

## CHAPTER 453D – ADULT USE OF MARIJUANA

### Requirements Concerning Operations of Marijuana Transportation

#### Sec. ( ) Requirements for transportation of marijuana. (NRS 453D.( ))

1. *A licensed marijuana distributor may transport marijuana and marijuana products between a marijuana establishment and:
  - (a) Another marijuana establishment; and
  - (b) Between the buildings of the marijuana establishment.*
2. *A marijuana establishment may only transport marijuana and marijuana products to a retail marijuana store if they hold a marijuana distributor license.*
3. *A marijuana distributor may not purchase or sell marijuana or marijuana products unless they hold another marijuana establishment license that allows for the purchase or sale of marijuana and marijuana products.*
4. *Licensed marijuana distributors may enter into service agreements or contracts with licensed marijuana establishments for the transport of marijuana and marijuana products which may include such requirements as insurance coverage, third party and employee theft and climate control.*
5. *Before transporting marijuana or marijuana products pursuant to subsection 1 of this chapter, the licensed marijuana distributor agent must:
  - (a) Complete a trip plan that includes, without limitation:
    - (1) The agent name and registration number providing and receiving marijuana;
    - (2) The date and start time of the trip;*



6. *Each licensed marijuana distributor agent transporting marijuana or marijuana products pursuant to subsection 1 of this section, must:*

*(a) Report any vehicle accident that occurs during the transportation to a person designated by the marijuana distributor to receive such reports within 2 hours after the accident occurs; and*

*(b) Report any loss or theft of marijuana or marijuana products that occurs during the transportation to a person designated by the marijuana distributor to receive such reports immediately after the marijuana establishment agent becomes aware of the loss or theft. A marijuana distributor that receives a report of loss or theft pursuant to this paragraph must immediately report the loss or theft to the appropriate law enforcement agency and to the Department as required by Section ( ) of this chapter.*

*(c) Report any unauthorized stop that lasts longer than 2 hours to the Department.*

7. *A marijuana distributor shall:*

*(a) Maintain the documents required in paragraph (a) of subsection 2 and subsections 4 (a) and (b) of this section; and*

*(b) Provide a copy of the documents required in paragraph (a) of subsection 2 and subsections 4 (a) and (b) of this section to the Department for review upon request.*

8. *Each marijuana distributor shall maintain a log of all reports received pursuant to subsection 2 and subsection 4 (a) and (b) of this section.*

**Sec. ( ) Transportation of marijuana and marijuana products by a marijuana cultivation facility, marijuana testing facility, marijuana product manufacturing facility and retail marijuana store.**

1. *A licensed marijuana cultivation facility, marijuana testing facility, marijuana product manufacturing facility, or retail marijuana store may transport marijuana and marijuana products without a marijuana distributor license as follows:*

(a) *A marijuana cultivation facility and a marijuana product manufacturing facility may transport marijuana and marijuana products to or from marijuana testing facility, a marijuana cultivation facility or a marijuana product manufacturing facility.*

(1) *All the requirements in section ( ), subsection (2) through (8) must be maintained for the transport of marijuana or marijuana products, unless the licensed marijuana distributor is transporting marijuana and marijuana products between co-located marijuana establishments;*

(b) *A marijuana testing facility may transport marijuana and marijuana products to or from a testing facility for testing; and*

(c) *A retail marijuana store may transport marijuana and marijuana products to or from a marijuana testing facility.*

**Sec. ( ) Transportation of marijuana and marijuana products prohibited. (NRS 453D.( ))**

1. *A marijuana establishment is prohibited from transporting marijuana and marijuana products to a retail marijuana store unless the establishment has a marijuana distributor license. This provision does not apply to:*

**(a)** *A medical marijuana establishment only transporting marijuana or marijuana products for sale to medical patients;*

**(b)** *A marijuana testing facility transporting samples for lab testing;*

*(c) An independent contractor of a medical marijuana establishment transporting only medical marijuana.*

**Sec. ( ) Delivery (NRS 453D. ( ))**

*Delivery of marijuana or marijuana products to a consumer by a marijuana establishment or any third party is strictly prohibited, unless pursuant to NRS 453D.110(3).*

**Sec. ( ) Marijuana establishment agents for distributors. (NRS 453D.( ))**

- 1. Employees of licensed marijuana distributors, including drivers transporting marijuana and marijuana products, must be 21 years of age or older and must obtain a valid marijuana establishment agent registration card issued by the Department.*
- 2. If a marijuana distributor is co-located with another type of business, all employees of co-located businesses must have marijuana establishment agent registration cards unless the co-located business does not include common entrances, exits, break room, restrooms, locker rooms, loading docks, and other areas as are expedient for business and appropriate for the site as determined and approved by Department inspectors.*
- 2. While engaged in the transportation of marijuana and marijuana products, any person that occupies a transport vehicle when it is loaded with marijuana or marijuana products must have their physical marijuana establishment agent registration card in their possession.*
- 3. All drivers must carry in the vehicle valid driver's insurance at the limits required by the State of Nevada and the Department. All drivers must be bonded in an amount sufficient to cover any claim that could be brought, or disclose to all parties that their drivers are not bonded.*

4. *Marijuana establishment agent registration cardholders and the licensed marijuana distributor they work for are responsible for the marijuana and marijuana product once they takes control of the product and leave the premises of the marijuana establishment.*

**Sec. ( ) Load restrictions for transportation of marijuana. (NRS 453D.( ))**

1. *There is no load limit on the amount or weight of marijuana and marijuana products that is being transported by a licensed marijuana distributor. Marijuana distributors are required to adhere to Department regulation and those required through their insurance coverage.*
2. *When transporting by vehicle, marijuana and marijuana product must be in a lockbox or locked cargo area. A trunk of a vehicle is not considered secure storage unless there is no access from within the vehicle and it is not the same key access as the vehicle. Live plants can be transported in a fully enclosed, windowless locked trailer or secured area inside the body/compartment of a locked van or truck so that they are not visible to the outside.*
3. *If the value of the marijuana and marijuana products being transported by vehicle is in excess of \$10,000 (the insured value per the shipping manifest), the transporting vehicle must be equipped with a car alarm with sound or have no less than two of the marijuana distributor's marijuana establishment agent registration cardholders involved in the transportation.*
4. *All marijuana and marijuana product must be tagged for purposes of inventory tracking with a unique identifying label as required by the Department and remain tagged during transport. This unique identifying label should be similar to the stamp for cigarette distribution.*

5. *All marijuana and marijuana product when transported by vehicle must be transported in sealed packages and containers and remain unopened during transport.*
6. *All marijuana and marijuana product transported by vehicle should be inventoried and accounted for in the inventory tracking system. Loading and unloading of marijuana and marijuana products from the transporting vehicle must be within view of existing video surveillance systems prior to leaving the origination location. Security requirements in NAC 453D.( ) are required for the transportation of marijuana and marijuana products.*

**Sec. ( ) Vehicle requirements for transportation. (NRS 453D.( ))**

1. *Licensed marijuana distributors that will be transporting the product between its own licensed establishments that are contained within the same building, are contiguous or are located within 500 feet of each other are not required to transport by vehicle.*
2. *A licensed marijuana distributor can use any vehicle that meets the vehicle requirements in NRS Chapter 484D and sections (3) through (6) below, to transport marijuana and marijuana products.*
3. *Licensed marijuana distributors must obtain approval from the Department for each vehicle it is intending to use for transportation of marijuana and marijuana products. The Department will issue an identification card containing information as determined by the Department for each vehicle and this card is to be kept in the vehicle at all times.*
4. *Licensed marijuana distributor's transporting vehicles cannot have any advertising, signage or markings related to marijuana.*
5. *Marijuana distributors are to maintain at least one vehicle which is temperature controlled for the transportation of marijuana and marijuana products. Temperature*

*control shall be maintained below 41 degrees while transporting potentially hazardous marijuana products.*

- 6. Licensed marijuana distributor's transport vehicles are subject to inspection by the Department, pursuant to sections 453D.( ) to ( ).*

**Sec. ( ) Transportation requirements for marijuana distributors. (NRS 453D.( ))**

- 1. Licensed marijuana distributors can transport marijuana and marijuana product from multiple licensed marijuana establishments but cannot transport marijuana with any other product unless that product is merchandise, packaging or promotional items directly related to the marijuana or marijuana product being transported.*
- 2. Transportation hours should be reasonable as to allow for delivery to a licensed marijuana establishment during operating hours.*
- 3. If transportation occurs by vehicle, the licensed marijuana distributor agent transporting marijuana and marijuana products must only travel to and from licensed marijuana establishments and must not make any unnecessary stops that are not disclosed in the trip plan and shipping manifest. The transporting vehicle may make fuel stops as necessary and keep a list of designated fuel stops along the route that can be submitted to the Department upon request.*
- 4. If the transport vehicle is stopped at an unlicensed location, is involved in a traffic accident, or the vehicle breaks down and scheduled travel is interrupted for more than 2 hours, the distributor must notify the Department of the interruption by means determined by the Department.*
- 5. A licensed marijuana distributor shall use the inventory tracking system approved by the Department to create shipping manifest documenting the transport of marijuana and*



*marijuana products between marijuana establishments that are not co-located. A paper manifest or digital copy is to be kept with product at all times unless the licensed marijuana distributor is transporting marijuana and marijuana products between co-located marijuana establishments.*

*(a) For licensed marijuana establishments that are not co-located, when the licensed marijuana establishment receives marijuana and marijuana products, it must ensure that the marijuana and marijuana products received are described in the manifest, match the production run, batch and/or lot numbers on the invoice or purchase order and record receipt in the tracking system.*

*(b) For co-located licensed marijuana establishments, when the licensed marijuana establishment receives marijuana and marijuana products, it must record the receipt in the tracking system.*

*6. A licensed marijuana distributor may only transport marijuana and marijuana products within Nevada.*

**Sec. ( ) Storage requirements for marijuana distributors (NRS 453D. ( ))**

*Requirements concerning storage of marijuana at a licensed distributor:*

- 1. At each licensed marijuana distributor, marijuana must be stored only in a separate, enclosed, locked facility.*
- 2. Marijuana distributors are to maintain at least one storage area which is temperature controlled for the storage of marijuana and marijuana products. Temperature control shall be maintained below 41 degrees while storing potentially hazardous marijuana products.*

3. *At each licensed marijuana distributor, marijuana must be stored in a secure, locked device, cabinet or room or locked transportation vehicle within the enclosed, locked facility. The secure, locked device or room must be protected by a lock or locking mechanism that meets at least the security rating established by Underwriters Laboratories for key locks.*
4. *Licensed marijuana distributor premises shall be made available for inspection by the Department during normal business hours without notice.*
5. *Marijuana products shall not be stored with the distributor for more than (3) days without written consent from the Department. If the product is removed from the vehicle for storage, the inventory shall be verified following off-load and prior to on-load.*
6. *Storage will be allowed only as normal business operations of the transportation process and security requirements pursuant to section ( ) to deter and prevent un-authorized entry will be required.*