

**OREGON LIQUOR CONTROL COMMISSION**  
**CHAPTER 845**  
**PROPOSED AMENDMENT**

**Addendum to the 2019 Division 25 Bill and Technical Rule Package**

Caption: The rules make legislative and technical changes to Division 25 of Chapter 845.

Note: **Bold and underlined** = new text; *italics and strikethrough* = deleted text

845-025-7700

Transportation and Delivery of Marijuana Items

- (1) ~~Marijuana items may only be transferred between licensed premises by a licensee or licensee representative.~~
- (2) ~~An individual authorized to transport marijuana items must have a valid Driver's License.~~
- (3) ~~A licensee must:~~
  - (a) ~~Keep marijuana items in transit shielded from public view;~~
  - (b) ~~Use a vehicle for transport that is:~~
    - (A) ~~Insured at or above the legal requirements in Oregon;~~
    - (B) ~~Capable of securing (locking) the marijuana items during transportation;~~
    - (C) ~~Equipped with an alarm system; and~~
    - (D) ~~Capable of being temperature controlled if perishable marijuana items are being transported.~~
  - (c) ~~Using CTS, generate a printed transport manifest that accompanies every transport of marijuana items that contains the following information:~~
    - (A) ~~The name, contact information of a licensee representative, licensed premises address and license number of the licensee transporting the marijuana items;~~
    - (B) ~~The name, contact information of the licensee representative, licensed premises address, and license number of the licensee receiving the delivery;~~
    - (C) ~~Product name and quantities (by weight or unit) of each marijuana item contained in each transport, along with the UIDs for every item;~~
    - (D) ~~The date of transport and approximate time of departure;~~
    - (E) ~~Arrival date and estimated time of arrival;~~
    - (F) ~~Delivery vehicle make and model and license plate number; and~~
    - (G) ~~Name and signature of the licensee's representative accompanying the transport.~~
- (4) ~~A licensee must generate the manifest required by section (3)(c) of this rule at least 24 hours in advance of initiating transportation to a retail licensee if the marijuana items transported pursuant to the manifest exceed:~~
  - (a) ~~25 pounds of usable marijuana;~~
  - (b) ~~One pound of cannabinoid concentrate or extract; or~~
  - (c) ~~1,000 units of sale of any individual cannabinoid product.~~
- (5) ~~A licensee may not void or change a transportation manifest after departing from the originating premises.~~
- (6) ~~All marijuana items must be packaged in shipping containers and labeled with a UID tag prior to transport.~~
- (7) ~~A licensee must provide a copy of the transport manifest to each licensed premises receiving the inventory described in the transport manifest, but in order to maintain transaction confidentiality, may prepare a separate manifest for each receiving licensed premises.~~

(8) A licensee must provide a copy of the printed transport manifest and any printed receipts for marijuana items delivered to law enforcement officers or other representatives of a government agency if requested to do so while in transit.

(9) A licensee must contact the Commission immediately, or as soon as possible under the circumstances, if a vehicle transporting marijuana items is involved in any accident that involves product loss.

(10) Upon receipt of inventory, a receiving licensee must ensure that the marijuana items received are as described in the transport manifest and must record receipt of the inventory in CTS.

(11) A receiving licensee must separately document any differences between the quantity specified in the transport manifest and the quantities received. Such documentation shall be made in CTS and in any relevant business records.

(12) A licensee must provide temperature control for perishable marijuana items during transport.

(13) Any vehicle transporting marijuana items must travel directly from the shipping licensee to the receiving licensee and must not:

(a) Make any unnecessary stops in between except to other licensed premises receiving inventory;

(b) Remove the marijuana items from the vehicle until they arrive at their final destination. Licensees may not transfer marijuana items to, nor store marijuana items in a hotel or any other unlicensed premises; and

(c) Travel with any persons not listed on the manifest.

(14) A licensee must notify the Commission in advance of the location of every stop at an unlicensed location that exceeds two hours in duration.

(15) If the licensee's delivery vehicle is stopped at an unlicensed location the licensee must immediately make the vehicle and its contents available for inspection upon the Commission's request.

(16) A licensee may transport marijuana on behalf of other licensees if the transporting licensee holds a wholesale license.

#### **(1) Marijuana items transferred between licensees.**

**(a) Marijuana items transferred between licensed premises may only be transported by a licensee or licensee representative or the originating or receiving license.**

**(b) Notwithstanding (1)(a) of this section, a wholesale licensee or wholesale licensee representative may transport marijuana items between licensed premises on behalf of a licensee.**

**(c) Samples of marijuana items transported to a laboratory license may only be transported by the laboratory licensee or a laboratory licensee representative of the receiving laboratory.**

#### **(2) Marijuana items transferred by a licensee to registry identification cardholders, caregivers, and PRMGs.**

**(a) Marijuana items transferred from a licensed premises to a registry identification cardholder, caregiver, or PRMG may only be transported by the originating licensee or a licensee representative of the originating licensee.**

**(b) Notwithstanding (2)(a) of this section, a licensee may complete a delivery of marijuana items to a registry identification cardholder, caregiver, or PRMG at the licensed premises of the originating licensee.**

(c) Nothing in this section is intended to prohibit a retailer licensee from completing a sales transaction to an individual or home delivery of marijuana as otherwise allowed by these rules.

(3) Physical transport requirements for licensees.

(a) An individual authorized to transport marijuana items on behalf of a licensee must have a valid Driver License.

(b) When within the delivery vehicle, a licensee must store marijuana items within a locked, secured area and shield marijuana items from view from the exterior of the vehicle.

(c) When transporting perishable marijuana items, a licensee must provide temperature control within the transport vehicle while those items are in transit.

(d) A vehicle used to transport marijuana items by a licensee must:

(A) Be equipped with an alarm system; and

(B) Be insured at or above the legal requirements in Oregon.

(e) All marijuana items must be delivered to all destinations or returned to the origin premises within 60 hours of original departure. All overnight stops must be documented in the planned route of the manifest and must include the address, estimated arrival time at, and estimated departure time from the location of each overnight stop.

(f) A licensee must generate the manifest required by section (4) of this rule at least 24 hours in advance of initiating transportation to a retailer licensee if the marijuana items transported pursuant to that manifest exceed:

(A) 25 pounds of usable marijuana;

(B) One pound of cannabinoid concentrate or extract; or

(C) 1,000 units of sale of any individual cannabinoid product.

(g) A licensee must package all marijuana items for transport in shipping containers and assign and affix a UID tag to all marijuana items as required by these rules.

(h) A licensee must provide a copy of the transport manifest to each location receiving the inventory described in the transport manifest, but may prepare a separate manifest for each receiving location in order to maintain transaction confidentiality.

(i) A licensee must contact the Commission immediately, or as soon as possible under the circumstances, if a vehicle transporting marijuana items is involved in any accident or other situation involving product loss.

(j) A licensee must travel directly from the originating location to the destination location as described in the manifest required by (4) of this section.

(k) A licensee may not:

(A) Make any unnecessary stops in between the originating and destination locations except to other licensed premises receiving inventory as described on the manifest required by (4) of this section;

(B) Remove the marijuana items from the vehicle until they arrive at the destination recorded in the manifest. Licensees may not transfer marijuana items to, nor store marijuana items in a hotel or any other unlicensed premises;

(C) Except as allowed in (5) of this section, void or change a manifest after departing the originating premises; or

(D) Travel with any persons not listed on the manifest required by (4) of this section.

(l) A licensee must notify the Commission in advance of every stop at an unlicensed location that exceeds two hours in duration.

(m) If the licensee's or delivery vehicle is stopped at an unlicensed location the licensee must immediately make the vehicle and its contents available for inspection upon the Commission's request.

(n) A licensee may transport marijuana items on behalf of other licensees if the transporting licensee holds a wholesale license.

(4) CTS manifest requirements.

(a) Prior to removing a marijuana item from the originating location for the purposes of transport or delivery, a licensee, grow site administrator, medical marijuana processing site, or medical marijuana dispensary must use CTS to generate a printed transport manifest containing the following information:

(A) The originating location's license number and address as it appears in CTS;

(B) The UID, product name, and quantity (by weight or unit as applicable) of each marijuana item;

(C) The actual date and estimated time of departure;

(D) The arrival date and estimated time of arrival or completion of delivery;

(E) The delivery vehicle make, model, and license plate number; and

(F) The name, contact information, and signature of the individual accompanying the transport.

(b) A physical, printed copy of the generated manifest must accompany every transport of marijuana items.

(c) CTS manifest requirements for transports to CTS-tracked locations. In addition to the information required on the manifest by (4)(a) of this section, when transporting marijuana items to a licensee, grow site subject to CTS tracking, medical marijuana processing site, or medical marijuana dispensary; a licensee, grow site administrator, PRP, or PRMD must include:

(A) The name and contact information of the individual authorized by the receiving location to receive the delivery; and

**(B) The destination location's license number and address as it appears in CTS.**

**(d) CTS manifest requirements for transports to individuals or locations not in CTS. In addition to the information required on the manifest by (4)(a) of this section, when transporting marijuana items to a PRMG, registry identification cardholder, caregiver, consumer, or other individual as allowed by these rules or by Oregon Administrative Rules Chapter 333 Division 8, a licensee, grow site administrator, medical marijuana processing site, or medical marijuana dispensary must include:**

**(A) The name of the individual receiving the marijuana item;**

**(B) The address of the destination, if the delivery is not completed at the originating location;**

**(C) If delivered to a registry identification cardholder, the registry identification card number;**

**(D) If delivered to a caregiver on behalf of a patient, the OMMP identification card number associated with the caregiver-patient relationship;**

**(E) If delivered to a PRMG, the marijuana grow site registration card number of the PRMG; and**

**(F) For home delivery of a marijuana item by a retailer, all information for the manifest required under OAR 845-025-2880.**

**(e) A licensee, grow site administrator, medical marijuana processing site, or medical marijuana dispensary transporting marijuana to individuals or locations not in CTS as described in (4)(d) of this section must record the transport as complete in CTS and whether each marijuana item was accepted by the recipient or rejected and returned to the originating location inventory.**

**(f) Upon receipt of a delivery of marijuana items, a licensee, grow site administrator, medical marijuana processing site, or medical marijuana dispensary, the receiving party must:**

**(A) Record each applicable UID as accepted and received or rejected in CTS as applicable;**

**(B) Ensure the marijuana items received are as described in the transport manifest and record receipt of the marijuana items in CTS;**

**(C) Separately and for each UID document any differences between the quantity specified in the transport manifest and the quantities received in CTS;**

**(D) If the marijuana items were received from a source not subject to CTS tracking but otherwise allowed by these rules or Oregon Administrative Rules Chapter 333 Division 8:**

**(i) Use CTS to document record an incoming manifest including the originating license number, registry identification card number, OMMP caregiver identification card number, or grow site registration card number, as applicable;**

**(ii) Assign and affix a UID tag to each quantity of marijuana items received; and**

**(iii) Use CTS to record the incoming transport no later than the time of daily inventory reconciliation as required by these rules.**

**(5) Licensee transport of marijuana to intermediary stops. A licensee may remove marijuana items from a manifest after departing from the originating premises if:**

**(a) The route of the manifest from which the marijuana items are being removed lists the trade name, license number, address, and estimated arrival time of each licensed premises being visited as an intermediary stop;**

**(b) All marijuana items in the vehicle are included on a manifest at the time of departure from the originating premises;**

**(c) Marijuana items that are removed from a manifest are immediately added to a new manifest. The destination license on the new manifest must be listed on the original manifest route as an intermediary stop;**

**(d) Changes to the manifest under (5)(c) of this rule are only made while the marijuana items subject to the change are physically located within the licensed premises of the intermediary stop to which they are being transferred; and**

**(e) The amount of marijuana items being transported in the vehicle do not exceed:**

**(A) 25 pounds of usable marijuana;**

**(B) One pound of concentrate or extract; or**

**(C) 1,000 units of sale of any individual cannabinoid product.**

Statutory/Other Authority: ORS 475B.025, 475B.070, 475B.090, 475B.100 & 475B.105

Statutes/Other Implemented: ORS 475B.025, 475B.070, 475B.090, 475B.100 & 475B.105