for resale.

### Delivery Documentation

- A retailer must create a manifest in CTS for each delivery or series of deliveries that includes the delivery locations, the amount to be delivered at each location, and the route between all destinations.
- The retailer must document & retain:
  - All information in the order, including the date and time it was received.
  - A copy of the delivery manifest.
  - The person delivering the marijuana items and their Worker Permit number, if applicable.
  - The name of the person who received the delivery.
  - A full description of the items delivered, including weight, volume and price paid.
  - The date and time the items were delivered.
  - A signature of the person who received the order confirming that all items ordered were received.
  - A retailer is only required to retain the name of an individual to whom a delivery was made for one year.



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### **Delivery Requirements**

- Marijuana items may not be transported out of the State of Oregon.
- Any individual authorized by the retailer to transport marijuana items must have a driver license valid to operate the delivery vehicle in Oregon License and must have successfully completed all required Marijuana Worker Permit education.
- Deliveries may be made only by motor vehicle insured at or above the legal requirements in Oregon capable of locking all doors and equipped with an alarm system.
- All marijuana items must be kept in a lock-box securely affixed inside the delivery vehicle.
- Deliveries must be made after 8:00 AM before 9:00 PM. If a delivery cannot be made before 9:00 PM due to circumstances beyond the licensee's control, the delivery must be rescheduled or cancelled.
- A manifest must be created for each delivery or series of deliveries and the individual doing the delivery may not make any unnecessary stops between deliveries or deviate substantially from the manifest route.
- The person making the delivery must check the recipient's ID to confirm that the individual is the person who placed the order and that the person is 21 years of age or older. Licensees should review "Acceptable ID Types of ID" signage available at <https://www.oregon.gov/OLCC/pages/publications.aspx>
- The person making the delivery must collect a signature from the recipient.
- A delivery may not be made to a residence located on publicly-owned land. It is the licensee's responsibility to verify whether the land is publicly-owned prior to making a delivery.
- Deliveries may not be made more than once per day to the same physical address or to the same individual or to an individual who is visibly intoxicated at the time of delivery.
- The retailer remains responsible for the collection of all relevant State and local taxes.
- The retailer licensee and the permittee making the delivery may both be held responsible for any violations related to the delivery of marijuana items.
- Items being delivered must meet all packaging and labelling requirements and must be placed within a larger delivery receptacle that has a label that reads: "Contains marijuana: Signature of person 21 years of age or older required for delivery".
- No more than \$3000 (retail value) worth of marijuana items may be "out for delivery" for home delivery at any time.