

THESE DRAFT REGULATIONS ARE PROVIDED FOR PURPOSES OF PUBLIC REVIEW AND COMMENT ONLY, AND ARE NOT EFFECTIVE UNTIL PROMULGATED.

CHANGES FROM DRAFT REGULATIONS FILED JULY 24, 2020 ARE HIGHLIGHTED.

FOR CURRENT AND EFFECTIVE REGULATIONS, PLEASE SEE: <https://mass-cannabis-control.com/the-laws/>

Notice is hereby given pursuant to M.G.L. c. 30A, § 2, that the Cannabis Control Commission (Commission) will hold an additional public comment period limited to changes made to the regulations pertaining to delivery licenses set forth in 935 CMR 500.000: *Adult Use of Marijuana*.

935 CMR 501.000: MEDICAL USE OF MARIJUANA

Section

- 501.001: Purpose
- 501.002: Definitions
- [501.003: Colocated Marijuana Operations \(CMOs\)](#)
- 501.005: Fees
- 501.006: Registration of Certifying Physicians
- 501.007: Registration of Certifying Certified Nurse Practitioners
- 501.008: Registration of Certifying Physician Assistants
- 501.010: Written Certification of a Debilitating Medical Condition for a Qualifying Patient
- 501.015: Temporary and Annual Registration of Qualifying Patients
- 501.020: Temporary and Annual Registration of Personal Caregivers
- 501.021: Registration of Caregiving Institutions
- 501.022: Registration of Institutional Caregivers
- 501.025: Responsibilities of Caregivers
- 501.027: Hardship Cultivation Registration
- 501.029: Registration and Conduct of Independent Testing Laboratory Agents
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- 501.031: Denial of a Registration Card or Hardship Cultivation Registration
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- 501.033: Void Registration Cards
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- [501.040: Leadership Rating Program for Medical Marijuana Treatment Centers](#)
- 501.050: Medical Marijuana Treatment Centers (MTCs)
- 501.052: Independent Testing Laboratories
- 501.100: Application for Licensing of Medical Marijuana Treatment Centers (MTCs)
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- 501.120: Additional Operational Requirements for the Cultivation, Acquisition, and Distribution of Marijuana.
- 501.130: Additional Operational Requirements for Handling and Testing Marijuana and for Production of MIPs
- 501.140: Additional Operational Requirements for Patient Sales
- 501.145: Home Delivery
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- 501.160: Testing of Marijuana and Marijuana Products
- 501.170: Municipal Requirements
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- 501.300: Complaints Process
- 501.301: Inspection and Compliance
- 501.302: Compliance Examination
- 501.303: Unannounced Purchase for Purpose of Investigative Testing (Secret Shopper Program)
- 501.310: Deficiency Statements
- 501.320: Plans of Correction
- 501.321: Administrative Hold
- 501.330: Limitation of Sales
- 501.335: Removal and Prohibition of Marijuana and Marijuana Products

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- 501.340: Quarantine Order
 - 501.350: Cease and Desist Order and Summary Suspension Order
 - 501.360: Fines
 - 501.370: Orders to Show Cause
 - 501.400: Medical Marijuana Treatment Center License: Grounds for Denial of Application for Licensure
 - 501.415: Void Medical Marijuana Treatment Center License
 - 501.450: Medical Marijuana Treatment Center Registration or License: Grounds for Suspension, Revocation, and Denial of Renewal Applications
 - 501.500: Hearings and Appeals of Actions on Registrations or Licenses
 - 501.800: Background Check Suitability Standard for Licensure and Registration
 - 501.801: Suitability Standard for Licensure
 - 501.802: Suitability Standard for Registration as a Medical Marijuana Treatment Center Agent
 - 501.803: Suitability Standard for Registration as a Laboratory Agent
 - 501.820: Confidentiality
 - 501.830: Petitions for the Adoption, Amendment or Repeal of Regulations
 - 501.840: Non-conflict with Other Laws
 - 501.850: Waivers
 - 501.860: Notice
 - 501.900: Severability
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501.001: Purpose

The purpose of 935 CMR 501.000: *Medical Use of Marijuana* is to implement St. 2017, c. 55: *An Act to Ensure Safe Access to Marijuana*; M.G.L. c. 94G and M.G.L. c. 94I.

501.002: Definitions

[...]

Delivery Agreement means a contract between a licensed Marijuana Establishment and a Delivery License holder or Marijuana Establishment with a Delivery Endorsement to deliver Marijuana or Marijuana Products from the Marijuana Establishment directly to Consumers and as permitted, Limited Delivery Licensees to Patients and Caregivers, under the provisions of a Delivery License.

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Delivery Licensee means an entity that is authorized to deliver Marijuana and Marijuana Products directly to Consumers and as permitted, Limited Delivery Licensees to Patients and Caregivers.

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Finished Marijuana Product means a Marijuana Product that is completely manufactured and ready for retail sale and shall include Finished Marijuana that has been separated into individual packages or containers for sale.

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Individual Order means a delineated amount of Finished Marijuana Products or MIPs to be delivered by a Delivery License Holder or, or MTC authorized by the Commission to perform home delivery to an individual Patient or Caregiver.

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Marijuana Limited Delivery Licensee or Limited Delivery Licensee, means an entity that is authorized to deliver Finished Marijuana Products, Marijuana Accessories and Branded Goods directly to Consumers from a Marijuana Retailer or directly to Registered Qualifying Patients or Caregivers from an MTC, but is not authorized to sell directly to Consumers, Patients or Caregivers and is not authorized to Wholesale, Warehouse, Process or Repackage.

[...]

Quality Control Sample means a sample of Marijuana or Marijuana Product developed by a Marijuana Cultivator, a Marijuana Product Manufacturer, a Microbusiness, or a Craft Marijuana Cooperative that is provided internally to employees for purposes of ensuring product quality and making determinations about whether to sell the Marijuana or Marijuana Product.

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Substantial Modification means a material change to a term of a contract that a reasonable person would understand alters the relationship between the parties. A Substantial Modification shall include, but is not limited to, shifting responsibility for the performance of a contract term or increasing or decreasing the amount of consideration being paid for performance of the contract above an amount that is de

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Third-party Technology Platform Provider means an individual or entity that provides or hosts an internet-based application or group of applications developed for the facilitation of ordering and delivering Finished Marijuana Products, Marijuana Accessories and Branded Goods for delivery by a Delivery License Holder through an MTC to a Registered Qualifying Patient or Caregiver.

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Vault means a secured, limited access storage room within a Marijuana Establishment that is outfitted with adequate security features for the purposes of storing Marijuana or Marijuana Products or cash. A vault must be adequately sized to store the inventory of a Marijuana Establishment that is not being actively handled for purposes of dispensing, packaging, processing or transportation.

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500.101: Application Requirements

(1) New Applicants. An MTC applicant shall file, in a form and manner specified by the Commission, an application for licensure as an MTC. The application requirements outlined in 935 CMR 501.101(1): New Applicants will apply to all MTC applications submitted on or after November 1, 2019. The application shall consist of three sections: Application of Intent; Background Check; and Management and Operations Profile, except as otherwise provided. The applicant may complete any section of the application in any order. Once all sections of the application have been completed, the application may be submitted. Application materials, including attachments, may be subject to release pursuant to M.G.L. c. 66, § 10 and M.G.L. c. 4, § 7, cl.26.

(a) Application of Intent. [...]

(b) Background Check. [...]

(c) Management and Operations Profile. Each applicant shall submit, with respect to each application, a response in a form and manner specified by the Commission, which includes:

1. Detailed information regarding its business registration with the Commonwealth, including the legal name, a copy of the articles of organization and bylaws as well as the identification of any doing-business-as names;
2. A certificate of good standing, issued within the previous 90 days from submission of an application, from the Corporations Division of the Secretary of the Commonwealth;
3. A certificate of good standing or certificate of tax compliance issued within the previous 90 days from submission of an application, from the DOR;
4. A certificate of good standing, issued within the previous 90 days from submission of an application, from the DUA, if applicable. If not applicable, a written statement to this effect is required;
5. A proposed timeline for achieving operation of the MTC and evidence that the MTC will be ready to operate within the proposed timeline after notification by the Commission that the applicant qualifies for licensure;
6. A description of the MTC's plan to obtain a liability insurance policy or otherwise meet the requirements of 935 CMR 501.105(10): Liability

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Insurance Coverage or Maintenance of Escrow;

7. A detailed summary of the business plan for the MTC;
8. A detailed summary of operating policies and procedures for the MTC, which shall include, but not be limited to, provisions for:
 - a. Security;
 - b. Prevention of Diversion;
 - c. Storage of Marijuana;
 - d. Transportation of Marijuana;
 - e. Inventory procedures;
 - f. Procedures for quality control and testing of product for potential contaminants;
 - g. Personnel policies;
 - h. Dispensing procedures;
 - i. Record-keeping procedures;
 - j. Maintenance of financial records; and
 - k. Diversity plans to promote equity among people of color, particularly Black, African American, Latinx, Asian/Pacific American, and Indigenous people, women, Veterans, persons with disabilities, and LGBTQ+ people, in the operation of the MTC. The plan shall outline the goals, programs, and measurements the MTC will pursue once licensed.
9. A detailed description of qualifications and intended training(s) for MTC agents who will be employees;
10. The Management and Operation Profile submitted in accordance with 935 CMR 501.101(1)(c) shall demonstrate compliance with the operational requirements set forth in 935 CMR 501.105: General Operational Requirements for Medical Marijuana Treatment Centers through 935 CMR 501.160: Testing of Marijuana and Marijuana Products, as applicable;
11. Disclosure of the proposed hours of operation, and the names and contact information for individuals that will be the emergency contacts for the MTC;
12. The identification of whether the MTC will perform home deliveries to Patients and Caregivers. If so, a detailed summary of the policies and procedures to ensure the safe delivery of Finished Marijuana Products to Patients and Caregivers, including procedures for how Individual Orders will be filled and procedures for reconciling Individual Orders at the close of the business day, shall be provided;
13. A detailed operation plan for the cultivation of Marijuana, including a detailed summary of policies and procedures for cultivation, consistent with state and local law including, but not limited to, the Commission's guidance in effect November 1, 2019;
14. A list of all products that MTC plans to produce, including the following information:
 - a. A description of the types and forms of Marijuana Products that the MTC intends to produce;
 - b. The methods of production;
 - c. A safety plan for the manufacture and production of Marijuana Products; and
 - d. A sample of any unique identifying mark that will appear on any product produced by the applicant as a branding device.
15. A detailed summary of the proposed program to provide reduced cost or free Marijuana to patients with documented financial hardship; and
16. Any other information required by the Commission.

(2) Application Requirements for MTC Applicants that Submit an Application of Intent prior to November 1, 2019.

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501.105: General Operational Requirements for Medical Marijuana Treatment Centers

(1) Written Operating Procedures. [...]

(2) MTC Agent Training,

(a) MTCs shall ensure that all MTC Agents complete minimum training requirements prior to performing job functions.

1. At a minimum, MTC Agents shall receive a total of eight hours of training annually. The eight-hour total training requirement shall be tailored to the roles and responsibilities of the job function of each MTC Agent.

2. A minimum of four hours of training shall be from Responsible Vendor Training Program courses established under 935 CMR 501.105(2)(b). Any additional RVT hours over the four-hour RVT requirement may count toward the eight-hour total training requirement.

3. Non-RVT training may be conducted in-house by the MTC or by a third-party vendor engaged by the MTC. Basic on-the-job training MTCs provide in the ordinary course of business may be counted toward the eight-hour total training requirement.

4. Agents responsible for tracking and entering product into the Seed-to-sale SOR shall receive training in a form and manner determined by the Commission. At a minimum, staff shall receive eight hours of ongoing training annually.

5. MTCs shall maintain records of compliance with all training requirements noted above. Such records shall be maintained for four years and MTCs shall make such records available for inspection on request.

6. An individual who is both a Marijuana Establishment Agent and MTC Agent at a CMO location shall receive the training required for each license under which the agent is registered, including, without limitation, with respect to patient privacy and confidentiality requirements, which may result in instances that would require such an agent to participate in more than 8 hours of training.

(b) Responsible Vendor Training.

1. All current MTC Agents involved in the handling and sale of Marijuana for medical use at the time of licensure or renewal of licensure, as applicable, shall have attended and successfully completed a Responsible Vendor Training Program to be designated a "Responsible Vendor."

a. MTC Agents shall first take the Basic Core Curriculum.

b. On completing the Basic Core Curriculum, an MTC Agent is eligible to take the Advanced Core Curriculum.

c. Exception for Administrative Employees. MTC Agents who serve as administrative employees and do not handle or sell Marijuana are exempt from the four-hour RVT requirement but may take a Responsible Vendor Training Program course on a voluntary basis as part of fulfilling the eight-hour total training requirement.

2. Once an MTC is designated a Responsible Vendor, all MTC Agents employed by the MTC that are involved in the handling and sale of Marijuana for medical use shall successfully complete the Basic Core Curriculum within 90 days of hire.

3. After successful completion of the Basic Core Curriculum, each MTC Agent involved in the handling and sale of Marijuana for medical use shall fulfill the four-hour RVT requirement every year thereafter for the MTC to maintain designation as a Responsible Vendor. Failure to maintain Responsible Vendor status is grounds for action by the Commission.

Deleted: MTCs shall ensure that all MTC Agents complete training prior to performing job functions. Training shall be tailored to the roles and responsibilities of the job function of each MTC Agent, and at a minimum must include training on confidentiality, privacy, security and other topics as specified by the Commission. MTC Agents responsible for tracking and entering product into the Seed-to-sale SOR must receive training in a form and manner determined by the Commission. At a minimum, staff shall receive eight hours of ongoing training annually.

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4. Responsible Vendor Trainer Certification.
 - a. No owner, manager or employee of a Responsible Vendor Trainer may be a Person Or Entity Having Direct Or Indirect Ownership or Control of an MTC.
 - b. Responsible Vendor Trainers shall submit their program materials to the Commission prior to offering courses, every two years following for Commission certification of the Responsible Vendor Trainer and Responsible Vendor Training Program curriculum, and on request. The process for certification will be in a form and manner determined by the Commission.
 - c. Responsible Vendor Training Program courses shall consist of at least two hours of instruction time.
 - d. Except as provided in 935 CMR 501.105(2)(b)(4)(e), Responsible Vendor Training Program courses shall be taught in a real-time, interactive, virtual or in-person classroom setting in which the instructor is able to verify the identification of each individual attending the program and certify completion of the program by the individual.
 - e. Responsible Vendor Training Program courses may be presented in a virtual format that is not taught in a real-time, provided that the Responsible Vendor Trainer, as part of its application for certification, can demonstrate means:
 - i. To verify the identification of each trainee participating in the program course and certify completion by the individual.
 - ii. To track trainees' time needed to complete the course training;
 - iii. To allow for the trainees to ask questions of the Responsible Vendor Trainer, for example, by email, virtual discussion board, or group/class discussion; and
 - iv. To evaluate each trainee's proficiency with course material.
 - f. Responsible Vendor Trainers shall seek certification for each Basic Core Curriculum and Advanced Core Curriculum. Applications for Advanced Core Curriculum certification will be open on or before July 1, 2022.
 - g. Responsible Vendor Trainers shall maintain its training records at its principal place of business for four years.
 - h. Responsible Vendor Trainers shall make the records available for inspection by the Commission and any other applicable licensing authority on request during normal business hours.
 - i. Responsible Vendor Trainers shall provide to the appropriate MTC and MTC Agent written documentation of attendance and successful evaluation of proficiency, such as passage of a test on the knowledge of the required curriculum for each attendee.
 - j. Trainees who can speak and write English fluently shall successfully demonstrate proficiency, such as passing a written test with a score of 70% or better.
 - k. MTC Agents who cannot speak or write English may be offered a verbal evaluation or test, provided that the same questions are given as are on the written test and the results of the verbal test are documented with a passing score of 70% or better.
 - l. Responsible Vendor Trainers shall solicit effectiveness evaluations from MTC Agents who have completed their program(s).
5. Basic Core Curriculum. The Basic Core Curriculum shall cover the following subject matter:
 - a. Marijuana's effect on the human body, including:
 - i. Scientifically based evidence on the physical and mental health effects based on the type of Marijuana Product;
 - ii. The amount of time to feel impairment;

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Curriculum prior to making a delivery, which shall, to the extent not covered in Basic Core Training, include, without limitation, training on:

- (a) Safely conducting deliveries;
- (b) Safe cash handling practices;
- (c) Strategies for de-escalating potentially dangerous situations;
- (d) Securing product following any instance of diversion, theft or loss of Finished Marijuana Products pursuant to 935 CMR 501.110;
- (e) Collecting and communicating information to assist in investigations;
- (f) Procedures for checking identification;
- (g) Indications of impairment; and
- (h) Such other areas of training determined by the Commission to be included in a Responsible Vendor Training Program.

- (3) Handling of Marijuana. [...]
- (4) Advertising Requirements. [...]
- (5) Labeling of Marijuana and Marijuana Products. [...]
- (6) Packaging of Marijuana and Marijuana Products. [...]
- (7) Packaging and Labeling Pre-approval. [...]
- (8) Inventory. [...]
- (9) Recordkeeping. [...]
- (10) Liability Insurance Coverage or Maintenance of Escrow. [...]
- (11) Storage Requirements. [...]
- (12) Waste Disposal. [...]
- (13) Transportation Between MTCs.
 - (a) General Requirements.
 - 1. A licensed MTC shall, ~~be~~ licensed to transport its Marijuana and Marijuana Products to other licensed establishments, including Marijuana Establishments, except as otherwise provided in 935 CMR 501.105(13); Transportation Between MTCs.
 - 2. Marijuana Products may only be transported between licensed MTCs by registered MTC Agents.
 - 3. A Marijuana Transporter licensed pursuant to 935 CMR 500.050(9); Marijuana Transporter may Transfer Marijuana and Marijuana Products to or from an MTC.
 - 4. The originating and receiving licensed MTCs shall ensure that all transported Marijuana Products are linked to the Seed-to-sale SOR. For the purposes of tracking, seeds and Clones will be properly tracked and labeled in a form and manner determined by the Commission.
 - 5. Any Marijuana Product that is undeliverable or is refused by the destination MTC shall be transported back to the originating establishment.
 - 6. All vehicles transporting Marijuana Products shall be staffed with a minimum of two MTC Agents. At least one agent shall always remain with the vehicle when the vehicle contains Marijuana or Marijuana Products.
 - 7. Prior to leaving an MTC for the purpose of transporting Marijuana Products, the originating MTC ~~shall~~ weigh, inventory, and account for, on

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video, all Marijuana Products to be transported.

8. Within eight hours after arrival at the destination MTC, the destination MTC ~~shall~~ re-weigh, re-inventory, and account for, on video, all Marijuana Products transported.

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9. When videotaping the weighing, inventorying, and accounting of Marijuana Products before transportation or after receipt, the video ~~shall~~ show each product being weighed, the weight, and the manifest.

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10. Marijuana Products ~~shall~~ be packaged in sealed, labeled, and tamper or child-resistant packaging prior to and during transportation.

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11. In the case of an emergency stop during the transportation of Marijuana Products, a log ~~shall~~ be maintained describing the reason for the stop, the duration, the location, and any activities of personnel exiting the vehicle.

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~~Licensees shall comply with applicable requirements of 935 501.110 (9): Incident Reporting~~

12. An MTC transporting Marijuana Products shall ensure that all transportation times and routes are randomized.

13. An MTC transporting Marijuana Products shall ensure that all transport routes remain within the Commonwealth.

14. All vehicles and transportation equipment used in the transportation of Cannabis Products or Edibles requiring temperature control for safety ~~shall~~ be designed, maintained, and equipped as necessary to provide adequate temperature control to prevent the Cannabis products or Edibles from becoming unsafe during transportation, consistent with applicable requirements pursuant to 21 CFR 1.908(c).

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15. All vehicles shall be equipped with a video system that includes one or more video cameras in the storage area of the vehicle and one or more video cameras in the driver area of the vehicle and which shall remain operational at all times during the entire transportation process and which shall have:

a. The ability to produce a clear color still photo whether live or recorded; and

b. A date and time stamp embedded in all recordings which shall always be synchronized and set correctly and ~~may not significantly~~ obscure the picture.

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(b) Reporting Requirements.

1. MTC agents ~~shall~~ document and report any unusual discrepancy in weight or inventory to the Commission and Law Enforcement Authorities not more than 24 hours of the discovery of such a discrepancy.

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2. MTC agents shall report to the Commission and Law Enforcement Authorities any vehicle accidents, diversions, losses, or other reportable incidents that occur during transport, not more than 24 hours of such accidents, diversions, losses, or other reportable incidents.

(c) Vehicles.

1. A vehicle used for transporting Marijuana Products ~~shall~~ be:

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a. Exclusively owned or leased by the MTC or otherwise licensed by the Commission as a third-party transporter;

b. Properly registered, inspected, and insured in the Commonwealth (documentation of such status shall be maintained as records of the MTC, and shall be made available to the Commission on request);

c. Equipped with an alarm system approved by the Commission; and

d. Equipped with functioning heating and air conditioning systems appropriate for maintaining correct temperatures for storage of Marijuana Products.

2. Marijuana Products ~~may~~ not be visible from outside the vehicle.

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3. Any vehicle used to transport Marijuana Products ~~may~~ not bear any markings indicating that the vehicle is being used to transport Marijuana Products, and any such vehicle ~~may~~ not indicate the name of the MTC.

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4. When transporting Marijuana Products, no other products may be

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transported or stored in the same vehicle.

5. No firearms may be located within the vehicle or on an MTC Agent.

(d) Storage Requirements.

1. Marijuana Products shall be transported in a secure, locked storage compartment that is a part of the vehicle transporting the Marijuana Products.

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2. The storage compartment shall be sufficiently secure that it cannot be easily removed.

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3. If an MTC is transporting Marijuana Products for more than one licensed MTC at a time, the Marijuana Products for each Licensee shall be kept in a separate locked storage compartment during transportation and separate manifests shall be maintained for each MTC.

4. If an MTC is transporting Marijuana Products to multiple other establishments, it may seek the Commission's permission to adopt reasonable alternative safeguards.

(e) Communications.

1. Any vehicle used to transport Marijuana Products shall contain a global positioning system (GPS) monitoring device that is:

- a. Not a mobile device that is easily removable;
- b. Attached to the vehicle at all times that the vehicle contains Marijuana Products;
- c. Monitored by the MTC during transport of Marijuana Products; and
- d. Inspected by the Commission prior to initial transportation of Marijuana Products, and after any alteration to the locked storage compartment.

2. Each MTC Agent transporting Marijuana Products shall always have access to a secure form of communication with personnel at the originating location when the vehicle contains Marijuana and Marijuana Products.

3. Secure types of communication include, but are not limited to:

- a. Two-way digital or analog radio (UHF or VHF);
- b. Cellular phone; or
- c. Satellite phone.

4. When choosing a type of secure communications, the following shall be taken into consideration:

- a. Cellular signal coverage;
- b. Transportation area;
- c. Base capabilities;
- d. Antenna coverage; and
- e. Frequency of transportation.

5. Prior to, and immediately after leaving the originating location, the MTC Agents shall use the secure form of communication to contact the originating location to test communications and GPS operability.

6. If communications or the GPS system fail while on route, the MTC Agents transporting Marijuana Products shall return to the originating location until the communication system or GPS system is operational.

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7. The MTC Agents transporting Marijuana Products shall contact the originating location when stopping at and leaving any scheduled location, and regularly throughout the trip, at least every 30 minutes.

8. The originating location shall have an MTC Agent assigned to monitoring the GPS unit and secure form of communication, who shall log all official communications with MTC Agents transporting Marijuana Products.

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(f) Manifests.

1. A manifest shall be filled out in triplicate, with the original manifest remaining with the originating MTC, a second copy provide to the destination MTC on arrival, and a copy to be kept with the licensed MTC Agent during transportation and returned to the MTC on completion of the

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transportation.

2. Prior to transport, the manifest shall be securely transmitted to the destination MTC by facsimile or email.
3. On arrival at the destination MTC, an MTC Agent at the destination MTC shall compare the manifest produced by the agents who transported the Marijuana Products to the copy transmitted by facsimile or email. This manifest shall, at a minimum, include:
 - a. The originating MTC name, address, and registration number;
 - b. The names and registration numbers of the agents who transported the Marijuana Products;
 - c. The name and registration number of the MTC Agent who prepared the manifest;
 - d. The destination MTC name, address, and registration number;
 - e. A description of the Marijuana Products being transported, including the weight and form or type of product;
 - f. The mileage of the transporting vehicle at departure from originating MTC and mileage on arrival at destination MTC, as well as mileage on return to originating MTC;
 - g. The date and time of departure from originating MTC and arrival at destination MTC for each transportation;
 - h. A signature line for the MTC Agent who receives the Marijuana Products;
 - i. The weight and inventory before departure and on receipt;
 - j. The date and time that the transported products were re-weighed and re-inventoried;
 - k. The name of the MTC Agent at the destination MTC who re-weighed and re-inventoried products; and
 - l. The vehicle make, model and license plate number.
4. The manifest shall be maintained within the vehicle during the entire transportation process, until the delivery is completed.
5. An MTC shall retain all transportation manifests for no less than one year and make them available to the Commission on request.

(g) Requirements for Agents.

1. Each employee or agent transporting or otherwise handling Marijuana Products for an MTC shall be registered as an MTC Agent and have a driver's license in good standing issued by the Massachusetts Registry of Motor Vehicles for all classes of vehicle the MTC agent will operate for the MTC prior to transporting or otherwise handling Marijuana Products.
2. An MTC Agent shall carry his or her Agent Registration Card at all times when transporting Marijuana Products and shall produce his or her Agent Registration Card to the Commission or Law Enforcement Authorities on request.

(h) MTCs engaged in transportation operations shall use best management practices to reduce energy and water usage, engage in energy conservation and mitigate other environmental impacts.

(i) A CMO can transport adult-use and medical-use Marijuana and Marijuana Products if it is appropriately licensed to do so. Where a CMO is transporting both adult-use and medical-use Marijuana, MIPs and Marijuana Products, the CMO shall comply with the more restrictive security provisions.

(14) Access to the Commission, Emergency Responders, and Law Enforcement. [...]

(15) Energy Efficiency and Conservation. [...]

(16) Bond. [...]

(17) Reports to the Commission. [...]

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(18) Requirements on the Expiration, Revocation, or Voiding of Certificate of Licensure of MTC. [...]

(19) Prohibitions. [...]

501.110: Security Requirements for Medical Marijuana Treatment Centers

(1) General Requirements. An MTC shall implement sufficient security measures to deter and prevent unauthorized entrance into areas containing Marijuana, theft of Marijuana and ensure the safety of MTC employees, Qualifying Patients and the general public. Security measures to protect the Premises, Registered Qualifying Patients, Personal Caregivers, and MTC agents of the MTC shall include, but are not limited to, the following:

- (a) Positively identifying and allowing only Registered Qualifying Patients, Personal Caregivers, MTC agents, Limited Delivery Licensee agents, as applicable, and, subject to the requirements of 935 CMR 501.110(4)(e), outside vendors, contractors, and Visitors, access to the MTC;
- (b) Preventing individuals from remaining on the Premises of the MTC if they are not engaging in activity expressly or by necessary implication permitted by M.G.L. c. 94I, and 935 CMR 501.000: *Medical Marijuana Treatment Center*;
- (c) Disposing of Marijuana in accordance with 935 CMR 501.105(12): *Waste Disposal*, in excess of the quantity required for normal, efficient operation as established within 935 CMR 501.105: *General Operational Requirements for Medical Marijuana Treatment Centers*;
- (d) Securing all entrances to the MTC to prevent unauthorized access;
- (e) Establishing Limited Access Areas which, after receipt of a final License, shall be accessible only to specifically authorized personnel limited to include only the minimum number of employees essential for efficient operation;
- (f) Storing all finished Marijuana in a secure, locked safe or vault and in such a manner as to prevent diversion, theft, and loss;
- (g) Keeping all safes, vaults, and any other equipment or areas used for the production, cultivation, harvesting, Processing, or storage, including prior to disposal, of Marijuana and MIPs securely locked and protected from entry, except for the actual time required to remove or replace Marijuana;
- (h) Keeping all locks and security equipment in good working order;
- (i) Prohibiting keys, if any, from being left in the locks, or stored or placed in a location accessible to persons other than specifically authorized personnel;
- (j) Prohibit accessibility of security measures, such as combination numbers, passwords, or electronic or biometric security systems, to persons other than specifically authorized personnel;
- (k) Ensure that the outside perimeter of the MTC is sufficiently lit to facilitate surveillance;
- (l) Ensuring that all Marijuana Products are kept out of plain sight and are not visible from a public place, outside of the MTC, without the use of binoculars, optical aids or aircraft;
- (m) Develop emergency policies and procedures for securing all product following any instance of diversion, theft, or loss of Marijuana, and conduct an assessment to determine whether additional safeguards are necessary;
- (n) Develop sufficient additional safeguards as required by the Commission for MTCs that present special security concerns;
- (o) At MTCs where transactions are conducted in cash, establishing procedures for safe cash handling and cash transportation to financial institutions to prevent theft, loss and associated risks to the safety of employees, customers and the general public;
- (p) Sharing the MTC's floor plan or layout of the facility with Law Enforcement

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Authorities in a manner and scope as required by the municipality and identifying when the use of flammable or combustible solvents, chemicals or other materials are in use at the MTC;

(q) Sharing the MTC's security plan and procedures with Law Enforcement Authorities, in the municipality where the MTC is located and periodically updating Law Enforcement Authorities if the plans or procedures are modified in a material way; and

(r) Inside the MTC, all Marijuana shall be kept in a Limited Access Area inaccessible to any persons other than MTC agents, except for displays allowable under 935 CMR 501.105(4)(a)4. Inside the MTC, all Marijuana shall be stored in a locked, access-controlled space in a Limited Access Area during nonbusiness hours.

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(2) Alternative Security Provisions.

(a) Notwithstanding the requirements specified in 935 CMR 501.110(1) and (4) through (6), if an MTC has provided other, specific safeguards that may be regarded as an adequate substitute for those requirements, such measures may be taken into account by the Commission in evaluating the overall required security measures. For purposes of cash handling and cash transportation, only alternative safeguards that comply with the requirements of 935 CMR 501.110(6)(b) shall be considered to be adequate substitutes.

(b) The applicant or Licensee shall submit a request for an alternative security provision to the Commission on a form as determined and made available by the Commission. Upon receipt of the form, the Commission shall submit the request to the chief law enforcement officer in the municipality where the MTC is located or will be located. The Commission shall request that the chief law enforcement officer review the request and alternative security provision requested and, within 30 days;

1. Certify the sufficiency of the requested alternate security provision; or
2. Provide the Commission with a statement of reasons why the alternative security provision is not sufficient in the opinion of the chief law enforcement officer.

(c) The Commission shall take the chief law enforcement officer's opinion under consideration in determining whether to grant the alternative security provision, provided that it may not be determinative. If no response is received from the chief law enforcement officer or a delegatee within 30 days of submitting the request to the chief law enforcement officer, the Commission shall proceed with a determination.

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(3) Buffer Zone. [...]

(4) Limited Access Areas.

(a) All Limited Access Areas shall be identified by the posting of a sign that shall be a minimum of 12" x 12" and which states: "Do Not Enter - Limited Access - Area Access Limited to Authorized Personnel Only" in lettering no smaller than one inch in height.

(b) All Limited Access Areas shall be clearly described by the filing of a diagram of the licensed Premises, in the form and manner determined by the Commission, reflecting walls, partitions, counters, and all areas of entry and exit, including loading areas. Said diagram shall also show all Propagation, Vegetation, Flowering, Processing, production, storage, disposal, and retail sales areas.

(c) At all times following receipt of a final License, access to Limited Access Areas shall be limited to persons that are essential to operations in these areas and specifically permitted by the MTC, representatives of the Commission acting in accordance with their authority under the adult use, medical use and CMO laws; Commission Delegee(s); and local law enforcement authorities, fire

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safety personnel and emergency medical services acting within their lawful jurisdiction and official capacity.

(d) An MTC agent shall visibly display an identification badge issued by the MTC or the Commission at all times while at the MTC or transporting Marijuana.

(e) Following receipt of a final License, all outside vendors, contractors, and Visitors shall obtain a Visitor Identification Badge prior to entering a Limited Access Area, and shall be escorted at all times by an MTC agent authorized to enter the Limited Access Area. The Visitor Identification Badge shall be visibly displayed at all times while the Visitor is in any Limited Access Area. All Visitors shall be logged in and out, and that log shall be available for inspection by the Commission at all times. All Visitor Identification Badges shall be returned to the MTC upon exit.

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(5) Security and Alarm Systems. [...]

(6) Security and Alarm Requirements for MTCs Operating Outdoors. [...]

(7) Cash Handling and Transportation Requirements.

(a) An MTC with a contract to deposit funds with a financial institution that conducts any transaction in cash shall establish and implement adequate security measures and procedures for safe cash handling and cash transportation to financial institutions or Massachusetts Department of Revenue (DOR) facilities to prevent theft and loss, and to mitigate associated risks to the safety of employees, customers and the general public. Adequate security measures shall include:

1. An on-site secure locked safe or vault maintained in an area separate from retail sales areas used exclusively for the purpose of securing cash;
2. Video cameras directed to provide images of areas where cash is kept, handled and packaged for transport to financial institutions or DOR facilities, provided that the cameras may be motion-sensor activated cameras and provided, further, that all cameras be able to produce a clear, still image whether live or recorded;
3. A written process for securing cash and ensuring transfers of deposits to the MTC's financial institutions and DOR facilities on an incremental basis consistent with the requirements for deposit by the financial institution or DOR facilities;
4. Use of an armored transport provider that is licensed pursuant to M.G.L. c. 147, § 25 (watch, guard or patrol agency) and has been approved by the financial institution or DOR facility.

(b) Notwithstanding the requirement of 935 CMR 501.110(8)(a)4., an MTC may request an alternative security provision under 935 CMR 501.110(2): Alternative Security Provisions for purposes of cash transportation to financial institutions and DOR facilities. Any approved alternative security provision shall be included in the security plan shared with law enforcement in the municipality in which the MTC is licensed and periodically updated as required under 935 CMR 501.110(1)(q). To be determined to provide a sufficient alternative, any such alternative safeguard shall include, but may not be limited to:

1. Requiring the use of a locked bag for the transportation of cash from an MTC to a financial institution or DOR facility;
2. Requiring any transportation of cash be conducted in an unmarked vehicle;
3. Requiring two registered MTC Agents employed by the Licensee to be present in the vehicle at all times during transportation of deposits;
4. Requiring real-time GPS tracking of the vehicle at all times when transporting cash;
5. Requiring access to two-way communications between the transportation

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- vehicle and the MTC;
6. Prohibiting the transportation of Marijuana or Marijuana Products at the same time that cash is being transported for deposit to a financial institution or DOR facility; and
 7. Approval of the alternative safeguard by the financial institution or DOR facility.
- (c) All written safety and security measures developed under this section shall be treated as security planning documents, the public disclosure of which would jeopardize public safety.
- (8) Security Requirements for MTC Home Delivery Operations.
- (a) An MTC authorized to perform home delivery (MTC) or a Marijuana Limited Delivery Licensee performing deliveries to Patients and Caregivers on behalf of an MTC shall implement adequate security measures to ensure that each vehicle used for transportation of Marijuana and Marijuana Products are not readily accessible to unauthorized individuals and to prevent and detect diversion, theft or loss of Marijuana. Security measures shall, at a minimum, include for each operational delivery vehicle:
1. A vehicle security system that includes an exterior alarm;
 2. A secure, locked storage compartment that is a part of the vehicle and not easily removable for the purpose of transporting the Marijuana or Marijuana Products.
 3. A secure, locked storage compartment that is secured to the vehicle and not easily removable for the purpose of transporting and securing cash used as payment for deliveries of Marijuana or Marijuana Products.
 4. A means of secure communication between each vehicle and the MTC's or Limited Delivery Licensee's dispatching location which shall be capable of being monitored at all times that a vehicle is performing a delivery route. Means of communication shall include:
 - a. Two-way digital or analog radio (UHF or VHF);
 - b. Cellular phone; or
 - c. Satellite phone.
 5. A global positioning system (GPS) monitoring device that is:
 - a. Not a mobile device and that is attached to the vehicle at all times that the vehicle contains Marijuana or Marijuana Products; and
 - b. Monitored by the MTC or Limited Delivery Licensee at a fixed location during the transportation of Marijuana or Marijuana Products for the purpose of home delivery with location checks occurring at least every 30 minutes. The MTC or Limited Delivery Licensee may delegate monitoring of the GPS to the Third-party Technology Platform Provider with which the MTC or Limited Delivery Licensee has a contract, provided that the MTC Licensee or Limited Delivery Licensee shall be responsible for ensuring that monitoring occurs as required 935 CMR 501.000: *Medical Use of Marijuana* and the contract is made available for inspection and on request, submitted to the Commission.
 6. A video system that includes one or more video cameras in the storage area of the vehicle and one or more video cameras in the driver area of the vehicle and which shall remain operational at all times during the entire transportation process and which shall have:
 - a. The ability to produce a clear color still photo whether live or recorded; and
 - b. A date and time stamp embedded in all recordings which shall be synchronized and set correctly at all times and may not significantly obscure the picture.
 7. All security equipment on vehicles shall be in good working order and shall be inspected and tested at regular intervals, no to exceed 30 calendar days from the previous inspection and test.

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(b) An MTC **or Limited Delivery Licensee** transporting **Finished** Marijuana Products for home delivery shall ensure that all vehicles used for deliveries are staffed with a minimum of two MTC **or Limited Delivery Licensee** Agents. At least one MTC **or Limited Delivery Licensee** Agent shall remain with the vehicle at all times that the vehicle contains **Finished** Marijuana Products.

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(c) The Commission may establish required training programs for MTC **and Limited Delivery Licensee** Agents that **shall** be completed within a reasonable period of time and at the expense of the MTC **or Limited Delivery Licensee**. Trainings shall include, but may not be limited to, **the requirements of 501.105(2)(b)(7): Delivery Core Curriculum;**

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(d) An MTC agent shall document and report any unusual discrepancy in inventory to the Commission and local law enforcement within 24 hours of the discovery of such a discrepancy.

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(e) An MTC shall report to the Commission and local law enforcement any vehicle accidents, diversions, losses, or other reportable incidents that occur during transport immediately and, under no circumstances, more than 24 hours of becoming aware of any accidents, diversions, losses, or other reportable incidents **and shall otherwise comply with the incident reporting requirements set forth under 935 CMR 501.110(9): Incident Reporting.**

Deleted: <#>Safely conducting deliveries; <#>Safe cash handling practices; <#>Strategies for de-escalating potentially dangerous situations; <#>Collecting and communicating information to assist in investigations; <#>Procedures for checking identification; <#>Indications of impairment; <#>Notification to Qualifying Patients of use of mandatory recording devices; and <#>Such other areas of training determined by the Commission to be included in a training program.*

(f) The following individuals shall have access to MTC operations and vehicles, including video recordings:

1. Representatives of the Commission in the course of responsibilities authorized by 935 CMR 501.000: *Medical Use of Marijuana*;
2. Representatives of other state agencies of the Commonwealth of Massachusetts acting within their jurisdiction; and
3. Law Enforcement Authorities and emergency medical services in the course of responding to an emergency.

(g) 935 CMR 501.000: *Medical use of Marijuana* **may** not be construed to prohibit access to authorized law enforcement personnel or local public health, inspectional services, or other permit-granting agents acting within their lawful jurisdiction.

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(h) All vehicles used by the MTC for home delivery are subject to inspection and approval by the Commission prior being put into use. It shall be the MTCs responsibility to make the Commission aware of its intent to introduce a new vehicle into operation and ensure an inspection of the vehicle prior to commencing operation.

(i) Firearms are strictly prohibited from MTC vehicles and from MTC agents performing home deliveries.

(9) Incident Reporting.

(a) An MTC shall immediately notify appropriate Law Enforcement Authorities and the Commission any breach of security or other reportable incident defined herein immediately and, in no instance, more than 24 hours following discovery of the breach or incident. Notification shall occur, but not be limited to, during the following occasions:

1. Discovery of inventory discrepancies;
2. Diversion, theft, or loss of any Marijuana Product;
3. Any criminal action involving the MTC or an MTC Agent or occurring on or in the MTC Premises;
4. Any suspicious act involving the sale, cultivation, distribution, Processing, or production of Marijuana by any person;
5. Unauthorized destruction of Marijuana;
6. Any loss or unauthorized alteration of records related to Marijuana, Registered Qualifying Patients, Personal Caregivers, or MTC Agents;
7. An alarm activation or other event that requires response by public safety personnel including, but not limited to, local law enforcement, municipal fire departments, public works or municipal sanitation departments, and

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municipal inspectional services department, or security personnel privately engaged by the MTC;

8. The failure of any security alarm system due to a loss of electrical power or mechanical malfunction that is expected to last longer than eight hours;

9. A significant motor vehicle crash that occurs while transporting or delivering Finished Marijuana Products and would require the filing of a Motor Vehicle Crash Operator Report pursuant to G.L. c. 90 § 26, provided however that a motor vehicle crash that renders the Licensee's vehicle inoperable shall be reported immediately to state and local law enforcement so that Marijuana or Marijuana Products may be adequately secured; or

10. Any other breach of security.

(b) An MTC shall, within ten calendar days, provide notice to the Commission of any incident described in 935 CMR 501.110(9)(a), by submitting an incident report in the form and manner determined by the Commission which details the circumstances of the event, any corrective actions taken, and confirmation that the appropriate Law Enforcement Authorities were notified.

(c) All documentation related to an incident that is reportable pursuant to 935 CMR 501.110(9)(a) shall be maintained by an MTC for no less than one year or the duration of an open investigation, whichever is longer, and made available to the Commission and to Law Enforcement Authorities acting within their lawful jurisdiction upon request.

(10) Security Audits. An MTC shall, on an annual basis, obtain at its own expense a security system audit by a vendor approved by the Commission. A report of such audit shall be submitted, in a form and manner determined by the Commission, no later than 30 calendar days after the audit is conducted. If the audit identifies concerns related to the MTC's security system, the MTC shall also submit a plan to mitigate those concerns within ten business days of submitting the audit.

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501.140: Additional Operational Requirements for Patient Sales

(1) In addition to the general operational requirements for MTCs required under 935 CMR 501.105: *General Operational Requirements for Medical Marijuana Treatment Centers* and security requirements provided in 935 CMR 501.110: *Security Requirements for Medical Marijuana Treatment Centers*, MTCs engaged in patient sales shall comply with additional operational requirements for MTCs under 935 CMR 501.140: *Additional Operational Requirements for Patient Sales*.

(2) Verification of Patient and Caregiver Certification

(a) Upon entry into an MTC by a Registered Qualifying Patient or Personal Caregiver, or arrival at a residence for delivery to a Registered Qualifying Patient or Personal Caregiver, an MTC or Limited Delivery Agent shall immediately inspect the patient's or caregiver's temporary or annual Registration Card and proof of government-issued identification.

1. The government-issued identification card shall contain a name, photograph, and date of birth, and shall be limited to one of the following:

- A driver's license;
- A government-issued identification card;
- A military identification card; or
- A passport.

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2. An MTC may dispense only to a Registered Qualifying Patient who has a current valid certification with the Commission or Other Jurisdictions that permit the medical use of marijuana or their Personal Caregiver. Pursuant to 935 CMR 501.010(8), a Certifying Healthcare Provider shall have

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defined the calendar day length of valid certification of a Qualifying Patient.
3. Qualifying Patients under the age of 18 do not have to have a separate means of identification to enter an MTC.

4. A Qualifying Patient under the age of 18 cannot enter an MTC without their Caregiver.

(b) An MTC shall make interpreter services available that are appropriate to the population served, including for the visually and hearing impaired. Such services may be provided by any effective means.

[...]

501.145: Home Delivery

(1) General Requirements.

(a) An MTC, or a Limited Delivery Licensee acting on behalf of an MTC, shall obtain Commission approval prior to engaging in the delivery of Marijuana and Marijuana Products directly to a Registered Qualified Patient, or Caregiver. An MTC shall comply with 935 CMR 501.110(8): Security Requirements for MTC Home Delivery Operations and 935 CMR 501.110(9): Incident Reporting and adhere to its policies and procedures for home delivery approved pursuant to 935 CMR 501.101(1)(c)12.

(b) All individuals delivering Marijuana and Marijuana Products for an MTC directly to Registered Qualifying Patients and Caregivers shall be employees of the MTC Licensee and shall hold a valid MTC agent registration; or, where a Limited Delivery Licensee provides delivery services on behalf of an MTC, employees duly registered as agents of the Limited Delivery Licensee.

(c) All Marijuana and Marijuana Products delivered by or on behalf of an MTC in fulfillment of an Individual Order shall be obtained from the MTC with which the Individual Order was placed. An MTC cannot pick up Marijuana or Marijuana Products from another MTC to fulfill an Individual Order.

(d) An MTC or Limited Delivery Licensee may use a Third-party Technology Platform Provider to facilitate the ordering of Marijuana or Marijuana Products.

1. All agreements between an MTC or a Limited Delivery Licensee and a Third-party Technology Platform Provider shall be available for inspection and subject to the control limitations under 935 CMR 501.050(1)(a).

2. The Commission shall be notified in writing within five days of any Substantial Modification to an agreement between an MTC or Limited Delivery Licensee and a Third-party Technology Platform Provider.

3. Any Third-party Technology Platform shall comply with privacy and patient protection standards established by the Commission.

4. The Commission shall be notified in writing on an ongoing basis of any new or additional or assigned agreements between an MTC or Limited Delivery Licensee and a Third-party Technology Platform Provider within five days.

(e) The maximum retail value of Marijuana or Marijuana Products allowed in an MTC's vehicle at any one time shall be \$10,000.

(f) All Marijuana and Marijuana Product deliveries shall be tracked using the Seed-to-sale SOR as designated by the Commission.

(g) Limitations on the time for delivery shall comply with all municipal bylaws and ordinances, provided however, that all deliveries of Marijuana or Marijuana Products shall be completed before 9:00 P.M. or the time determined by municipal bylaw or ordinance, whichever occurs first, and deliveries Marijuana may not occur between the hours of 9:00 P.M. and 8:00 A.M., unless otherwise explicitly authorized by municipal bylaw or ordinance.

(h) Every effort shall be made to minimize the amount of cash carried in an

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MTC **or Limited Delivery Licensee** vehicle at any one time. MTCs **and Limited Delivery Licensees** shall use best efforts to implement platforms for the electronic payment of funds. Where cash is carried in an MTC vehicle the storage and transport of cash shall comply with the requirements of 935 CMR 501.110(7): *Cash Handling and Transportation Requirements*.

(2) **Orders.** All orders for deliveries made by MTCs **or Limited Delivery Licensees** shall comply with the following requirements:

(a) All Marijuana and Marijuana Products delivered by or on behalf of an MTC shall comply with 935 CMR 501.145(1)(c).

(b) MTCs shall only deliver Marijuana or Marijuana Products for which it has received a specific order from a Registered Qualifying Patient or Caregiver. MTCs are prohibited from delivering Marijuana or Marijuana Products without a specific order destined for an identified Qualifying Patient or Caregiver. An order may be generated directly through the MTC or through a Third-party Technology Platform identified to the Commission under 935 CMR 501.145(1)(d).

(c) MTCs shall deliver Marijuana or Marijuana Products only to the primary residence and be prohibited from delivering Marijuana or Marijuana Products to **college or university- designated dormitories or housing**, federally-subsidized housing, shelters or residential programs. An Institutional Caregiver shall only receive delivery at their Caregiving Institution.

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(d) Orders for home delivery shall be received by the MTC and completed after confirmation of the Registered Qualifying Patient's or Personal Caregiver's Residence.

(e) MTCs shall only deliver one Individual Order, per Qualifying Patient or Caregiver, during each delivery.

(f) Only Marijuana and Marijuana Products that are Shelf-stable may be delivered. Products that are perishable, or time and temperature controlled to prevent deterioration **may not be allowed to be delivered by or on behalf of an MTC.**

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(g) For home delivery, each order **shall**, be labeled and packaged in accordance with 935 CMR 501.105(5) and (6).

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(h) Any Marijuana or Marijuana Product that is undeliverable or is refused by the Qualifying Patient or Caregiver shall be transported back to the originating MTC that provided the product once all other deliveries included on a delivery manifest have been made. It shall be the responsibility of the MTC, **or the MTC in conjunction with the Limited Delivery Licensee performing the delivery**, to ensure that any undelivered product is returned to the MTC's physical location and stored in accordance with 935 CMR 501.105(11): *Storage Requirements*. **A process for ensuring that undelivered Marijuana and Marijuana Products can be returned to the MTC by the Limited Delivery Licensee shall be a term of the Delivery Agreement.**

(3) **Vehicle and Transport Requirements for Home Delivery.**

(a) Vehicles used for home delivery by an MTC **or Limited Delivery Licensee** shall be owned or leased by the MTC **or Limited Delivery Licensee** and shall be properly registered as commercial vehicles, inspected and insured in the Commonwealth of Massachusetts.

(b) Vehicles and transportation operations of an MTC **or Limited Delivery Licensee** shall comply with 935 CMR 501.105(13): *Transportation Between MTCs* and 935 CMR 501.110(7): *Security Requirements for MTC Home Delivery Operations*.

(c) The MTC **or Limited Delivery Licensee** shall maintain a separate log for each vehicle in use for home deliveries. For each delivery, the MTC **or Limited Delivery Licensee** shall record:

1. The location of the originating MTC and date and time the vehicle

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leaves the location;

2. The mileage of the transporting vehicle at departure from the MTC, mileage on arrival at each Registered Qualifying Patient or Caregiver destination, and mileage on return to the MTC;

3. The date and time of departure from the MTC and arrival at each patient destination for each delivery; and

4. An entry indicating the date and time of the last delivery in an order.

(d) MTCs **or Limited Delivery Licensees** ~~may~~ not transport products other than Marijuana and Marijuana Products during times when MTCs **or Limited Delivery Licensees** are performing home deliveries.

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(4) Manifests.

(a) Every home delivery shall have a manifest produced by the MTC. A manifest shall be completed in duplicate, with the original manifest remaining with the originating MTC, and a copy to be kept with the MTC **or Limited Delivery Licensee** agent during the delivery. The manifest shall be signed by the Registered Qualifying Patient or Caregiver receiving the Marijuana or Marijuana Products and the MTC **or Limited Delivery Licensee** agent acting on behalf of the MTC. A signed manifest shall serve as the written record of the completion of the delivery.

(b) The manifest ~~shall~~, at a minimum, include:

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1. The originating MTC's name, address, and License number;
2. The names and MTC agent **or Limited Delivery Licensee agent** numbers of the MTC agents **or Limited Delivery Licensee agents** performing the delivery;
3. The patient or caregiver's name, address, and registration number;
4. A description of the Marijuana or Marijuana Products being transported, including the weight, form or type of product, cost and transaction number entered in the patient sales system;
5. Signature lines for the agents who transported the Marijuana or Marijuana Products;
6. A signature line for the person who receives the Marijuana or Marijuana Products; and
7. The MTC **or Limited Delivery Licensee** vehicle make, model, and license plate number.

(c) The manifest shall be maintained within the vehicle during the entire transportation process, until all the deliveries are completed.

(d) An MTC shall retain all transportation manifests for no less than one year and make them available to the Commission on request.

[...]

REGULATORY AUTHORITY

935 CMR 501.000: *Medical Use of Marijuana*: St. 2017, c. 55; M.G.L. c. 94G and M.G.L. c. 94I.

THESE DRAFT REGULATIONS ARE PROVIDED FOR PURPOSES OF PUBLIC REVIEW AND COMMENT ONLY, AND ARE NOT EFFECTIVE UNTIL PROMULGATED.

CHANGES FROM DRAFT REGULATIONS FILED JULY 24, 2020 ARE HIGHLIGHTED.

FOR CURRENT AND EFFECTIVE REGULATIONS, PLEASE SEE: <https://mass-cannabis-control.com/the-laws/>

NON-TEXT PAGE