



# BUREAU OF CANNABIS CONTROL

CALIFORNIA

## RE-ADOPTION SUMMARY OF CHANGES

The Bureau of Cannabis Control's (bureau's) emergency regulations were re-adopted on June 4, 2018, and will go into effect on June 6, 2018. The re-adoption of the emergency regulations will extend the effective period for an additional 180 days. The bureau made changes to the proposed text during the Office of Administrative Law comment period to improve clarity and in response to comments. The following is a summary of the key changes:

### DEFINITIONS

- The definition for cannabis waste was modified to include that it is organic waste, as defined in Public Resources Code section 42649.8.

### LICENSING

- The subsections regarding the type of license and designation of the license (A and M) in the application sections have been amended for clarity; however, the substance has not changed. (California Code of Regulations (CCR) § 5001(c)(5), § 5002(c) and (c)(3))
- Labor peace agreements shall be entered into as soon as reasonably practicable after licensure or after the business employs 20 or more employees. (CCR § 5002, § 5023 and § 5600)
- Clarifies that the annual license fee shall be paid after the applicant has been approved for licensure and that the bureau shall not issue a license until the fee has been paid. (CCR § 5014(b))

### PREMISES

- Provides an exemption to the prohibition on having a drive-in or drive-through. Applicants that received a license or permit from the local jurisdiction prior to June 1, 2018, for a premises, including a drive-in or drive-through that was

disclosed on the application, or that submitted an application to the local jurisdiction prior to June 1, 2018, that included information that a drive-in or drive-through was already part of, or proposed to be part of, the premises and after June 1, 2018, the local jurisdiction approves the premises. (CCR § 5025(f))

- Clarifies that if the bureau is denied access to one licensee's premises because of another licensee's refusal to grant access when the only access to the first premises is through the second, then both licensees shall be held responsible. Clarifies that if the bureau is denied access to a licensee's premises because of a nonlicensee's refusal to grant access when the only access to the licensed premises is through the nonlicensee's property, then the licensee shall be held responsible. (CCR § 5026(e))

### SECURITY MEASURES

- Security personnel must be at least 21 years of age and licensed by the Bureau of Security and Investigative Services; however, the 24/7 language has been removed. (CCR § 5045)

### TRANSPORT

- Clarifies that the inside of the vehicle includes the trunk. (CCR § 5311(e))
- Removes the requirements to keep medicinal and adult-use cannabis goods separate in the transport vehicle. (CCR § 5311(k))

### RETAIL

- Removes the requirement that retailers not display cannabis goods in a place visible from outside the licensed premises. (CCR § 5405)

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## DELIVERY

- Clarifies that a delivery employee may not engage in any activities except for cannabis goods delivery and necessary rest, fuel, or vehicle repair stops. (CCR § 5415(d))
- Clarifies that a delivery employee shall confirm the age and identity of the customer. (CCR § 5415(g))
- Clarifies that only the licensee or an employee of the licensee shall be in a delivery vehicle. (CCR § 5417(a))
- Clarifies that cannabis goods shall be locked in a box, container, or cage that is secured to the inside of the vehicle and that inside of the vehicle includes the trunk. (CCR § 5417(b))
- Permits a delivery employee to carry up to \$10,000 in cannabis goods and complete multiple deliveries, but the driver shall not leave the retailer premises without at least one delivery order that has been received and processed. (CCR § 5418)
- Provides that the driver may only carry cannabis goods in the delivery vehicle and may only perform deliveries for one retailer at a time. (CCR § 5418)
- The driver must have a delivery inventory ledger that includes the type of good, the brand, the retail value, the track and trace identifier, and the weight, volume, or other measure of the cannabis good. After each customer delivery, the ledger must be updated. (CCR § 5418)
- Requires the delivery driver to maintain a log that includes all stops from the time the driver leaves the retail premises to the time the driver returns to the premises. If a delivery driver does not have any delivery requests to be performed for a 30-minute period, then the driver shall return to the premises. (CCR § 5418)

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