



Mille Lacs Band of Ojibwe
Department of Cannabis Regulation
Cannabis Regulations

TRANSPORTATION

Document No. CR – 17

Effective: *Date*

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1. PURPOSE

This Regulation implements 15 MLBS §§ 1216(b) and Compact Attachment A, parts 9810.2300 and 9810.2600. The purpose of this Regulation is to outline the requirements for transportation and delivery of cannabis by licensees in a safe, transparent, and accountable manner.

2. TRANSPORTATION REQUIREMENTS AND STANDARDS

2.1. Applicability

- 2.1.1. The requirements of this section 2 apply to any eligible licensee who has obtained or is required to obtain a transport endorsement under CR-2, Business Licensing, for the transport of regulated product by the licensee regardless of whether the cannabis transporter transporting product to a customer or a licensee.

2.2. Standard Operating Procedures

- 2.2.1. A cannabis transporter authorized to transport regulated product to a license or a customer must establish standard operating procedures to ensure that it complies with the requirements for transportation and delivery outlined under this Regulation.

2.3. Commercial Vehicle Requirements

- 2.3.1. A cannabis transporter must comply with all commercial vehicle requirements imposed by the Minnesota Department of Public Safety, the Minnesota Department of Commerce, and the Minnesota Department of Revenue.

2.4. Motor Vehicle Registration

- 2.4.1. Motor vehicles used for cannabis transport and regulated under these Regulations must be registered in the state of Minnesota or through the Band's Department of Motor Vehicles.

2.5. Identifying Logos and Business Names

- 2.5.1. Any vehicle used for transportation of regulated product must not contain images prohibited by Minnesota Statutes, section 342.36, and must comply with Minnesota Statutes, section 221.031, subdivision 6, and Code of Federal Regulations, title 49, section 390.21.



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2.6. Transportation Security Requirements

- 2.6.1. A cannabis transporter must comply with the security requirements outlined in CR-6, Security.
- 2.6.2. Regulated product may not be visible from outside the motor vehicle.
- 2.6.3. Regulated product must be transported in a locked, safe, and secure storage compartment that is part of the motor vehicle or in a locked storage container that has a separate key or combination pad.

2.7. Inspection

- 2.7.1. Any vehicle used for transportation of regulated product must comply with all applicable laws, statutes, regulations, and rules for commercial vehicle inspection. Any such vehicle is subject to inspection by the Department and may be stopped or inspected by the Department at any licensed cannabis business or while en route during transportation.

3. PREQUIREMENTS AND STANDARDS SPECIFIC TO TRANSPORTATION TO A LICENSED CANNABIS BUSINESS

3.1. Applicability

- 3.1.1. This section 3 applies to a cannabis transporter that is transporting regulated product to a licensee using a cannabis transport vehicle.

3.2. Shipping Manifest

- 3.2.1. Before accepting regulated products from a cannabis business for transport, a cannabis transporter must obtain a shipping manifest through the established seed-to-sale tracking system approved by the Department. A shipping manifest must include;
 - a. the name, phone number, address, and license number of the cannabis transporter;
 - b. the name, phone number, address, and license number of the product shipper;
 - c. the name, phone number, address, and license number of the product recipient;
 - d. the type and quantity of all products being transported;



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- e. the name of each employee or contractor of the cannabis transporter who will participate in the transportation of the products;
- f. the make, model, year, and license plate number of each cannabis delivery vehicle;
- g. the planned route;
- h. the date and time of the cannabis transporter's estimated departure; and
- i. the date and time of the cannabis transporter's estimated arrival.

3.2.2. A copy of the shipping manifest must accompany the products until the products are delivered. The shipping manifest must be available for inspection by the Department at any time during transportation regardless of location and by OCM at any time during transportation outside of the Band's Tribally Regulated Lands. A cannabis transporter may provide the Department or OCM with a shipping manifest in digital or physical form.

3.3. Vehicle Occupants

- 3.3.1. A cannabis transport vehicle that is transporting regulated products must be staffed by at least two (2) individuals, and at least one (1) individual must remain with the vehicle at all times while regulated product is located in the vehicle. All occupants must be cannabis workers employed by or contracted with the cannabis transporter who:
- a. are at least 21 years of age; and
 - b. must carry a valid driver's license with proper endorsements.

3.4. Transportation Routes

- 3.4.1. A cannabis transporter must make reasonable efforts to ensure that driving routes and delivery times are randomized.

3.5. Recordkeeping

- 3.5.1. Records of transportation must be kept for a minimum of three (3) years at the cannabis transporter's place of business and are subject to inspection upon request of the Department. The records include copies of transportation manifests for all deliveries; a transportation log documenting the chain of custody for each delivery, including every employee and vehicle used during



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transportation; and financial records showing payment for transportation services.

3.6. Product Security

- 3.6.1. The entire cargo bay, cargo area, or trunk of a cannabis transport vehicle may be used for holding products if:
- a. the cargo bay, cargo area, or trunk is protected by a locking mechanism with a lock or keypad separate from vehicle door locks;
 - b. the cargo bay, cargo area, or trunk is inaccessible from the driver and passenger areas of the cannabis delivery vehicle; and
 - c. products stored in the cargo bay, cargo area, or trunk are not visible from outside the vehicle.

4. REQUIREMENTS AND STANDARDS SPECIFIC TO DELIVERY TO CUSTOMERS

4.1. Applicability

- 4.1.1. This section 4 applies to a cannabis transporter that is transporting regulated product to a customer using a cannabis delivery vehicle.

4.2. Delivery Limits

- 4.2.1. A delivery driver may not transport more than \$5,000 worth of regulated product on a single delivery route. The Department may establish further limits on the amount of regulated product that a cannabis transporter may deliver.

4.3. Vehicle Occupants

- 4.3.1. All occupants of a cannabis delivery vehicle must be cannabis workers employed by or contracted with the cannabis transporter who are at least 21 years of age.

4.4. Operational Requirements

- 4.4.1. Drivers of cannabis delivery vehicles must possess a valid Minnesota driver's license.
- 4.4.2. Any cannabis delivery vehicle used by a cannabis transporter must:



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- a. be in working condition, with no defects that prevent the vehicle from being operated in a manner that complies with all applicable traffic and safety laws;
 - b. have a security system to prevent the theft of regulated product; and
 - c. carry the amount of insurance required by the Minnesota Department of Transportation, the Minnesota Department of Commerce, or applicable federal regulations.
- 4.4.3. Drivers of cannabis delivery vehicles may only make deliveries of regulated products on behalf of a cannabis business with a retail license or an endorsement to a customer who has paid for the product before the delivery and who the cannabis business has verified is at least 21 years of age.
- 4.4.4. For each delivery of regulated products, a driver must have a shipping manifest that includes:
- a. the customer's name
 - b. the address of the customer receiving the delivery;
 - c. the form of identification that the customer provided to the driver;
 - d. the identification number on the government-issued form of identification provided by the customer to the driver;
 - e. the name of the delivery driver;
 - f. the vehicle's time of departure from the cannabis business where the sale was initiated;
 - g. the time of the delivery of the regulated product to the customer; and
 - h. a description of the delivered regulated product, including the type of product, amount, and weight.
- 4.4.5. A driver must deliver a regulated product to a customer in person. A delivery driver must verify that a regulated product was received by the customer whose name is on the order. Before taking physical possession of a delivered regulated product, a customer must:
- a. provide the driver with government-issued photo identification; and



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- b. sign the shipping manifest or delivery record.
- 4.4.6. A delivery driver must not deliver a regulated product to a customer if:
 - a. the delivery driver is unable to verify the identity of the receiving customer;
 - b. the customer does not sign the shipping manifest or delivery record; or
 - c. the cannabis business has not received payment for the product before the delivery.
- 4.4.7. A delivery driver must immediately report a failed delivery to the cannabis business originating the sale. The delivery driver must ensure that all undeliverable products are returned to the retailer and provide details of the failed delivery to the cannabis business, including:
 - a. the time that the driver attempted to complete the delivery; and
 - b. the reason that the driver was unable to complete the delivery.
- 4.4.8. A cannabis business must enter the details of each delivery of a regulated product to a customer in the established seed-to-sale tracking system approved by the Department.

4.5. Other Regulated Product

- 4.5.1. During the delivery of a regulated product to a customer, a delivery driver must not have any other regulated product that was not ordered by a customer in the cannabis delivery vehicle.

4.6. GPS Tracking

- 4.6.1. A cannabis delivery vehicle must be equipped with an active global positioning system or other similar satellite-based tracking system.

4.7. Product Security

- 4.7.1. During transportation, all regulated product must be stored in either a locked compartment of a cannabis delivery vehicle or a locked container inside a cannabis delivery vehicle.
- 4.7.2. A cannabis transporter may use a container that is not integral to the cannabis delivery vehicle for holding regulated product if:

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- a. the container is locked;
- b. the container is secured to prevent removal from the vehicle; and
- c. products stored in the container are not visible from outside the cannabis delivery vehicle.

4.8. Recordkeeping

- 4.8.1. Licensees must maintain records for delivery services conducted including, but not limited to, proof of delivery to individuals who are at least 21 years of age.



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Appendix A – Definitions

The Department intends to develop a separate MLBO Cannabis Regulation that sets forth all relevant definitions for the Cannabis Regulations. However, in the interest of encouraging robust notice and comment, the Department is providing the following definitions of terms that are found in this Transportation Regulation:

The following terms used through this regulation shall have the following meanings:

- (1) “Cannabis Transporter” means a Licensee that has obtained a Transport Endorsement under CR-7, Section 7.
- (2) “Cannabis Delivery Vehicle” means a motor vehicle used by a cannabis delivery service to transport Regulated Products to a Customer.
- (3) “Cannabis Transport Vehicle” means a vehicle used by a cannabis transporter to transport Regulated Products to a license holder.
- (4) “Customer” means an individual making a purchase from a licensee that holds a retail license.
- (5) “Regulated Product(s)” means all products subject to regulation by the Department, including cannabis plants, cannabis flower, medical cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived consumer products, and hemp-derived topical products.