

Department of Cannabis Control
Text of Regulations
California Code of Regulations Title 4
Division 19. Department of Cannabis Control

Chapter 1. All Licensees

Article 6. Track and Trace Requirements

§15049.3. Track and Trace Requirements for Delivery.

(a) A licensed retailer conducting delivery of cannabis goods shall create a delivery inventory ledger in the track and trace system and record the information required under subsections (b)(1) through (7) prior to the delivery employee leaving the licensed retail premises for each delivery trip. A delivery trip begins when the delivery employee leaves the licensed retail premises to conduct delivery of cannabis goods.

(b) The delivery inventory ledger shall include the following information:

(1) The delivery inventory ledger number generated by the track and trace system and assigned to the specific delivery trip.

(2) The name and license number of the licensed retailer.

(3) The delivery employee's name, employee ID, and driver's license number.

(4) The delivery vehicle's make, model, and license plate number.

(5) The item name and category of each cannabis good to be carried on the delivery trip, the UID(s) assigned to those cannabis goods, and the number of units associated with each UID on the delivery inventory ledger.

(6) The UID(s) of any cannabis goods ordered by customers and processed by the licensed retailer prior to the delivery employee leaving the licensed retail premises.

(7) The date and time the delivery employee begins the delivery trip.

(c) For each delivery of cannabis goods, the following information shall be recorded within the track and trace system by the end of the calendar day on which the delivery was completed:

(1) The date and time the delivery was completed. A delivery is completed at the time the cannabis goods are physically provided to the customer.

(2) Whether the customer is an adult-use customer, medicinal cannabis patient, or patient's primary caregiver.

(3) The UID and quantity of each cannabis good delivered.

(4) The purchase price of each cannabis good delivered.

(5) The county in which the delivery was completed.

Proposed Text of Emergency Regulations

(d) If a delivery employee returns to the licensed retail premises to obtain additional inventory of cannabis goods for delivery to be conducted on the same day and by the same delivery employee, the licensed retailer may continue the existing delivery trip in the track and trace system. If the licensed retailer chooses to continue the existing delivery trip, the additional inventory is considered part of the existing delivery trip and a new delivery inventory ledger is not required. The licensed retailer shall record the following information within the track and trace system under the existing delivery inventory ledger number for any additional cannabis goods to be carried on the same delivery trip:

(1) The item name and category of each additional cannabis good to be carried on the delivery trip, the UID(s) assigned to those cannabis goods, and the number of units associated with each UID on the delivery inventory ledger.

(2) The date and time the delivery employee leaves the licensed retail premises to continue the delivery trip.

(e)(1) The end date and time of the delivery trip shall be:

(A) Except as provided in subsection (e)(1)(B), the date and time the delivery employee returned to the licensed retail premises after conducting all deliveries that are part of the same delivery trip.

(B) If the delivery employee does not carry any unsold cannabis goods and does not return to the licensed retail premises on the same day after delivering all cannabis goods carried in the vehicle on the delivery trip, the date and time at which the delivery employee completed the last delivery of cannabis goods on the delivery trip.

(2) No later than the end of the calendar day on which the delivery trip occurred:

(A) If a delivery employee still carries unsold cannabis goods at the end of a delivery trip, the delivery employee must return to the licensed premises, remove the unsold cannabis goods from the delivery inventory ledger, and return the unsold cannabis goods to the licensed retailer's inventory within the track and trace system.

(B) The licensed retailer shall record the end date and time of the delivery trip in the track and trace system.

(f) Notwithstanding subsections (a) through (e), prior to April 1, 2023, licensed retailers may comply with this section by maintaining delivery inventory ledgers in accordance with this subsection.

(1) Delivery inventory ledgers may be maintained by licensed retailers in hard copy or electronically and shall include the item name, category, UID, and unit quantity of each cannabis good carried on a delivery trip.

(2) All cannabis goods prepared for an order that was received and processed by the licensed retailer prior to the delivery employee's departure from the licensed retail premises must be clearly identified on the delivery inventory ledger.

(3) During a delivery trip, the delivery inventory ledger must be updated after each completed delivery to reflect the remaining inventory carried by the delivery employee.

(4) All sales of cannabis goods conducted by delivery must be entered into the track and trace system within 24 hours of the date and time the delivery trip was completed, as defined in subsection (e)(1).

Authority: Section 26013, Business and Professions Code. Reference: Sections 26067, 26068 and 26090, Business and Professions Code.

Chapter 3. Retailers

§15418. Cannabis Goods Carried During Delivery.

(a) A licensed retailer's delivery employee shall not carry cannabis goods in the delivery vehicle with a value in excess of \$10,000 at any time.

(b) For the purposes of this section, the value of cannabis goods shall be determined using the current retail price of all cannabis goods carried by, or within the delivery vehicle of, the licensed retailer's delivery employee.

(c) A delivery employee may only carry cannabis goods, cannabis accessories, branded merchandise of any licensee, or promotional materials in the delivery vehicle and may only perform deliveries for one licensed retailer at a time. A delivery employee must depart and return to the same licensed premises before taking possession of any cannabis goods from another licensee to perform deliveries.

~~(d) A licensed retailer's delivery employee shall not leave the licensed premises with cannabis goods without at least one delivery order that has already been received and processed by the licensed retailer.~~

~~(ed) Before leaving the licensed premises, the licensed retailer's delivery driver/employee must have a delivery inventory ledger of all cannabis goods provided to the licensed retailer's delivery driver/employee. For each cannabis good, the delivery inventory ledger shall include the type of good, the brand, the retail value, the track and trace identifier, and the weight, volume or other accurate measure of the cannabis good. The contents of the delivery inventory ledger must comply with the requirements of section 15049.3. All cannabis goods prepared for an order that was received and processed by the licensed retailer prior to the delivery driver's departure from the licensed premises must be clearly identified on the inventory ledger. After each customer delivery, the delivery inventory ledger must be updated to reflect the current inventory in possession of the licensed retailer's delivery driver. Delivery inventory ledgers may be maintained electronically. During the delivery trip, as defined in section 15049.3, the delivery employee shall maintain the delivery inventory ledger in hard copy or electronically, the latter of which may be an electronic copy maintained in the track and trace system. The delivery inventory ledger must be updated after each completed delivery to reflect the remaining inventory carried by the delivery employee. The delivery~~

inventory ledger must otherwise be updated in accordance with the requirements of section 15049.3, and then entered into the track and trace system no later than the end of the calendar day on which the delivery trip occurred.

(fe) The licensed retailer's delivery ~~driver~~employee shall maintain a log that includes all stops from the time the licensed retailer's delivery ~~driver~~employee leaves the licensed premises to the time that the licensed retailer's delivery ~~driver~~employee returns to the licensed premises, and the reason for each stop. The log shall be turned in to the licensed retailer when the licensed retailer's delivery ~~driver~~employee returns to the licensed premises. The licensed retailer must maintain the log as a commercial cannabis activity record as required by this division. The log may be maintained electronically.

(gf) Prior to arrival at any delivery location, the licensed retailer must have received a delivery request from the customer and provided the delivery request receipt to the licensed retailer's delivery ~~driver~~employee electronically or in hard copy. The delivery request receipt provided to the licensed retailer's delivery ~~driver~~employee shall contain all of the information required in section 15420, except for the date and time the delivery was made, and the signature of the customer.

(hg) Immediately upon request by the Department or any law enforcement officer, the licensed retailer's delivery ~~driver~~employee shall provide:

(1) ~~All~~The delivery inventory ledgers from the time the licensed retailer's delivery ~~driver~~employee left the licensed premises up to the time of the request;

(2) All delivery request receipts for cannabis goods carried by the ~~driver~~delivery employee, in the delivery vehicle, or any deliveries that have already been made to customers; and

(3) The log of all stops from the time the licensed retailer's delivery ~~driver~~employee left the licensed premises up to the time of the request.

(ih) If a licensed retailer's delivery ~~driver~~employee does not have any delivery requests to be performed for a 30-minute period, the licensed retailer's delivery ~~driver~~employee shall not make any additional deliveries and shall return to the licensed premises. Required meal breaks shall not count toward the 30-minute period.

(ji) Upon returning to the licensed premises, all undelivered cannabis goods shall be returned to the licensed retailer's inventory and all necessary inventory and track and trace records shall be updated as appropriate that same day~~recorded within the track and trace system in accordance with section 15049.3.~~

Authority: Section 26013, Business and Professions Code. Reference: Sections 26067, 26068, 26070, 26090 and 26160, Business and Professions Code.