

BUREAU OF MEDICAL CANNABIS REGULATION

PRE-REGULATORY MEETING

TRANSPORTER REQUIREMENTS—MEETING SUMMARY

SACRAMENTO

September 20, 2016

Topic 1a: Shipping requirements; Transportation manifest:

BMCR's Thoughts: Require the following information on all transport manifests:

- 1. Name and license number of source vendor;**
- 2. Name of authorized employees of source vendor and recipient;**
- 3. Name and license number of receiving licensee;**
- 4. Number of units or weight of items being transported;**
- 5. Strain and product type of medical cannabis and medical cannabis product in shipment;**
- 6. Unique identifiers of all products in shipment;**
- 7. Travel routes; and**
- 8. All planned stops on travel route.**

COMMENTS:

- The group did not like #5 and expressed concerns of privacy and security issues for the recipient.
- The group also asked who would have a right to view the manifests. Would federal government?
- The group suggested keeping of manifests for seven years.
- The group was of the strong opinion that the manifest should be signed/dated by multiple individuals in the transport chain. Specifically:
 - Dispatcher;
 - Driver; and
 - Recipient with license number.
- Suggest use of electronic track-and-trace system. Want trace between licensees.
- They don't want DEA to have access to track-and-trace information.
- Want real-time GPS mandated – Safety issue.
- Want surveillance cameras in transport: one on driver and the other on the product.
- Transporters want something to show police.
- Bureau to issue permit/endorsement – Pay a fee (i.e., commercial endorsement).
- SUGGESTION: The creation of a state-approved stamp to be placed on all medical cannabis and medical cannabis products during transport.

QUESTIONS:

- Concern: Where is track-and-trace info to be stored? Who will have access?

Topic 1b: Shipping requirements; Documents

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BMCR's Thoughts: All transporters shall carry the following documents:

1. State license and local license, permit, or other authorization for transport;
2. Driver's license;
3. Physical copy of shipment manifest;
4. Proof of insurance; and
5. Vehicle registration.

COMMENTS:

- Split in opinion: some members of the group felt drivers should be required to go through the background check. While other employees may not be required - drivers of commercial transport are in a unique position to have control of the product whereby a background check would be beneficial.
- Split in opinion: some members suggested the mandatory tracking of vehicles with real-time global positioning system.
- SUGGESTION: Specialized driver's endorsement. The driver would be required to demonstrate basic medical cannabis knowledge and basic transport regulation knowledge.
- Driver License Class C for cars/vans. Class A for trucks.
- Manifest – Dispatcher/driver/receiver sign.
- Would like manifest to be track-and-trace printout.
- Why couldn't dispatch print out track-and-trace, sign it, give it to driver who then signs, then receiver signs upon receipt.
- State or federal motor carrier permit for commercial trucks.
- Commercial truck drivers comply with Department of Transportation requirements.
- Proof of Insurance - commercial trucks, commercial insurance.
- Don't like taxes at all transport levels.

QUESTIONS:

- How long will transporters be required to keep manifests?

Topic 2a: Transportation thresholds; transporter license

BMCR Proposal: Establishing the transportation threshold, above which a transporter license is necessary, based on product type. If transporting above the following amounts, a transporter license would be required: Dried flower: ≥ 5 lb; Concentrates and extracts: ≥ 50 grams; Medical cannabis-infused products: ≥ 150 units; and Live plants: ≥ 20 ten-count packs of seeds or ≥ 144 immature plants or ≥ 10 mature plants.

COMMENTS:

- The group had a strong opinion that "any traceable amount" of product should be the threshold set by the Bureau for the requirement of a transporter license – can't transport to testing lab where all product transported is destroyed.

Topic 2b: Transportation thresholds; Maximum thresholds

BMCR's Thoughts: No maximum weight limit on the amount a transporter can transport in one shipment.

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COMMENTS:

- Group was unanimous – **NO max amount**. It should be up to each business to decide the amount of product and amount of financial risk they are willing to take.
- SUGGESTION: Create a tiered system where the larger amount of the product being shipped the more security measures are required.

Topic 3a: Vehicle requirements; Storage and security

BMCR Proposal: All vehicles are to be equipped with the following: Refrigeration; Specialized locking system for storage and for entry and exit; in vehicle security; and, Separation between the people in the vehicle (i.e., drivers and passengers) and the shipment.

COMMENTS:

- Refrigeration – the group felt that this was a topic the industry will self-regulate. Many growers know proper refrigeration is required and they will not choose transporters that do not already provide proper refrigeration.
- Specialized lockbox – the group liked the idea of requiring a ridge frame box capable of heavy-duty lock and small proof.
- There should not be any non-employee passengers permitted in the vehicle when medical cannabis and medical cannabis products are present.

QUESTIONS:

- Why have it if you don't need it?
- Can it be an ice chest?

MAIN THEMES: Allow the industry to develop their own customary practices and standards.

Topic 3b: Vehicle requirements; Vehicle type

BMCR's Proposal: Transportation by means of aircraft, watercraft, drones, rail and human powered vehicles (including motorized bicycles, etc.) shall be prohibited.

COMMENTS:

- The group did not want to limit the type of vehicle.
- Rail should be permitted.
- Transporters should be required to list the VIN of all vehicles intended to be used in the transportation of medical cannabis and medical cannabis products on the license application form.
- Depends on load.
- All street-legal vehicles should be able to be used.
- Debate of car/vans versus trucks.
- Motorcycles should be allowed.
- Don't lock out mom-pop operations.
- Insurance - Commercial vs non-commercial.
- Don't want Uber to be an option.
- Agree no watercraft – contributes to illegal transport.

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QUESTIONS:

- Why not rail, drones and bicycles?
- Armored-car rules?

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