



STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Linda M. Trujillo, Superintendent
Clay Bailey, Deputy Superintendent

2022 Cannabis Courier Application

Applicant Information

Courier
Name DBA
Business
Name:

Courier Name

Date: _____

Address:

Street Address

Apartment/Unit #

City

State

ZIP Code

Phone:

Email

16.8.2.41 Cannabis Courier Licensure; General Provisions

- A. **Division application forms:** All applications for licensure authorized pursuant to the Cannabis Regulation Act shall be made upon current forms prescribed by the division..
- B. **License required:** Unless licensed pursuant to the Cannabis Regulation Act and division rules, a person shall not transport cannabis products directly to qualified patients, primary caregivers or reciprocal participants, or directly to consumers.
- C. **Consumer Delivery:** A licensee may deliver cannabis products directly to a qualified patient who is at least 18 years of age, a primary caregiver or a reciprocal participant, or directly to a consumer who is at least 21 years of age. Payment for cannabis and cannabis products shall not be requested or received by a cannabis courier. Licensees shall only deliver cannabis products to the person who is identified by the retail cannabis licensee as an intended, authorized recipient.

The below regulations should be incorporated into the required courier plans for delivery. Copies of such records must also be provided to CCD; items C. 1-11 (listed below), must be clearly titled as such on the records provided.

- D. **General requirements:** An approved courier shall adhere to each of the following requirements:

- (1) All cannabis products delivered by a licensed cannabis courier shall be obtained from a retail cannabis licensee with which the cannabis courier is employed or has a delivery agreement.
- (2) Delivery agreements between a retail cannabis licensee and a cannabis courier licensee shall be disclosed to the division. The division shall be notified in writing of a new delivery agreement or modification to a delivery agreement prior to delivery of cannabis and cannabis product under a new or modified delivery agreement.
- (3) Licensees shall not transport or deliver cannabis products that are not individually packaged, or that is not labeled in accordance with the Cannabis Control Act and division rules.
- (4) Upon obtaining a package of cannabis or cannabis product from a retail cannabis licensee, the cannabis courier shall hold the package in a secure area or areas that are locked and otherwise resistant to tampering or theft, until the package is delivered to its intended recipient or returned to the retail cannabis licensee.
- (5) Licensees shall not relinquish possession of cannabis products unless and until the package of cannabis products is either successfully delivered to its intended recipient or returned to the retail cannabis licensee. For purposes of this section, a package of cannabis products is successfully delivered only upon the licensee's verification that an intended recipient has taken actual, physical possession of the package. Licensees shall not leave a package at any location for any reason, unless the package is successfully delivered to its intended recipient.
- (6) At the time of delivery, a licensee shall verify the recipient's identity by requiring presentation of the recipient's medical cannabis identification card, if applicable, and photo identification issued by a federal or state government that includes the name, date of birth, and picture of the intended recipient. Identification must match the pre-verified identification of the consumer who placed the order for delivery. Licensees shall not deliver cannabis products to any person whose identity is not verified in accordance with this rule. Upon delivery to the intended recipient, the licensee shall certify having verified the recipient's identification in accordance with this rule for each transaction. Licensee shall view proof of the order generated at the time of the order and receive the signature of the consumer who ordered the cannabis products.
- (7) Licensees shall not possess a delivery package of cannabis or cannabis product for a time period greater than 24 hours. Licensees shall return any cannabis or cannabis product that is not

successfully delivered to its intended recipient to the originating retail cannabis licensee within this time period.

- (8) Licensees shall not possess a delivery package of cannabis or cannabis product for a time period greater than 24 hours. Licensees shall return any cannabis or cannabis product that is not successfully delivered to its intended recipient to the originating retail cannabis licensee within this time period
- (9) Licensees shall not possess or permit the possession of a firearm on any premises, including a building or vehicle, utilized by the courier
- (10) Licensees shall not, when transporting cannabis products utilize a delivery vehicle that advertises or otherwise displays signage, logos, or symbols that would indicate that the vehicle is used for the transport of cannabis.⁴
- (11) Only cannabis and cannabis product that is shelf-stable may be delivered. Products that are perishable or time and temperature controlled to prevent deterioration may not delivered.

Place “performed by” initials in the boxes below, confirming acknowledgement

E. Confidentiality: Licensees shall at all times take measures to ensure confidentiality and safety in the transport and delivery of cannabis and cannabis products. A licensee may obtain contact information of a purchasing qualified patient or primary caregiver, and a reciprocal participant, as permitted by agreement between the licensee and a respective retail cannabis licensee, and may utilize such information solely for the purpose of arranging a delivery location and time with the qualified patient or primary caregiver, or reciprocal participant. Licensees shall not otherwise disseminate, disclose, or use identifying information or contact information concerning a qualified patient or primary caregiver, or reciprocal participant.

I certify, acknowledge and understand the above regulations and agree to adhere to these rules

F. Maximum retail value: The maximum retail value of cannabis and cannabis products allowed in a cannabis courier’s vehicle at any one time shall be \$10,000 and each product shall be associated with a specific order for delivery. For purposes of this provision, “maximum retail value” shall mean the aggregate value of cannabis and cannabis products as priced on the day of the order for delivery.

I certify, acknowledge and understand the above regulations and agree to adhere to these rules

G. Track and trace: All cannabis and cannabis product deliveries shall be tracked using the track and trace system as designated by the division. Records of sales of cannabis accessories shall be maintained by the cannabis courier, but may not be tracked in the track and trace system designated by the division.

I certify, acknowledge and understand the above regulations and agree to adhere to these rules

H. Record retention: Delivery records, including certification of delivery, the cannabis and cannabis product delivered, the date of delivery, and the time of delivery, shall be maintained by the cannabis courier for a minimum of 12 months.

I certify, acknowledge and understand the above regulations and agree to adhere to these rules

I. Delivery time and location: An approved courier shall adhere to each of the following requirements:

- (1) Licensees shall adhere to limitations on time of delivery and comply with all local laws.
- (2) Cannabis and cannabis products shall only be delivered to a residential address.
- (3) Licensees shall only deliver packages of cannabis products to the residence address provided by the retail cannabis licensee.

- (4) Licensees shall be prohibited from delivering to college or university-designated dormitories or housing; and federal public housing identified at <http://resources.hud.gov>.
 - (5) Licensees are prohibited from delivery to an individual consumer of more than two ounces of cannabis, sixteen grams or cannabis extract and eight hundred milligrams of edible cannabis.
- I certify, acknowledge and understand the above regulations and agree to adhere to these rules

Below are the items needed to satisfy a complete Courier application. Each listed item, must be submitted to the CC in electronic form in order for the application to be considered complete. Check each box once each item is satisfied and ready to submit. Remember to include a copy of this completed checklist in the electronic submission.

- (1) a detailed plan for delivery and security that demonstrates compliance with the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act and division rules
- (2) a plan for security, including a description of facilities and containers intended for use in storing and transporting of cannabis and cannabis products;
- (3) a description of all vehicles used or intended to be used for the transport of cannabis and cannabis products;
- (4) proof the applicant is at least 21 years of age, which shall include identification issued by a federal or state government that includes the name, date of birth, and picture of the applicant or controlling person;
- (5) criminal history screening documents as set forth in 16.8.2.9 NMAC and the Cannabis Regulation Act;
- (6) a detailed description of any criminal convictions of the applicant, including the date of each conviction, dates of incarceration, probation or parole, if applicable, description of the offense, and statement of rehabilitation of each conviction. certification the applicant will adhere to courier requirements pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, or division rules;

Place “performed by” initials in the boxes below, confirming acknowledgement

- I certify, that I will adhere to cannabis transport requirements pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, or division rules.
- I certify, that I will adhere to security requirements pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, or division rules.
- I certify, that I will adhere to quality assurance requirements pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, or division rules.
- I certify, that I have never been denied a license or had a license suspended or revoked by the division or any other state cannabis licensing authority or a detailed description of any administrative orders, civil judgements, denial or suspension of a cannabis license, revocation of a cannabis license, or sanctions for unlicensed cannabis activity by any state licensing authority, against the applicant, controlling person, or a business entity in which the applicant or controlling person was a controlling person within the three years immediately preceding the date of the application.
- I certify, that I am not licensed under the Liquor Control Act

Signing below, signifies all material in this Courier application are acknowledged, understood and will be adhered to. All above required documentation will be submitted, simultaneously, with this application. Under penalty of perjury, I hereby declare that the information contained within and submitted with the application is complete, true and accurate. I understand that a misrepresentation of fact or violation of these rules may result in denial of the license application or revocation of a license issued.

Courier
Representative
Signature:

Date:

The below section for CCD official use only

Reviewed by
Signature:

Date:

Application:

Approved

Denied
reason for denial:

Courier License approved by: _____ **on**

License expiration date:
