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SECURE TRANSPORTER PRE-LICENSURE INSPECTION REMINDERS

Please note the following excerpts from the [Emergency Rules](#) and from the [Medical Marihuana Facilities Licensing Act](#), in preparation for pre-licensure inspections. This list is not all-inclusive yet highlights key areas to consider when navigating the application and inspection process.

A secure transporter license authorizes the licensee to store and transport marihuana and money associated with the purchase or sale of marihuana between marihuana facilities for a fee upon request of a person with legal custody of that marihuana or money. It does not authorize transport to a registered qualifying patient or registered primary caregiver. If a secure transporter has its primary place of business in a municipality that has adopted an ordinance under section 205 authorizing that marihuana facility, the secure transporter may travel through any municipality.

Each driver transporting marihuana must have a chauffeur's license issued by this state. Each employee who has custody of marihuana or money that is related to a marihuana transaction shall not have been convicted of or released from incarceration for a felony under the laws of this state, any other state, or the United States within the past 5 years or have been convicted of a misdemeanor involving a controlled substance within the past 5 years.

Each vehicle must be operated with a 2-person crew with at least 1 individual remaining with the vehicle at all times during the transportation of marihuana. The marihuana must be transported in 1 or more sealed containers and not be accessible while in transit. A secure transporting vehicle must not bear markings or other indication that it is carrying marihuana or a marihuana-infused product.

A secure transporter shall show proof of auto insurance, vehicle registration, and registration as a commercial motor vehicle as applicable for any transporting vehicles used to transport marihuana product as required by the act and these rules. Any change or modification to the marihuana facility after licensure is governed by the standards and procedures set forth in the act and these rules and any regulations adopted pursuant thereto and requires the approval of the department before any changes or modification.

Any change of a location of a marihuana facility after licensure requires a new license application under Rules 5 and 6 and may include, but is not limited to, regulatory assessment or application fees or both. A licensee shall produce written documentation from the municipality approving the proposed new marihuana facility location as indicated on the application provided to the department and be in compliance with section 205 of the act.

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To ensure the safety, security, and integrity of the operation of marihuana facilities, a secure transporter shall have a primary place of business as its marihuana facility that is operating in a municipality that has adopted an ordinance that meets the requirements of section 205 of the act and these rules and its marihuana facility must comply with the requirements prescribed by the act and these rules.

A licensee shall conduct a criminal history background check on any prospective employee prior to hiring that individual pursuant to section 405 of the act. The licensee shall keep records of the results of the criminal history background checks. A licensee shall record confirmation of criminal history background checks and make the confirmation of criminal history background checks available for inspection upon request by the department or authorized persons.

A licensee shall have a policy in place that requires employees to report any new or pending charges or convictions. If an employee is charged or convicted for a controlled substance-related felony or any other felony, the licensee shall report it immediately to the department.

A licensee shall enter any employee of the licensee at the time of hire in the statewide monitoring system for an identification number that will be assigned by the department in the statewide monitoring system. The licensee shall immediately update in the statewide monitoring system employee information and status. If an employee is no longer employed by a licensee, the licensee shall remove access and permissions to the marihuana facility and the statewide monitoring system.

A licensee shall train employees and have an employee training manual that includes, but is not limited to, employee safety procedures, employee guidelines, security protocol, and educational training, including, but not limited to, marihuana product information, dosage and daily limits, or educational materials.

A licensee shall screen prospective employees against a list of excluded employees based on a report or investigation maintained by the department in the statewide monitoring system.

At the time a registered primary caregiver is hired as an employee of a grower, processor, or secure transporter, the licensee or the individual shall withdraw registration as a registered primary caregiver in a manner established by the department.

If an individual is present at a marihuana facility or in a secure transporter vehicle who is not identified as a licensee or an employee of the licensee in the statewide monitoring system or is in violation of the act or these rules, the department, through its investigators, agents, auditors, or the state police may take any action permitted under the act and these rules.



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Employee records are subject to inspection or examination by the department, through its investigators, agents, auditors, or the state police to determine compliance with the act or these rules. For purposes of this rule “employee” includes, but is not limited to, hourly employees, contract employees, trainees, or any other person given any type of employee credentials or authorized access to the marihuana facility.