



Implementation of the Medical Cannabis Regulation and Safety Act

Pre-Regulatory Stakeholder Meeting

Transporters Discussion Topics and Background

The Medical Cannabis Regulation and Safety Act (Act) requires the Bureau of Medical Cannabis Regulation (BMCR) to regulate transporters of medical cannabis and medical-cannabis products. The Act defines “transport” as the transfer of medical cannabis or medical-cannabis products from one licensee to another.

At the pre-regulatory stakeholder meetings, we will examine these topics with the public and collect feedback on alternative solutions. In the following pages, you will find some critical topics BMCR is examining along with potential regulatory solutions and BMCR’s thoughts for regulation. Please review the information and either submit comments at www.dca.ca.gov/webapps/bmcr/public_comment.php (link available at www.bmcr.ca.gov) or come prepared to share your ideas at our pre-regulatory meetings! Please note that due to time constraints we will not be able to discuss all aspects of each license type, however you will have many opportunities to submit your comments to BMCR.

Topics To Be Covered

1. Shipping requirements
2. Transportation thresholds
3. Vehicle requirements

Action Items for the Public

BMCR has researched multiple alternatives for the direction of a variety of regulatory concepts. Now we are looking for your feedback!

- Please review the attached documents.
- How do you feel about BMCR’s thoughts for the topics attached?
- What are your suggested alternatives and reasons for supporting them?
- Provide us with your feedback in one or both of the following ways:
 - Visit www.dca.ca.gov/webapps/bmcr/public_comment.php or www.bmcr.ca.gov to provide comments.
 - Register and participate in one of our pre-regulatory meetings! If you have not registered, please visit www.bmcr-omcs-prereg.eventbrite.com.

For more background, information, and proposals for each topic, please see the following attachments.

TOPIC #1: SHIPPING REQUIREMENTS

Objective #1: Determine the items required to be listed on a shipping manifest.

Objective #2: Determine what documents must accompany the driver at all times during transport.

Existing Law: The Act requires a transporter to complete an electronic shipping manifest, as prescribed by BMCR, prior to transporting any medical cannabis or medical cannabis products. The Act also requires the transporter to carry a physical copy of the shipping manifest during transport and make it available upon request to agents of the Department of Consumer Affairs and law enforcement.

Options for Regulations for Objective #1 – Information on Shipping Manifests:

1. Require the following items on shipping manifest:
 - a. Name and license number of source vendor (i.e., cultivator or manufacturer);
 - b. Name of authorized employees of source vendor and recipient;
 - c. Name and license number of receiving licensee;
 - d. Number of units or weight of items being transported;
 - e. Strain and product type of medical cannabis and medical cannabis products in shipment;
 - f. Unique identifiers of all products in shipment;
 - g. Travel route, start and end time; and,
 - h. All planned stops on travel route.
2. A variation of the requirements under option #1
3. Other alternative

BMCR's Thoughts: Option #1, specifying requirements for the electronic shipping manifest.

Options for Regulations for Objective #2 – Documents to Accompany Transport Drivers:

1. Require transporter to carry the following documents:
 - a. State license and local license, permit, or other authorization for transport;
 - b. Driver's license;
 - c. Physical copy of shipping manifest;
 - d. Proof of insurance; and,
 - e. Vehicle registration.
2. A variation of the requirements under option #1
3. Other alternative

BMCR's Thoughts: Option #1, specifying requirements for documents to carry.

TOPIC #2: TRANSPORTATION THRESHOLDS

Objective #1: Establish a transportation threshold based on product type; if transferring product above that threshold, a transporter license is required.

Objective #2: Determine the maximum amount of medical cannabis and medical cannabis product that may be transported in one trip.

Existing Law: The Act requires BMCR to regulate the transport of medical cannabis and medical cannabis products for commercial cannabis activity. The Act requires BMCR to determine the threshold amount above which a person needs a license to transport medical cannabis and medical-cannabis products.

Options for Regulations for Objective #1 – Threshold Amount for Transporter License:

1. Establish threshold based on product type:
 - a. Dried flower: ≥ 5 lb
 - b. Concentrates and extracts: ≥ 50 grams
 - c. Medical cannabis–infused products: ≥ 150 units
 - d. Live plants: ≥ 20 ten-count packs of seeds or ≥ 144 immature plants or ≥ 10 mature plants
2. Establish threshold as a specific monetary value
3. Establish threshold based on total weight of products
4. Other alternative

BMCR's Thoughts: Option #1, establishing thresholds based on product type.

Options for Regulations for Objective #2 – Maximum Goods Allowable for Transport in One Shipment:

1. No maximum weight limit
2. Other alternative

BMCR's Thoughts: Option #1, do not set a maximum weight limit.

TOPIC #3: VEHICLE REQUIREMENTS

Objective #1: To determine minimum security requirements for transport vehicles.

Objective #2: To establish what types of vehicles may be used for transport.

Existing Law: The Act requires BMCR to regulate the transport of medical cannabis and medical cannabis products. The Act also requires BMCR to establish minimum security requirements for the commercial transportation of medical cannabis and medical cannabis products.

Options for Regulations for Objective #1 – Minimum Vehicle Security Requirements:

1. Require the following for all transport vehicles:
 - a. Refrigeration;
 - b. Specialized locking system for storage of medical cannabis and medical cannabis products;
 - c. Vehicle alarm system; and,
 - d. Separation between the people in the vehicle (i.e., drivers and passengers) and the shipment
2. A variation of the requirements under option #1
3. Other alternative

BMCR's Thoughts: Option #1, require all transport vehicles to have refrigeration, locking system, alarm system, and separation method

Options for Regulations for Objective #2 – Types of Vehicles for Transport:

1. Limit types of vehicles to any of the following:
 - a. Vans
 - b. Pick-up trucks with camper shells
 - c. Open trailers or closed trailers
 - d. Other commercial vehicles
2. Limit the mode of transportation to motor vehicles only
3. Prohibit transportation by means of aircraft, watercraft, drones, rail, and human-powered vehicles (including motorized bicycles, etc.)
4. Other alternative

BMCR's Thoughts: Option #3, prohibition on certain types of transportation methods