



State of U.S. Cannabis Delivery

2023

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Over the past decade, we've seen state governments ease restrictions on the use, production, and sale of cannabis. Most states currently have some form of legalized cannabis – recreational or medical use only – or have decriminalized it. While it's still an illegal substance federally, there are continued pushes to legalize cannabis nationwide.



The U.S. cannabis market was valued at [\\$13.2 billion](#) in 2022, with forecasts projecting a \$40.1 billion industry by 2030. Historically, cannabis has been a delivery and pickup driven industry. Cannabis delivery will continue to be an essential part of market growth moving forward.

Today, cannabis delivery continues to expand, with **23 of 37 states** with partial or full cannabis legalization permitting delivery for medical and/or recreational use. But without legalization at the federal level, businesses are tasked with comprehending and remaining compliant with strict regulations specific to their state of operation. Some fully legalized

states, like Vermont, don't permit delivery for recreational purposes, while others do or are in the process of doing so.

Our goal for this guide is to provide coverage for all 50 U.S. states, whether cannabis is legal or not. Understandably, states with permitted cannabis delivery will have greater coverage than those without. States where cannabis remains illegal or delivery is not permitted will feature Legislative History to chronicle the ongoing efforts to legalize the possession, sale, and delivery of cannabis.

Our goal for this guide is to provide coverage for all 50 U.S. states, whether cannabis is legal or not. Understandably, states with permitted cannabis delivery will have greater coverage than those without. States where cannabis remains illegal or delivery is not permitted will feature **Legislative History** to chronicle the ongoing efforts to legalize the possession, sale, and delivery of cannabis.

Strategic Considerations

cover state-specific regulations that impact business formation and operation, such as defining licensed cannabis operators, “outside in” delivery, “case pack value” limits, employee classifications, and delivery opportunities. Some states have less stringent regulatory requirements for delivery, resulting in shorter sections than others.

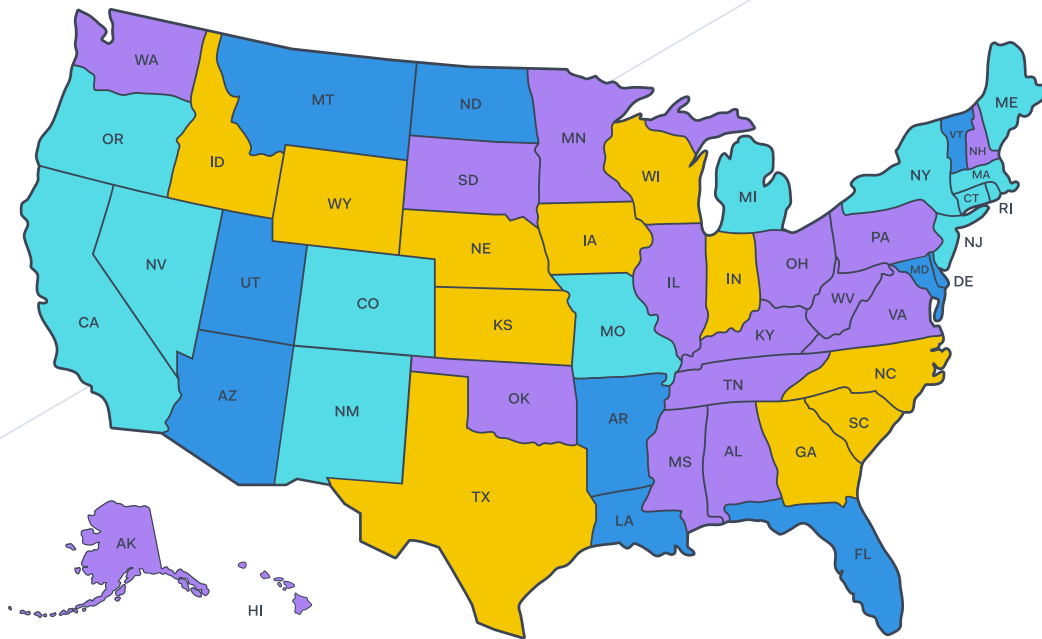
Compliance Considerations

cover state-specific compliance requirements, such as vehicle requirements, leaving business premises, during/between/after deliveries, and returning to premises.

Disclaimer:

The contents of this document were finalized in May 2023 and are subject to change by each state's legislative body. Several states are actively working on legislation to legalize medical cannabis use, introduce regulations for recreational markets, and create licensing opportunities for courier/delivery services.





US Map of Cannabis Delivery

Medical & Recreational Use With Delivery:

- California
- Colorado
- Connecticut
- Maine
- Massachusetts
- Michigan
- Missouri
- Nevada
- New Jersey
- New Mexico
- New York
- Oregon
- Rhode Island

Medical Use Only With Delivery

- Arizona
- Arkansas
- Delaware
- Florida
- Louisiana
- Maryland
- Montana
- North Dakota
- Utah
- Vermont

Medical and/or Recreational Use Without Delivery

- Alabama
- Alaska
- Hawaii
- Illinois
- Kentucky
- Minnesota
- Mississippi
- New Hampshire
- Ohio
- Oklahoma
- Pennsylvania
- South Dakota
- Virginia
- Washington
- West Virginia

Illegal

- Georgia
- Idaho
- Indiana
- Iowa
- Kansas
- Nebraska
- North Carolina
- South Carolina
- Tennessee
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- Wisconsin
- Wyoming

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AL

Alabama

Legal Status █ Medical Use Only

Delivery Status █ Not Permitted

Legislative History

1931

Possession or use of cannabis is banned.

2012

The Alabama Medical Marijuana Patients Rights Act is introduced to authorize cannabis for medical use but dies in committee.

2014

Carly's Law is signed, allowing the University of Alabama at Birmingham to provide non-psychoactive CBD oil (with no more than 3% THC) to children with debilitating seizures as a clinical study.

2015

The Alabama Medical Marijuana Patients Rights Act is reintroduced as the Medical Marijuana Patient Safe Access Act, passes the Senate Judiciary Committee but fails to reach the Senate floor.

2016

Leni's Law is signed, expanding Carly's Law to include any individuals with a debilitating disease or condition involving seizures.

2021

The Darren Wesley 'Ato' Hall Compassion Act is signed into law, allowing the use of cannabis with a physician's recommendation for treatment of approximately 15 qualifying conditions, but only after traditional medications fail to improve a patient's condition.

Today

Cannabis remains illegal for recreational use. First-time possession is a misdemeanor, punishable by up to one year in prison, a fine of up to \$6,000, and a mandatory six-month driver's license suspension. Any repeat offenses or possession with the intent to sell are felonies.





AK

Alaska

Legal Status ■ Legal

Delivery Status ■ Not Permitted

Legislative History

1975

Alaska became the second state to decriminalize the possession of small amounts of cannabis; the Alaska Supreme Court's *Ravin v. State* decision holds that the state constitution's right to privacy protects an adult's ability to possess a small amount of cannabis in the home for personal use.

1982

The state legislature decriminalized possessing up to 4 ounces of cannabis in the home or one ounce outside the home.

1990

Ballot Measure 2 criminalized cannabis with a penalty of up to 90 days in jail and a fine of up to \$1,000 for simple possession.

1998

Ballot Measure 8 legalized medical cannabis use for patients with a doctor's recommendation, allowing the possession of up to one ounce or up to six plants.

2003

The Alaska Court of Appeals' *Noy v. State* decision struck down the criminalization of fewer than 4 ounces of cannabis.

2004

Ballot Measure 2 to legalize the recreational use of cannabis failed with 44.3% of the vote.

2006

The state legislature criminalized the possession of less than one ounce of cannabis by up to 90 days in jail. Possession of 1-4 ounces became a misdemeanor punishable by up to a year in jail. Possession of over 4 ounces is made a felony.

2014

Ballot Measure 2 to legalize the recreational use of cannabis passed with 53.2% of the vote. Adults 21 or older can possess up to one ounce of cannabis and grow six plants.





AZ

Arizona

Legal Status ■ Legal

Delivery Status ■ Medical Only

Strategic Considerations

Licensed Cannabis Operators

Only licensed medical dispensaries can deliver to qualifying patients. Dispensaries must comply with local municipal ordinances regulating delivery, both in the city, town, or county where they are located and where the medical cannabis is being delivered.

According to the [Arizona Revised Statutes \(A.R.S\) Section 36-2854\(D\)](#), the Arizona Department of Health Services will adopt rules to allow and regulate recreational cannabis delivery no later than January 1, 2025.

“Case Pack Value” Limits

Rather than a specific “case pack value” limit, the amount of cannabis that can be delivered is limited to the specific amount requested by the qualifying patient or designated caregiver.

Delivery Opportunities

While some cities prohibit medical cannabis delivery, the market has grown considerably in the decade between medical and recreational legalization. With recreational cannabis delivery scheduled to be permitted by 2025, existing dispensaries can expect more growth to come as adult-use customers are made eligible for delivery services.



Compliance Considerations

Vehicle Requirements

Identifiers. There cannot be any exterior markings or indications that the driver is delivering cannabis products.

Leaving Delivery Premises

Hours. Deliveries can only take place during the dispensary's hours of operation. Local jurisdictions may also impose more restrictive hours of operation on their licensees, limiting delivery hours further.

Order Received. Drivers cannot depart the licensed premises with cannabis until a delivery order has been received and processed.

Cannabis Goods Secured. Cannabis goods cannot be visible to the public and must be locked in a fully enclosed box secured inside the vehicle or the trunk.

Trip Plan. Drivers must have a copy of the trip plan before transportation. This includes the driver's name, the date and start time of the trip, a description of the products being delivered, any anticipated stops, and the anticipated route for the delivery.

Between Deliveries

Stops. Drivers cannot engage in any activities except for necessary rest, fuel, or vehicle repair stops.

Route. Drivers can only drive between the licensed premises and the delivery address, the dispensary's cultivation site, another dispensary, or a laboratory certified by the Department of Health Services.

Cannabis Goods Not Visible. Drivers must ensure that cannabis goods are not visible to the public between deliveries or at any time before returning to the licensed premises.

During Delivery

Valid Identification. Drivers must confirm the identity and age of the patient before delivering cannabis goods. Customers must be at least 21 years old or 18 years old with a valid medical cannabis recommendation from a licensed physician.

Sales Limits. Drivers cannot deliver more than 2.5 ounces of cannabis in a 14 day period.

After Delivery

Transaction Documentation.

Dispensaries must document each transaction after the driver relinquishes possession of the medical cannabis product to the qualifying patient or designated caregiver, regardless of location. This includes:

- A patient/caregiver entry with the amount of cannabis dispensed, whether it was delivered to the patient or caregiver, the date and time of delivery, the driver's registry ID number, and the dispensary's registry ID number.
- A dispensary entry reflecting the transaction in the POS and/or inventory control system
- An entry on the patient's record reflecting the transaction details.

Returning to Premises

Trip Plan. Drivers must enter the end time of the delivery and any changes to the route. This must be stored for at least two years after the documentation date.





AR

Arkansas

Legal Status | Medical Use Only

Delivery Status | Medical Only

Strategic Considerations

Licensed Cannabis Operators

Only licensed medical dispensaries can deliver to patients with a medical cannabis card. Delivery drivers must be registered as “dispensary agents” with the Alcoholic Beverage Control Division.

“Case Pack Value” Limits

Rather than a specific “case pack value” limit, the amount of cannabis that can be delivered is limited to the amount requested by the qualifying patient or designated caregiver.

Delivery Opportunities

Medical cannabis delivery hasn't been around for long in Arkansas, but strict state regulations limit the number of patients who qualify for a medical ID card. There are only 38 licensed dispensaries, but that number has steadily grown from 14 in 2019, with some in the process of opening. Recent legislation has proposed legalizing recreational cannabis use, opening the delivery market further.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, equipped with an alarm system, registered in the state, and maintain valid insurance.

Identifiers. There cannot be any exterior markings or indications that the driver is delivering cannabis products.

Leaving Delivery Premises

Hours. Deliveries to patients or designated caregivers can only occur between 9 am and 7 pm.

Order Received. Drivers cannot depart the licensed premises with cannabis until a delivery order has been received and processed. Deliveries can only occur on the date an order is received. Dispensaries must record the driver's registry ID number, delivery address, and estimated delivery time.

Cannabis Goods Secured. Cannabis goods cannot be visible to the public and must be locked in a fully enclosed box secured inside the vehicle or the trunk.

Manifest. Drivers must have a copy of the delivery manifest before transportation. This includes the driver's name, the date and start time of the trip, a description of the products being delivered, any anticipated stops, and the anticipated route for the delivery.

Licensing Information. Drivers must have a valid registry ID card issued by the Alcoholic Beverage Control Division and a valid Arkansas Driver's License to deliver medical cannabis.

Between Deliveries

Stops. Drivers cannot engage in any activities except for necessary rest, fuel, or vehicle repair stops.

Route. Drivers can only drive between the licensed premises and the delivery address, from one delivery address to another, or from a delivery address back to the licensed premises.

Cannabis Goods Not Visible. Drivers must ensure that cannabis goods are not visible to the public between deliveries or at any time before returning to the licensed premises.

During Delivery

Delivery Address. Drivers can only deliver cannabis to a private residence. Deliveries cannot be made to a dormitory, hotel, motel, bed & breakfast, or other commercial business.

Valid Identification. Drivers must confirm the identity and age of the patient by checking the registry ID card before delivering cannabis goods. The patient or designated caregiver must sign for the delivery and confirm receipt of the product.

Sales Limits. Drivers cannot deliver more than 2.5 ounces of cannabis in a 14-day period.

Cannabis Goods Attended. All vehicles must be staffed with at least 2 employees during medical cannabis deliveries. At least 1 employee must remain with the vehicle if it contains medical cannabis.

After Delivery

Manifest. Drivers must complete the delivery manifest with the actual time of delivery.

Returning to Premises

Inventory Tracking. The delivery manifest must be entered into the Inventory Tracking System alongside product and patient information.





CA

California

Legal Status | Legal

Delivery Status | Medical & Recreational

Strategic Considerations

Licensed Cannabis Operators

Two types of licensed cannabis operators are allowed to deliver:

- Operators with a **Type 9 License**, a “delivery only” license, can do delivery but cannot engage in storefront sales.
- Operators with a **Type 10 License**, a “dispensary” license, can engage in storefront sales and deliver cannabis to consumers.

“Outside In” Delivery

Most cities have a “commercial cannabis ban,” meaning they have not licensed any cannabis businesses. “Outside in” delivery permits licensed delivery operators to deliver cannabis to residents of a neighboring city, even if that neighboring city itself bans commercial cannabis sales.

“Case Pack Value” Limits

The maximum value of cannabis product a driver can have in their vehicle was \$5,000 until October 2022, when it was increased to \$10,000.

Employee Classification

Delivery drivers must be full-time, W-2 employees of the cannabis business.

Delivery Opportunities

Sizable “cannabis deserts” exist across California. More than 4,000 storefront dispensaries would be needed to serve the legal market, but only 1,000 licensed locations are in operation - creating a sizable opportunity for delivery.



Compliance Considerations

Vehicle Requirements

Tracking & Security. Delivery vehicles must be “enclosed motor vehicles” with an active alarm system and dedicated Global Positioning System (GPS) for location tracking.

Identifiers. There cannot be any exterior markings or indications that the driver is delivering cannabis products.

Leaving Delivery Premises

Hours. Deliveries can only take place between 6 am and 10 pm. Local jurisdictions may also impose more restrictive hours of operation on their licensees, limiting delivery hours further.

Only Cannabis Items. Only cannabis goods, accessories, and branded merchandise are allowed in the delivery vehicle. Drivers cannot carry other items with them when making deliveries.

Packaging. Cannabis goods must be in tamper-evident, child-resistant, resealable packaging and contained in an opaque exit bag.

Cannabis Goods Secured. Cannabis goods cannot be visible to the public and must be locked in a fully enclosed box secured inside the vehicle or the trunk.

Inventory Ledger. Drivers must have a delivery inventory ledger in the California Cannabis Track and Trace system (CCTT). This ledger requires the following:

- The delivery employee's name, employee ID, and driver's license number.
- The delivery vehicle's make, model, and license plate number.
- The unique identifier (UID) assigned to the cannabis goods, and the number of units associated with each UID on the delivery inventory ledger. The item name and category of each cannabis good to be carried on the delivery trip will automatically be associated to each UID.
- The UID(s) of any cannabis goods ordered by customers and processed by the licensed retailer prior to the delivery employee leaving the licensed retail premises.

Licensing Information. Drivers must have a copy of the company's state license, a copy of the QR code certificate issued by the California Department of Cannabis Control, their government ID, and their employee badge.

Between Deliveries

Stops. Drivers cannot engage in any activities except for necessary rest, fuel, or vehicle repair stops.

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

30-Minute Rule. If drivers do not receive any delivery requests for a 30-minute period, they cannot make any additional deliveries and return to the licensed premises. Required meal breaks do not count towards the 30-minute period.

Cannabis Goods Not Visible. Drivers must ensure that cannabis goods are not visible to the public between deliveries or at any time before returning to the licensed premises.

During Delivery

Delivery Address. Drivers can only deliver to an address that is a physical address (not a PO Box). Deliveries cannot be made to publicly owned land, buildings leased by a public agency, land held in trust by the United States for a tribe, schools providing instruction for grades K-12, daycare centers, or youth centers.

Valid Identification. Drivers must confirm the identity and age of the customer before delivering cannabis goods. Customers must be at least 21 years old or 18 years old with a valid medical cannabis recommendation from a licensed physician.

Sales Limits. Drivers cannot deliver more than the daily sales limit to customers in a single day.

- The **recreational limit** is >1 ounce of flower or >8 ounces of concentrates.
- The **medical limit** is >8 ounces of flower.

Cannabis Goods Unattended.

Drivers must ensure that cannabis products in the car only remain unattended if the motor vehicle is locked, has an active vehicle alarm system, and the cannabis goods are locked in a fully enclosed box secured inside the vehicle.

After Delivery

Inventory Ledger. Drivers must update the delivery inventory ledger with the following information:

- Date and time of the delivery
- Required information concerning whether the delivery was made to an adult-use cannabis customer or a medicinal-cannabis patient
- UID and quantity of each cannabis item sold
- Purchase price of each cannabis item sold
- County in which the delivery was made

Log Stops. Drivers must maintain a log of all stops they make and the reason for each stop. If the stop is for necessary rest, fuel, or vehicle repair rather than making a delivery, the driver must note this.

Returning to Premises

Undelivered Cannabis Products.

All undelivered cannabis products must be returned to inventory, and track and trace records must be updated to reflect this change.

Log of Stops. Drivers must turn in the log of all stops between when they left and returned, which is to be stored by the operator.





CO

Colorado

Legal Status | Legal

Delivery Status | Medical & Recreational

Strategic Considerations

Licensed Cannabis Operators

Only businesses with a **“Transporter”** license type can conduct deliveries, but they can only do so in partnership with a **“Marijuana Store”** or storefront dispensary. By default, dispensaries cannot offer delivery unless they partner with a licensed “Transporter” business. Some jurisdictions allow dispensaries to hold both licenses, but others, like Denver, prohibit this and require the companies to be separate.

“Outside In” Delivery

Unlike states like California, where licensed delivery operators can deliver cannabis to residents of a neighboring city, even if that neighboring city itself bans cannabis delivery, “outside-in” delivery is prohibited.

“Case Pack Value” Limits

Delivery companies can carry a maximum of \$10,000 of product in their vehicle. However, municipalities can impose lower “case pack value limits” on delivery companies. Delivery companies in Denver, for example, can only carry a maximum of \$5,000 of product in their vehicle.

“Responsible Vendor Designation”

Before conducting deliveries, cannabis companies must obtain a “Responsible Vendor Designation” from the state of Colorado.

Delivery Opportunities

As of March 2023, fewer than 20 adult-use “Transporters” are open for business due to many municipalities not yet issuing this license type. Some municipalities are issuing “Transporter” licenses to social equity applicants only (those negatively impacted by cannabis criminalization). Additional jurisdictions are likely to issue “Transporter” licenses in the coming years, which will help grow the size of the delivery market.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, registered in the state, and maintain valid insurance.

Tracking & Security. Each vehicle must be equipped with a tracking system for the tracking and recording of delivery routes and an active alarm system.

Identifiers. There cannot be any exterior markings or indications that the driver is delivering cannabis products.

Product Security. A secure, locked, opaque storage compartment must be securely affixed to the inside of the vehicle for securing cannabis products.

Surveillance. Vehicles must be equipped with a surveillance system that digitally records all deliveries. This system must record the product storage area and the vehicle's front view ("dash cam") and be capable of retaining the date and time. This footage must be kept for 40 days.

Leaving Delivery Premises

Hours. Delivery businesses can deliver between 8 am and 12 am, though local jurisdictions can restrict these hours of operation further.

Order Received. Drivers cannot depart the licensed premises with cannabis until a "bona fide order" has been received and processed. Colorado prohibits the delivery "ice cream truck model," in which delivery drivers can be on the road without having previously received an order.

Between Deliveries

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

During Delivery

Delivery Address. Drivers can only deliver cannabis to a private residence. Deliveries cannot be made to a school, institution of higher education, public property, commercial property, or drug or alcohol treatment facility.

Valid Identification. Drivers must confirm the identity and age of the customer before delivering cannabis goods. Customers must be at least 21 years old. Delivery to patients under the age of 21 is prohibited unless the delivery is made to the parent/guardian of a patient under 18 years old.

Sales Limits. Drivers cannot deliver more than the daily sales limit to customers in a single day.

- The **recreational limit** is 1 ounce of cannabis, 8 grams of concentrate, or products containing more than 10 80mg servings of THC.

- The **medical limit** is up to 2 ounces of cannabis and products containing 20,000 mg THC per day, and applied to medical patients under 18.

Transaction Limit. Drivers cannot deliver to the same private residence or consumer twice daily.

Returning to Premises

Manifest. Delivery companies in Colorado must keep a manifest for each delivery made, which logs:

- Date / Time the delivery was made
- Name, Address, Signature of the customer
- Patient Registration Number (for deliveries to medical patients)





CT

Connecticut

Legal Status | Legal

Delivery Status | Medical & Recreational

Strategic Considerations

Licensed Cannabis Operators

Several types of licensed cannabis operators are allowed to deliver or use a delivery service to delivery directly to their customers:

- A **“delivery service”** or **“transporter”** license authorizes cannabis delivery from certain establishments to recreational consumers or qualifying patients and caregivers.
- A **“micro-cultivator”** license authorizes the cultivation, growth, propagation, manufacturing, and packaging of cannabis. Micro-cultivators may sell, transfer, or transport cannabis to any of the other three license types.
- A **“dispensary facility”** license authorizes medical cannabis sales to qualifying patients and caregivers in accordance with the health, safety, and security protocols.
- A licensed **“hybrid retailer”** may sell cannabis and cannabis products to adult consumers over 21 years of age and medical cannabis products to qualifying patients and caregivers.
- A **“retailer”** may sell cannabis and cannabis products to adult consumers over 21 years of age.

“Case Pack Value” Limits

Rather than a specific “case pack value” limit, the amount of cannabis that can be delivered is limited to the amount requested by the qualifying patient or designated caregiver.

Delivery Opportunities

With the legalization of recreational cannabis use and the establishment of the “delivery service” license, cannabis delivery has expanded beyond the dispensaries that could afford to manage it and into its own tightly regulated market. Delivery service licensees must maintain an online ordering system with age verification and meet certain specifications and data security standards. These licensees cannot store cannabis products for more than 24 hours after a customer, patient, caregiver, or facility places an order.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, equipped with an alarm system, registered in the state, and maintain valid insurance.

Identifiers. There cannot be any exterior markings or indications that the driver is delivering cannabis products.

Tracking & Security. The vehicle must also contain a secure storage area and a GPS unit providing real-time tracking.

Leaving Delivery Premises

Hours. Customer, patient, or caregiver deliveries can only occur during business hours.

Order Received. Drivers cannot depart the licensed premises with cannabis until a delivery order has been received and processed. Deliveries can only occur within 24 hours after an order is received.

Cannabis Goods Secured. Cannabis goods cannot be visible to the public and must be locked in a fully enclosed box secured inside the vehicle or the trunk.

Manifest. Drivers must have a copy of the delivery manifest before transportation. This includes the driver's name, the date and start time of the trip, a description of the products being delivered, any anticipated stops, and the anticipated route for the delivery.

Between Deliveries

Stops. Drivers cannot engage in any activities except for necessary rest, fuel, or vehicle repair stops.

Route. Drivers can only drive between the licensed premises and the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

Cannabis Goods Not Visible. Drivers must ensure that cannabis goods are not visible to the public between deliveries or at any time before returning to the licensed premises.

During Delivery

Delivery Address. Drivers can only deliver cannabis to a private residence. Deliveries cannot be made to a dormitory, hotel, motel, bed and breakfast, or other commercial business.

Valid Identification. Drivers must confirm the identity and age of the customer, patient, or caregiver by checking the legal or medical ID cards before delivering cannabis goods. The final recipient of the cannabis goods must be the customer, patient, or caregiver.

Sales Limits. Drivers cannot deliver more than the daily sales limit to customers in a single day.

- The **recreational limit** is 1 ounce of cannabis or the equivalent amount of cannabis products, or a combination of cannabis and cannabis products.
- The **medical limit** is 5 ounces of cannabis or the equivalent amount of cannabis products, or a combination of cannabis and cannabis products.

After Delivery

Manifest. Drivers must complete the delivery manifest with the actual time of delivery.

Returning to Premises

Inventory Tracking. The delivery manifest must be entered into the Inventory Tracking System alongside product and patient information.





DE

Delaware

Legal Status | Medical Use Only

Delivery Status | Medical Only

Strategic Considerations

Licensed Cannabis Operators

Only registered Compassion Centers may conduct home deliveries to patients with prior approval from the Office of Medical Marijuana. Medical cannabis dispensary licenses are issued to nonprofits that meet all zoning requirements and pass a wide-ranging application process.

“Case Pack Value” Limits

Rather than a specific “case pack value” limit, the amount of cannabis that can be delivered is limited to the amount requested by the qualifying patient or designated caregiver.

Delivery Opportunities

Medical cannabis delivery has been legal for over a decade, but the Office of Medical Marijuana is not currently accepting applications for new Compassion Center locations.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, equipped with an alarm system, registered in the state, and maintain valid insurance.

Identifiers. There cannot be any exterior markings or indications that the driver is delivering cannabis products.

Leaving Delivery Premises

Hours. Deliveries can only take place during the dispensary's hours of operation.

Order Received. Drivers cannot depart the licensed premises with cannabis until a delivery order has been received and processed.

Manifest. Drivers must use a comprehensive manifest and invoicing program to ensure the correct products are delivered to the appropriate, positively identified patient.

Between Deliveries

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

During Delivery

Delivery Address. Drivers can only deliver cannabis to a private residence of a medical patient.

Valid Identification. Drivers must confirm that the individual receiving the delivery is a qualified medical patient over the age of 18 or a designated caregiver.

Sales Limits. Drivers cannot deliver more than 3 ounces of cannabis to patients in a 14-day period.





FL

Florida

Legal Status | Medical Use Only

Delivery Status | Medical Only

Strategic Considerations

Licensed Cannabis Operators

Florida is a “limited license” state with a strict “vertical integration” requirement. The state has issued only 23 cannabis licenses, known as “**Medical Marijuana Treatment Clinics (MMTCs)**”, to date, with a gradual increase likely to come in the coming years.

Each MMTC must be vertically integrated, meaning they must cultivate, manufacture, distribute, and sell cannabis. Cannabis companies are not allowed to occupy just one part of the supply chain and instead must control products from seed to sale. They are also prohibited from selling products from other cannabis companies and can only sell their own products.

The existing 22 MMTCs collectively own approximately 500 dispensaries across the state, each of which is permitted to do delivery.

“Outside In” Delivery

Florida permits “**outside in**” delivery, meaning that a delivery operator licensed in a city that allows commercial cannabis is allowed to deliver cannabis to residents of a neighboring city, even if that neighboring city itself bans commercial cannabis

sales. This differs from other states, such as Colorado, and is crucial for expanding the reach of delivery operators.

“Case Pack Value” Limits

Currently, there is no delivery “case pack value limit” in Florida, and thus no restriction on the total value of cannabis goods a delivery driver can have in their car.

Delivery Opportunities

Despite being a medical-only market, Florida is one of the largest cannabis markets in the country, generating more than \$2 billion in annual sales.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, registered in the state, and maintain valid insurance.

Tracking & Security. The vehicle must be equipped with a tracking system for the tracking and recording of delivery routes.

Leaving Delivery Premises

Hours. Dispensaries are able to deliver only during their hours of operation when they are open to the public.

Order Received. Drivers cannot depart the licensed premises with cannabis until a “bona fide order” has been received and processed. Florida prohibits the delivery “ice cream truck model,” in which delivery drivers can be on the road without having previously received an order.

Between Deliveries

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

During Delivery

Delivery Address. Drivers can only deliver cannabis to a private residence of a medical patient.

Valid Identification. Drivers must confirm that the individual receiving the delivery is a qualified medical patient.

Sales Limits. Drivers cannot deliver more than the daily sales limit to any patient:

- 60 mg for edibles
- 350 mg for vape products
- 200 mg for capsules and tinctures
- 190 mg for sublingual tinctures and suppositories
- 150 mg for topicals.



GA

Georgia

Legal Status ■ Illegal

Legislative History

1980

The state legislature legalized medical cannabis use for glaucoma and cancer patients undergoing chemotherapy and radiation. The Patient Qualification and Review Board is commissioned, with members appointed by the governor.

- No patients have been supplied with medical cannabis, despite this bill passing.

2015

HB1, or Haleigh's Hope Act, legalized CBD with up to 5% THC for patients with 8 qualifying conditions.

2017

SB16 expanded medical CBD use to 6 more qualifying conditions.

2018

HB65 expanded medical CBD use to intractable pain and PTSD.

2019

HB324 legalized in-state cultivation of cannabis and sale of CBD oil.





HI

Hawaii

Legal Status ■ Medical Use Only

Delivery Status ■ Not Permitted

Legislative History

2000

Act 228 legalized medical cannabis use and cultivation, becoming the first state to do so through the state legislature.

2015

Act 241 legalized the sale of medical cannabis as early as July 2016.

2016

SB 321 established a dispensary system, allowing 8 total dispensaries across the state's islands.

2019

A bill to legalize recreational cannabis use for adults 21 and over is introduced but failed.

2020

HB 1383 decriminalized the possession of up to 3 grams of cannabis with a \$130 fine rather than up to 30 days in jail and a fine up to \$1,000.



Idaho

Legal Status ■ Illegal

Legislative History

1927

Possession or use of cannabis is banned.

2012-16

Three separate attempts to field a vote on medical cannabis fail.

2015

Gov. Butch Otter vetoes SB 1146a, which would have legalized CBD for persons with severe epilepsy.

2018

A fourth attempt to vote on medical cannabis fails.

2020

A campaign to legalize medical cannabis is suspended due to COVID-19.

2021

SB 1017 descheduled Epidiolex, a brand of prescription CBD, and limited its THC content to 0.1%; HB 126 legalized the production and transport of hemp with up to 0.3% THC.





Illinois

Legal Status ■ Legal

Delivery Status ■ Not Permitted

Legislative History

1931

Possession or use of cannabis is banned.

1978

The state legislature passed the Cannabis Control Act, legalizing medical cannabis use for patients with terminal illnesses. Additional policies were required from the Human Services and State Police Departments before patients could receive prescriptions, but neither created them.

2013

The Medical Cannabis Pilot Program Act legalized medical cannabis use for over 30 specific medical conditions, with strict conditions and registry fees, and allowed the Department of Public Health to add new conditions via administrative rulemaking.

2016

The state legislature decriminalizes possession of under 10 grams of cannabis to a \$100-\$200 fine rather than a misdemeanor.

2017

A bill legalizing recreational cannabis use and possession is proposed and failed.

2018-19

Medical cannabis use is expanded to include a replacement for opioid painkillers and 11 additional conditions.

2019

The Illinois Cannabis Regulation and Tax Act legalized recreational cannabis use and possession of up to 30 grams of cannabis for residents 21 years and over.

2020

Nearly 500,000 cannabis-related police records and court convictions were expunged under provisions from the Illinois Cannabis Regulation and Tax Act.





IN

Indiana

Legal Status

■ Illegal

Legislative History

1913

Possession or use of cannabis is banned.

2013

A bill to decriminalize small amounts of cannabis failed in committee.

2015

Bills introduced to legalize medical cannabis use for severe conditions failed in the House and Senate.

2017

The state legislature legalized the use of CBD oil with less than 0.3% THC for uncontrollable seizures.

2018

The state legislature legalized the use and sale of CBD with less than 0.3% THC for any purpose.



Iowa

Legal Status ■ Illegal

Legislative History

1921

Possession or use of cannabis is banned.

2014

HF 2313 to decriminalize cannabis possession of under 42.5 grams to a fine of \$300 and possession of under a kilogram failed; the Medical Cannabidiol Act legalized the possession of CBD oil with a neurologist's recommendation for treatment of children with epilepsy.

2017

The Medical Cannabidiol Act is expanded to include cancer, HIV/AIDS, multiple sclerosis, and more.

2020

HF 2589 expanded the Medical Cannabidiol Act to include more preapproved conditions and a change to the maximum amount of THC which may be given to patients.





KS

Kansas

Legal Status

■ Illegal

Legislative History

1921

Possession or use of cannabis is banned.

2013-15

A pair of bills to legalize medical cannabis use for debilitating conditions failed.

2018

SB 282 exempted CBD oil from the definition of cannabis, allowing for the legalization of CBD.

2021

A bill to legalize medical cannabis passed the Kansas State House but stalled in the Senate.

2023

SB 171 is introduced to legalize medical cannabis use and licensed sales, but its passing remains uncertain.





Kentucky

Legal Status █ Medical Use Only

Delivery Status █ Not Permitted

Legislative History

2014

Gov. Steve Beshear signed a law that legalized non-psychoactive CBD with a physician's recommendation.

2015

HB 3 and SB 40 to legalize medical cannabis use failed.

2020

HB 136 to legalize medical cannabis use failed.

2022

HB 136 is reintroduced but did not receive a hearing in the Kentucky Senate. Gov. Andy Beshear authorized medical cannabis use through executive action and appointed a 17-member committee to hold public hearings.





Louisiana

Legal Status | Medical Use Only

Delivery Status | Medical Only

Strategic Considerations

Licensed Cannabis Operators

There are three major types of licensed cannabis operators allowed:

- A “**cultivator**” license allows a licensee to cultivate cannabis for medical use.
- A “**processor**” license allows a licensee to convert or compound cannabis into cannabis products, concentrates, or extracts and to package, repackage, label, or relabel cannabis products.
- A “**pharmacy**” license authorizes medical cannabis sales and delivery to patients.

“Case Pack Value” Limits

Rather than a specific “case pack value” limit, the amount of cannabis that can be delivered is limited to the specific amount requested by the qualifying patient or designated caregiver.

Delivery Opportunities

Despite having a restrictive framework for establishing new dispensaries, the Louisiana legislature recently passed HB 697 to expand the state's medical cannabis program. The law triples the total number of pharmacies from 10 to 30 and requires delivery as an option for patients.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, registered in the state, and maintain valid insurance.

Identifiers. The vehicle also cannot display any sign or illustration related to medical cannabis or the cannabis business.

Leaving Delivery Premises

Hours. Deliveries can only take place between 8 am and 5 pm.

Order Received. Drivers cannot depart the licensed premises with cannabis until a “bona fide order” has been received and processed.

Packaging. Cannabis goods must be in tamper-evident, child-resistant, resealable packaging.

Cannabis Goods Secured. Cannabis goods cannot be visible to the public and must be locked in a fully enclosed box secured inside the vehicle, but not the trunk.

Manifest. Drivers must have a copy of the delivery manifest before transportation. This includes:

- Patient name, address, registry ID card number
- Dispensary name, address, and license number
- Product name or description, and quantities (by weight or unit) of each product delivered
- Departure date & time
- Arrival date & time
- Transporter’s name, driver’s license number, vehicle make, model, and license plate number

Between Deliveries

Stops. Drivers cannot engage in any activities except for necessary rest, fuel, or vehicle repair stops. All stops must be documented in the delivery manifest.

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises premises.

During Delivery

Valid Identification. Drivers must confirm the identity and age of the patient before delivering cannabis goods.

Transaction Limits. Drivers cannot deliver more than 2 ounces of cannabis to a patient in a 30-day period.

Returning to Premises

Manifest. Drivers must enter the end time of the delivery and any changes to the route. This must be stored for at least five years after the documentation date.





ME

Maine

Legal Status | Legal

Delivery Status | Medical & Recreational

Strategic Considerations

Licensed Cannabis Operators

Licensed dispensaries, known as “Retail Cannabis Establishments,” are able to do delivery. To do so, they must indicate that they will be conducting the delivery of adult-use cannabis on its facility plan of record. There are currently more than 100 “Retail Cannabis Establishments” in operation.

“Outside In” Delivery

Unfortunately, Maine prohibits “outside in” delivery, meaning that a delivery operator licensed in a city that allows commercial cannabis cannot deliver cannabis to residents of a neighboring city if that neighboring city itself bans cannabis delivery.

Delivery Opportunities

Maine is a relatively nascent cannabis market, with adult-use delivery beginning in 2022. The state is currently issuing “delivery only” licenses exclusively to Certified Economic Empowerment Priority applicants, Social Equity Program participants, and Microbusinesses with a Delivery Endorsement from the Cannabis Advisory Commission. However, these licenses should become more broadly available in 2024.



Compliance Considerations

Vehicle Requirements

Surveillance. Delivery vehicles must have a camera system that records all transactions, sufficient to record the entirety of the transaction and to ensure the customer's identity. These recordings must be retained for 45 days.

Product Security. All products, including sales orders, being transported must be contained within an enclosed, locked area in the vehicle.

Leaving Delivery Premises

Hours. Delivery businesses are able to deliver between 7 am and 10 pm, though local jurisdictions have the ability to further restrict these hours of operation.

Order Received. Drivers cannot depart the licensed premises with cannabis until a "bona fide order" has been received and processed. Maine prohibits the delivery "ice cream truck model," in which delivery drivers can be on the road without having previously received an order.

Between Deliveries

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

- In the case of an emergency, the company must report the stop and the reasons for the stop and note it on the transport manifest as well.

During Delivery

Delivery Address. Drivers can only deliver cannabis to a private residence. Deliveries cannot be made to dormitories of educational institutions, licensed summer camps, inns, hotels, motels, lodging houses, campgrounds, schools, parks, parking lots, sidewalks, streets, nonresidential buildings, or nonresidential portions of buildings maintained by private or public entities, or private residences in locally designated drug-free safe zones.

Valid Identification. Drivers must confirm the identity and age of the customer before delivering cannabis goods, and that the person receiving the order is the same person who placed the order. Customers must be at least 21 years old.

Intoxication. Delivery drivers cannot make deliveries to customers that are visibly intoxicated.

Sales Limits. Drivers cannot deliver more than the daily sales limit to customers in a single day.

- The recreational limit is 2.5 ounces of cannabis and 5 grams of cannabis concentrate.

Exit Packaging. Drivers must deliver cannabis goods in opaque exit packaging, with all cannabis goods fully enclosed.

Returning to Premises

Manifest. Delivery companies in Maine must keep a manifest for each delivery made, which logs:

- Name, Contact Information, Address, and License Number of the business
- Name and Address of the consumer that placed the order
- Item Name and Quantities (by weight or count) of the cannabis products ordered
- Date / Time of Departure
- Date / Time of Arrival
- Delivery Vehicle Make, Model License plate number
- Name and ID Card of delivery driver
- Government-issued identification number presented by the customer
- A note of any products that were not delivered to the customer, and why





MD

Maryland

Legal Status ■ Legal

Delivery Status ■ Medical Only

Strategic Considerations

Licensed Cannabis Operators

There are approximately 100 “**Registered Dispensaries**” in Maryland. Only “Registered Dispensaries” are able to conduct deliveries to patients. Maryland does not have a “delivery only” license type.

“Outside In” Delivery

Maryland allows “outside in” delivery, meaning that a “Registered Dispensary” licensed in a city that allows commercial cannabis is allowed to deliver cannabis to medical patients of a neighboring city if that neighboring city itself bans “Registered Dispensaries.”

“Case Pack Value” Limits

Currently, there is no delivery “case pack value limit” in Maryland. There is thus no restriction on the total value of cannabis goods a delivery driver can have in their car.

Delivery Opportunities

In November 2022, Maryland voted to legalize adult-use cannabis. Adult use sales are expected to begin in late 2023. Until then, only medical sales will be permitted.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must have and display a current registration from the State, and be insured.

Identifiers. The vehicle also cannot display any sign or illustration related to medical cannabis or the cannabis business.

Leaving Delivery Premises

Hours. “Registered Dispensaries” are able to deliver only during their hours of operation, when they are open to the public.

Order Received. Drivers cannot depart the licensed premises with cannabis until a “bona fide order” has been received and processed from a medical patient. Maryland prohibits the delivery “ice cream truck model,” in which delivery drivers can be on the road without having previously received an order.

During Delivery

Delivery Address. Drivers can only deliver medical cannabis to a private home, residence, or medical facility where the qualifying patient receives in-patient treatment.

Valid Identification. Drivers must confirm that the individual receiving the delivery is a qualified medical patient.

Sales Limits. Drivers cannot deliver products that would allow a patient to exceed their 30-day sales limit:

- 120 grams of dried flower
- 36 grams of a THC product

Signature / Receipts. Drivers must obtain a signature from the medical patient and provide them with a copy of their receipt.

Inventory Tracking

Record. Delivery companies in Maryland must keep a record of each delivery made, which logs:

- Each item that was delivered, its lot number, batch number, and weight.



MA

Massachusetts

Legal Status | Legal

Delivery Status | Medical & Recreational

Strategic Considerations

Licensed Cannabis Operators

Three types of cannabis licensees are allowed to deliver*:

- **“Couriers,”** which act as a third-party parcel for dispensaries. They cannot store cannabis overnight, and there is no limit on the number of storefront dispensaries that “Couriers” can contract with.
- **“Delivery Operators,”** which are able to deliver directly to consumers from cultivators and manufacturers. Unlike “Couriers,” they are able to purchase cannabis wholesale and store it overnight, but they do not obtain products from storefront dispensaries.
- **“Delivery Endorsements,”** which are micro businesses that, in addition to being a cultivator or a manufacturer, also deliver cannabis to consumers.

*All three license types are available exclusively to Certified Economic Empowerment Priority Applicants and Social Equity Program Participants (EE/SE Participants) in Massachusetts until July 2024.

Massachusetts has a **2 license cap for delivery**, meaning 2 licenses is the maximum number of delivery licenses that any person or entity can have.

Technology Providers

Delivery businesses in Massachusetts can work with “Third-party Technology Platform Providers” to facilitate the delivery and ordering process. Any agreement a delivery business has with a Platform Provider must be disclosed to the state.



“Two Employee Rule”

Massachusetts is the only state in the country with the “**two employee rule**” for recreational delivery, which requires two employees to be in the delivery vehicle at all times. This requirement was adopted for public safety reasons, but in practice makes cannabis delivery very expensive. Massachusetts is also one of the only states to require **delivery employees to wear body cameras** when making deliveries.

Every city and town has the ability to ban cannabis deliveries within their borders, and there are approximately 120 cities that do prohibit delivery. A full list of cities in Massachusetts and whether they permit delivery can be found [here](#).

“Case Pack Value” Limits

The **delivery “case pack value” limit is \$10,000**. This is the maximum amount of cannabis product a delivery driver can have with them in their vehicle. This is on par with the \$10,000 limit that exists in other states, such as California and Colorado.

Delivery Opportunities

Although adult-use cannabis sales began in Massachusetts in 2018, delivery did not commence until 2021. As a result, the delivery market in Massachusetts is fairly nascent, with just **25 delivery businesses** spanning the different delivery license types. However, the number of cannabis delivery businesses in Massachusetts is expected to grow considerably in the coming years.

Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be “enclosed motor vehicles” that are owned or leased by the business, properly registered as a commercial vehicle, and recently inspected.

Insurance. The vehicle needs to be insured in an amount not less than \$1,000,000 in Massachusetts.

Tracking & Security. The vehicle must also contain a secure storage area and a GPS unit providing real-time tracking.

Leaving Delivery Premises

Two Employees Present. The vehicle cannot leave the licensed premises unless two people are in the car. Two people must be in the vehicle at all times.

Hours. Deliveries can only take place between 8 am and 9 pm. Local jurisdictions may also impose more restrictive hours of operation on their licensees, limiting delivery hours further.

Order Received. Drivers cannot depart the licensed premises with cannabis until a “bona fide order” has been received and processed. Massachusetts prohibits the delivery “ice cream truck model,” in which delivery drivers can be on the road without having previously received an order.

Non-Cannabis Products. Delivery drivers can deliver non-cannabis products, such as cannabis accessories or branded merchandise.

Shelf-Stable Cannabis Products. Delivery drivers can only deliver shelf-stable cannabis goods. Perishable products, or products requiring time or temperature control, cannot be delivered.

Between Deliveries

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

During Delivery

Delivery Address. Drivers can only deliver cannabis to a primary residence. Drivers cannot deliver cannabis to college or university-designated dormitories or housing, federally-subsidized housing, shelters, or residential programs.

Body Camera. Drivers must wear a body camera, which captures the transaction.

Valid Identification. Drivers must confirm the identity and age of the customer before delivering cannabis goods. Customers must be at least 21 years old or 18 years old with a valid medical patient card.

Sales Limits. Drivers cannot deliver more than the daily sales limit to customers in a single day.

- The **recreational limit** is 1 ounce of cannabis flower or 5 grams of active THC in concentrate or edible form.

After Delivery

Manifest. Drivers must carry a manifest with them for each delivery they have made, which includes

- Business Name, Address, License Number
- Driver Name, Employee Number
- Customer Name, Address
- Product Descriptions (weight, form factor, cost, transaction number)
- Driver Signature
- Customer Signature
- Vehicle Make, Model, License Plate Number

Drivers must keep this manifest with them at all times, and return it to the licensed premises at the end of the day. These records must be stored by the business for at least one year.

Returning to Premises

Delivery Log. For each delivery made, delivery companies must retain records of:

- Date / Time when departing the licensed premises, when arriving at each customer destination and upon return to the licensed premises
- Mileage of the vehicle when departing the licensed premises, when arriving at each customer destination, and upon return to the licensed premises





MI

Michigan

Legal Status | Legal

Delivery Status | Medical & Recreational

Strategic Considerations

Licensed Cannabis Operators

Three types of cannabis licensees are allowed to deliver cannabis to consumers:

- **“Retailers”** (i.e., adult use dispensaries)
- **“Provisioning Centers”** (i.e., medical dispensaries)
- **“Microbusinesses”** that engage in retail activity.

There are no “delivery only” licenses. Delivery can only be done by an operator in conjunction with an existing brick-and-mortar retail use. Retail businesses that want to do home delivery must apply for a delivery permit with the Michigan Marijuana Regulatory Agency (MRA). There are more than 500 storefront dispensaries across Michigan, of which roughly **125 dispensaries have been approved for delivery** by the MRA.

“Case Pack Value” Limits

The **delivery “case pack value” limit is \$5,000**. This is the maximum amount of cannabis product a delivery driver can have with them in their vehicle. Of this, only \$3,000 can be product that was not received and processed by the business prior to the delivery driver leaving the premises. Delivery drivers cannot have more than 15 ounces of cannabis or more than 60 grams of concentrate in their vehicles.

Employee Classification

Delivery drivers must be an employee of the business that is doing delivery. Drivers cannot be employees of multiple retail cannabis businesses.

Delivery Opportunities

Municipalities have the ability to ban cannabis sales within their borders. As a result, large swaths of the state remain “cannabis deserts,” with limited access to storefront dispensaries. Delivery is thus a critical means through which many residents are able to access legal cannabis.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be “enclosed motor vehicles.”

Tracking and Security. The vehicle must be capable of locking all doors and have a GPS unit for each delivery driver vehicle which provides real-time tracking and always stays with the vehicle.

Leaving Delivery Premises

Hours. Deliveries can only occur between the hours the brick-and-mortar cannabis business is open. The state does not impose any restriction on hours of operation, but local jurisdictions are free to impose more restrictive hours of operation on their licensees.

Order Received. Drivers cannot depart the licensed premises with cannabis until a “bona fide order” has been received and processed. Michigan prohibits the delivery “ice cream truck model,” in which delivery drivers can be on the road without having previously received an order.

Electronic Inventory Ledger. Delivery drivers must have an Electronic Inventory Ledger that includes the following information about each cannabis product in the vehicle:

- Type of product
- Brand name
- Retail value
- Product Tag Number
- Measure of cannabis product (volume, weight)

Licenses & Paperwork. Delivery drivers must have a copy of:

- Their Employee Identification Number
- Business License
- Business Address
- Business Contact Information
- Delivery Log

Between Deliveries

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

30-Minute Rule. If drivers do not receive any delivery requests for a 30-minute period, they cannot make any additional deliveries and must return to the licensed premises.

10 Delivery Rule. Delivery drivers may only make up to ten deliveries before being required to go back to the dispensary before any further deliveries.

Cannabis Goods / Lock & Alarm System. A delivery driver shall not leave cannabis products in an unattended motor vehicle unless the motor vehicle is locked and equipped with an active vehicle alarm system.

During Delivery

Delivery Address. Drivers can only deliver cannabis to a residential address or a “designated consumption establishment.” Deliveries cannot be made to a non-psychical address, such as a PO Box.

Valid Identification. Drivers must confirm the identity and age of the customer before delivering cannabis goods. Customers must be at least 21 years old or 18 years old with a valid medical patient card.

Transaction Limits. Drivers cannot deliver more than the daily transaction limit to any customer.

- The **recreational limit** is 2.5 ounces of cannabis flower a day or 15 grams of concentrate.

After Delivery

Inventory Ledger. Drivers must update the inventory ledger to reflect the current inventory still in the vehicle.

Log Stops. Drivers must maintain a log that includes all stops, time of the stop, and reason for the stop. This must be turned into the business upon return.

Recordkeeping

Vehicle Records. For each vehicle used for delivery, delivery companies must retain records of:

- Vehicle Make
- Vehicle Model
- Vehicle Color
- Vehicle Identification Number
- License Plate Number
- Vehicle Registration
- Proof of Vehicle Insurance

Delivery Log. For each delivery made, delivery companies must retain records of:

- Date / Time delivery began and ended
- Name of Delivery Employee
- Tag Number of the Cannabis Product
- Name of the Cannabis Product
- Signature of the individual accepting delivery



MN

Minnesota

Legal Status ■ Medical Use Only

Delivery Status ■ Not Permitted

Legislative History

1976

Cannabis was decriminalized with possession of fewer than 1.5 ounces downgraded to a petty misdemeanor and \$200 maximum fine.

2014

Gov. Mark Dayton signed the Minnesota Medical Marijuana Act, which legalized the usage of cannabis in liquid, pill, or vaporized form for medical patients with 9 qualifying conditions, including cancer, glaucoma, HIV/AIDS, and ALS.

2016

Intractable pain was added as a qualifying condition for medical cannabis.

2017

PTSD was added as a qualifying condition.

2019

Chronic pain and age-related macular degeneration were added as qualifying conditions

2023

The state legislature passed HF100 and SF 73 to legalize recreational cannabis. *At the time of writing, both bills were heading into a committee to combine language and amendments into one version. Gov. Tim Walz has publicly indicated that he will sign the pending finalized bill into law. Recreation dispensaries are not expected to open until 12-18 months after the bill becomes law.





MS

Mississippi

Legal Status ■ Medical Use Only

Delivery Status ■ Not Permitted

Legislative History

1978

Cannabis was decriminalized with possession of fewer than 30 grams or less downgraded to a misdemeanor with probation and a \$250 fine for the first offense.

2014

The state legislature passed HB 1231, also known as the Harper Grace Law, allowing persons with epilepsy to use low-THC cannabis. The law also permitted the clinical research and dispensing of CBD oil and related compounds by physicians at the University of Mississippi.

2016

SB 2169 revised the penalties for selling, transferring, distributing, manufacturing, or dispensing CBD.

2017

SB 2610 clarified the use of CBD for exploratory treatment remedies for seizures and other medical conditions.

2020

Measure 65 to legalize medical cannabis passed via a ballot vote, but the Supreme Court overturned the measure six months later.

2022

SB 2905 legalized medical cannabis use for patients with debilitating conditions.





MO

Missouri

Legal Status ■ Legal

Delivery Status ■ Medical & Recreational

Strategic Considerations

Licensed Cannabis Operators

There are two types of licensed cannabis operators:

- A “**medical**” license permits dispensaries to sell and deliver cannabis to qualified patients and designated caregivers.
- A “**comprehensive**” license authorizes legal recreational sales to adult-use customers aged 21 and over.

Delivery Opportunities

Missouri voted to legalize cannabis in November 2022, with legal recreational sales beginning in February 2023. While applications for new medical or comprehensive licenses are not currently accepted, medical dispensaries can switch their licenses to provide recreational sales to adult customers. Applications for microbusiness facilities, such as delivery services, are expected to open by September 2023.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, registered in the state, and maintain valid insurance.

Tracking. The vehicle must be equipped with a tracking system for the tracking and recording of delivery routes.

Leaving Delivery Premises

Hours. Deliveries can only take place during the dispensary's hours of operation.

Order Received. Drivers cannot depart the licensed premises with cannabis until a "bona fide order" has been received and processed. Missouri allows the delivery "ice cream truck model," in which delivery drivers can be on the road without having previously received an order.

Packaging. Cannabis goods must be in tamper-evident, child-resistant, resealable packaging.

Cannabis Goods Secured. Cannabis goods cannot be visible to the public and must be locked in a fully enclosed box secured inside the vehicle or the trunk.

Manifest. Drivers must have a copy of the delivery manifest before transportation. This includes the driver's name, the date and start time of the trip, a description of the products being delivered, any anticipated stops, and the anticipated route for the delivery.

Between Deliveries

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

During Delivery

Valid Identification. Drivers must confirm the identity and age of the customer before delivering cannabis goods. Customers must be at least 21 years old or a medical patient that is at least 18 years old.

Transaction Limits. Drivers cannot deliver more than the set transaction limits for adult-use customers and medical patients.

- The **recreational limit** is 3 ounces of cannabis in a single transaction.
- The **medical limit** is 6 ounces of cannabis or its equivalent within a 30-day period unless certified by a physician or nurse practitioner.

After Delivery

Manifest. Drivers must complete the delivery manifest with the actual time of delivery.

Returning to Premises

Delivery Log. Delivery companies must maintain manifest records for each delivery for at least 5 years.





MT

Montana

Legal Status ■ Legal

Delivery Status ■ Medical Only

Strategic Considerations

Licensed Cannabis Operators

There are four major types of licensed cannabis operators allowed:

- A **“cultivator”** license allows a licensee to cultivate cannabis for either medical or adult use. Licenses are issued according to a tiered canopy system, allowing for increasing amounts of cultivation space.
- A **“manufacturer”** license allows a licensee to convert or compound cannabis into cannabis products, concentrates, or extracts and to package, repackage, label, or relabel cannabis products.
- A **“dispensary”** license authorizes medical cannabis sales and is licensed as either medical-only or adult-use.
 - Adult-use dispensaries may sell to recreational consumers and registered patients.
- A **“transporter”** license allows a business to transport cannabis products between licensed cannabis business registered premises, including testing laboratories, or to medical registered cardholders.

“Case Pack Value” Limits

Rather than a specific “case pack value” limit, the amount of cannabis that can be delivered is limited to the amount requested by the qualifying patient or designated caregiver.

Delivery Opportunities

Montana plans to open up its next round of applications for new dispensary licenses in July 2023. But with delivery limited to medical patients for the foreseeable future, the opportunities for strong growth in the home delivery sector are few and far between.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, registered in the state, and maintain valid insurance.

Security. The vehicle must be capable of locking all doors and be equipped with an alarm system.

Identifiers. The vehicle also cannot display any sign or illustration related to medical cannabis or the cannabis business.

Leaving Delivery Premises

Hours. Deliveries can only take place during the dispensary's hours of operation.

Order Received. Drivers cannot depart the licensed premises with cannabis until a "bona fide order" has been received and processed. Deliveries can only occur within 24 hours after an order is received.

Packaging. Cannabis goods must be in tamper-evident, child-resistant, resealable packaging.

Cannabis Goods Secured. Cannabis goods cannot be visible to the public and must be locked in a fully enclosed box secured inside the vehicle or the trunk.

Manifest. Drivers must have a copy of the delivery manifest before transportation. This includes:

- Dispensary's physical address and license number
- Patient's physical address and license number or registered cardholder number
- Departure date & time
- Arrival date & time
- Transporter's driver's license number, vehicle make, model, and license plate number;
- Licensee or employee name & signature
- A complete description of the cannabis products being transported, including name, type, amount, and RFID tracking tag numbers.

Between Deliveries

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

During Delivery

Valid Identification. Drivers must confirm the identity and age of the customer before delivering cannabis goods. Customers must be at least 21 years old or a medical patient that is at least 18 years old.

Transaction Limits. Drivers cannot deliver more than 1 ounce of cannabis to a patient daily, or 5 ounces per month.

After Delivery

Manifest. Drivers must update and complete their copy of the delivery manifest.





NE

Nebraska

Legal Status █ Illegal

Legislative History

1927

Possession or use of cannabis is banned.

1979

Cannabis possession was decriminalized to a civil infraction for first-time offenders.

2015-16

LB643 to legalize medical cannabis use for qualifying patients failed due to a Senate filibuster.

2022

Cannabis supporters attempted to get the 122,274 signatures required to add a ballot measure for medical and recreational cannabis legalization, but fell short by about 10,000 signatures.





NV

Nevada

Legal Status | Legal

Delivery Status | Medical & Recreational

Strategic Considerations

Licensed Cannabis Operators

There are four major types of cannabis establishment licenses:

- A **“cultivation facility”** is licensed to grow, harvest, and package cannabis, to have cannabis tested by a testing facility, and to sell cannabis to retail stores, cannabis product manufacturing facilities, and other cultivation facilities, but not to consumers.
- A **“distributor”** license allows the transport of cannabis between cannabis establishments, such as from a cultivation facility to a retail store.
- A **“product manufacturing facility”** is licensed to purchase, manufacture, process, and package cannabis and cannabis products. The sale of cannabis products to other product manufacturing facilities and retail stores is allowed, but not to consumers.
- A **“retail store”** is licensed to purchase cannabis from cultivation facilities, cannabis, and cannabis products from product manufacturing facilities, and cannabis from other retail stores. The sale of cannabis and cannabis products to consumers is permitted.

“Case Pack Value” Limits

Rather than a specific “case pack value” limit, the amount of cannabis that can be delivered is limited to the amount requested by the qualifying patient or designated caregiver.

Delivery Opportunities

While most dispensaries offer delivery services, there is currently a hold on applications for new cannabis consumption lounges. This leaves a steadily growing market for licensed third-party distributors, which can make the delivery process more efficient for business owners.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, registered in the state, and maintain valid insurance. Each vehicle must be inspected, approved, and issued an approved inspection card by the Cannabis Compliance Board.

Security. The vehicle must be capable of locking all doors and be equipped with an Alarm System.

Identifiers. The vehicle also cannot display any sign or illustration related to medical cannabis or the cannabis business.

Leaving Delivery Premises

Hours. Deliveries can only take place during the dispensary's hours of operation.

Order Received. Drivers cannot depart the licensed premises with cannabis until a "bona fide order" has been received and processed. Deliveries can only occur within 24 hours after an order is received.

Packaging. Cannabis goods must be in tamper-evident, child-resistant, resealable packaging.

Cannabis Goods Secured. Cannabis goods cannot be visible to the public and must be locked in a fully enclosed box secured inside the vehicle or the trunk.

Manifest. Drivers must have a copy of the delivery manifest before transportation. This includes:

- Dispensary's physical address and license number
- Patient's physical address and license number or registered cardholder number
- Departure date & time
- Arrival date & time
- Transporter's driver's license number, vehicle make, model, and license plate number
- Licensee or employee name & signature
- A complete description of the cannabis products being transported, including name, type, amount, and RFID tracking tag numbers.

Between Deliveries

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

During Delivery

Valid Identification. Drivers must confirm the identity and age of the customer before delivering cannabis goods. Customers must be at least 21 years old, or a medical patient that is at least 18 years old.

Transaction Limits. Drivers cannot deliver more than 1 ounce of cannabis to a customer or patient in a single transaction.

After Delivery

Manifest. Order and delivery information must be entered into the Metrc inventory tracking system.





NH

New Hampshire

Legal Status ■ Medical Use Only

Delivery Status ■ Not Permitted

Legislative History

2013

Gov. Maggie Hassan signed RSA 126-X, legalizing medical cannabis for patients with “chronic and terminal diseases” and “debilitating conditions.”

2014

HB 492 to legalize recreational cannabis for adults 21 and over and permit production and sale by licensed facilities failed.

2017

Cannabis possession was decriminalized, replacing misdemeanor charges with a \$100 fine for a first or second offense and \$300 for a third offense.

2021

SB 162 is signed into law and allows medical cannabis patients to visit/purchase from any NH dispensary instead of being limited to a single dispensary location.





NJ

New Jersey

Legal Status | Legal

Delivery Status | Medical & Recreational

Strategic Considerations

Licensed Cannabis Operators

Two types of cannabis licensees are allowed to deliver cannabis to consumers:

- **“Class 5 Retailer License”**, or storefront dispensaries, which have the ability to deliver cannabis to a consumer.
- **“Class 6 Delivery License”**, which has the ability to deliver cannabis from a Class 5 Retailer to a consumer but not to produce and deliver their own product to a consumer.

“Outside In” Delivery

Crucially, New Jersey permits **“outside in” delivery**, meaning that a delivery operator licensed in a city that allows commercial cannabis is allowed to deliver cannabis to residents of a neighboring city, even if that neighboring city itself bans commercial cannabis sales.

Delivery Fees

Cannabis delivery companies in New Jersey are allowed to charge a delivery fee, but that fee cannot exceed 10% of the pre-tax total of the delivery order.

Delivery Opportunities

As of March 2023, there were just 29 adult-use “Class 5 Retailers” open for business, with hundreds of additional Class 5 Retailers opening over the next 3-5 years. More Class 6 Delivery Licenses will be issued early 2023 with businesses expected to become operational in late 2023. The issuance of both license types show promise for growth into a robust delivery market.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be “enclosed motor vehicles”.

Identifiers. Each vehicle must be unmarked, with no company logos.

Tracking & Security. Vehicles must also be equipped with a GPS tracker to track the location of the vehicle in real time. They must also be equipped with a lockable storage area, where cannabis can be stored while the driver is in transit.

Insurance. Vehicles must be insured for at least \$1 million per occurrence or accident.

Leaving Delivery Premises

Hours. Local jurisdictions determine the hours of operation for delivery businesses. These hours are not set at the state level.

Order Received. Drivers cannot depart the licensed premises with cannabis until a “bona fide order” has been received and processed. New Jersey prohibits the delivery “ice cream truck model”, in which delivery drivers are allowed to be on the road without having previously received an order.

Between Deliveries

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises. However, this rule does not apply in the event of emergency or dangerous road conditions or as necessary for sanitization, rest, fuel, or vehicle repair stops.

During Delivery

Delivery Address. Drivers can only deliver cannabis to a residence, including a temporary residence. Drivers cannot deliver to any residence located on land owned or leased by the Federal government.

Valid Identification. Drivers must confirm the identity and age of the customer before delivering cannabis goods. Customers must be at least 21 years old or 18 years old with a valid medical patient card.

Transaction Limits. Drivers cannot deliver more than the transaction limit to any customer in a single day.

- The **recreational limit** is 1 ounce of usable cannabis, 5 grams of solid cannabis concentrate, 5 mL of liquid cannabis concentrate (oil), and 1g of THC from multiple ingestible cannabis-infused products.
- The **medical limit** is 3 ounces of cannabis in a 30-day period.

After Delivery

Secure Lockbox / Alarm System.

When drivers are outside of the vehicle for any reason, they need to ensure the vehicle is locked, the lockbox secure, and the alarm system engaged.

Recordkeeping

Delivery Log. Delivery companies must maintain records of following information for each delivery, for at least 4 years:

- Date / Time delivery began and ended
- Name, Address, Signature of the customer
- Name, Driver Cannabis Business Identification Card Number
- Name, Amount, Batch / Lot number, Tracking number of cannabis items delivered
- Confirmation of ID verification



New Mexico

Legal Status ■ Legal

Delivery Status ■ Medical & Recreational

Strategic Considerations

Licensed Cannabis Operators

There are four major types of cannabis establishment licenses:

- A “**courier**” license allows transport of cannabis between dispensaries and customers.
- A “**manufacturer**” is licensed to purchase, manufacture, process, and package cannabis and cannabis products.
- A “**producer**” is licensed to grow, harvest, and package cannabis, to have cannabis tested by a testing facility, and to sell cannabis to retail stores, cannabis product manufacturing facilities, and other cultivation facilities, but not to consumers.
- A “**retailer**” is licensed to purchase cannabis from cultivation facilities, cannabis, and cannabis products from product manufacturing facilities, and cannabis from other retail stores. The sale of cannabis and cannabis products to consumers is permitted.

“Case Pack Value” Limits

The maximum value of cannabis product a driver can have with them in their car is \$10,000.

Delivery Opportunities

Medical and recreational cannabis delivery have both been approved through New Mexico, but recreational delivery remains a nascent market with opportunities for growth as more retail locations open.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, registered in the state, and maintain valid insurance.

Tracking. The vehicle must be equipped with a tracking system for the tracking and recording of delivery routes.

Identifiers. The vehicle also cannot display any sign or illustration related to medical cannabis or the cannabis business.

Leaving Delivery Premises

Hours. Dispensaries can deliver only during their hours of operation or in compliance with local laws.

Order Received. Drivers cannot depart the licensed premises with cannabis until a “bona fide order” has been received and processed. Orders must be delivered within 24 hours of being placed.

Packaging. Cannabis goods must be individually packaged in labeled, tamper-evident, child-resistant, resealable packaging.

Cannabis Goods Secured. Cannabis goods in a delivery vehicle must be kept in a “lock box” securely affixed inside the delivery vehicle.

Between Deliveries

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

During Delivery

Valid Identification. Drivers must confirm the identity and age of the customer, patient, or designated caregiver before delivering cannabis goods. Recreational customers must be at least 21 years old.

Sales Limits. Drivers cannot deliver more than 2 ounces of cannabis, 16 grams of cannabis extract, and 800 milligrams of edible cannabis to any customer in a single day.

After Delivery

Inventory Tracking. Order and delivery information must be entered into the inventory track and trace system. Records must be maintained for a minimum of 12 months.





New York

Legal Status | Legal

Delivery Status | Medical & Recreational

Strategic Considerations

Licensed Cannabis Operators

Only 150 businesses with Conditional Adult-Use Retail Dispensaries (CAURD) licenses are allowed to operate and deliver cannabis to customers. Licensees cannot employ more than 25 full-time employees that are doing delivery, limiting the ability of these businesses to scale into a larger delivery operation.

There are also 10 existing “vertically integrated” medical operators. These 10 operators operate from seed to sale, unlike the CAURD licensees, and each has 4 stores limited to medical sales only. These 40 stores will likely be allowed to begin recreational sales (including delivery) later in 2023, but significantly after the CAURD licensees begin sales. It is anticipated that New York will issue additional dispensary licenses in late 2023 and 2024 and that these operators will be able to deliver as well.

“Outside In” Delivery

New York permits “outside in” delivery, meaning that a delivery operator licensed in a city that allows commercial cannabis is allowed to deliver cannabis to residents of a neighboring city, even if that neighboring city itself bans commercial cannabis sales.

Delivery Opportunities

New York plans to issue “delivery only” licenses in late 2023 and 2024. These licenses will allow a company to deliver cannabis without requiring a physical storefront. These businesses won’t be able to employ more than 25 full-time employees that are doing delivery, New York will also prohibit one person from having a direct or indirect financial or controlling interest in more than one delivery license.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, registered in the state, and maintain valid insurance.

Tracking. The vehicle must be equipped with a tracking system for the tracking and recording of delivery routes.

Leaving Delivery Premises

Hours. The default operating hours for dispensaries is 8 am and 12 am. Municipalities can either further restrict these hours of operation or allow retailers to operate beyond these hours (e.g., 24 hours/day). Dispensaries will be able to deliver only during their hours of operation.

Order Received. Drivers cannot depart the licensed premises with cannabis until a “bona fide order” has been received and processed. New York prohibits the delivery “ice cream truck model”, in which delivery drivers are allowed to be on the road without having previously received an order.

Between Deliveries

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises. However, this rule does not apply in the event of an emergency or dangerous road conditions or as necessary for sanitization, rest, fuel, or vehicle repair stops.

During Delivery

Valid Identification. Drivers must confirm the identity and age of the customer before delivering cannabis goods. Customers must be at least 21 years old, or a medical patient that is at least 18 years old.





NC

North Carolina

Legal Status █ Illegal

Legislative History

1977

Cannabis possession was decriminalized for fewer than half of an ounce with a \$200 maximum fine.

2014

HB 78 to legalize medical cannabis failed to pass the House Committee.

2015

HB 766 legalized CBD oil for persons with intractable epilepsy.

2022

SB 3 to legalize medical cannabis passed in the State Senate, but was tabled by the House.

2023

SB 3 is reintroduced by the State Senate and is currently under review by the NC House of Representatives.





ND

North Dakota

Legal Status | Medical Use Only

Delivery Status | Medical Only

Strategic Considerations

Licensed Cannabis Operators

There are three types of licensed cannabis operators allowed:

- A **“cultivator”** license allows a licensee to cultivate cannabis for medical use.
- A **“manufacturer”** license allows a licensee to convert or compound cannabis into cannabis products, concentrates, or extracts and to package, repackage, label, or relabel cannabis products.
- A **“dispensary”** license authorizes medical cannabis sales.

“Case Pack Value” Limits

Rather than a specific “case pack value” limit, the amount of cannabis that can be delivered is limited to the amount requested by the qualifying patient or designated caregiver.

Delivery Opportunities

Currently, only 3 businesses operate the 8 total dispensary locations across the state. Despite recent ballot measure efforts to legalize recreational cannabis and thus expand the market, the opportunities for delivery-specific business are non-existent as of March 2023.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, registered in the state, and maintain valid insurance.

Tracking. The vehicle also cannot display any sign or illustration related to medical cannabis or the cannabis business.

Leaving Delivery Premises

Hours. Deliveries can only take place during the dispensary's hours of operation.

Order Received. Drivers cannot depart the licensed premises with cannabis until a "bona fide order" has been received and processed.

Two Employees Present. The vehicle cannot leave the licensed premises unless two people are in the car. Two people must be in the vehicle at all times.

Packaging. Cannabis goods must be in tamper-evident, child-resistant, resealable packaging.

Cannabis Goods Secured. Cannabis goods cannot be visible to the public and must be locked in a fully enclosed box secured inside the vehicle or the trunk.

Manifest. Drivers must have a copy of the delivery manifest before transportation. This includes:

- Patient name and address
- Description for each individual product
- Departure date & time
- Arrival date & time
- Transporter's name, driver's license number, vehicle make, model, and license plate number

Between Deliveries

Stops. Drivers cannot engage in any activities except for necessary rest, fuel, or vehicle repair stops. All stops must be documented in the delivery manifest.

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

During Delivery

Valid Identification. Drivers must confirm the identity and age of the patient before delivering cannabis goods.

Transaction Limits. Drivers cannot deliver more than 2.5 ounces of cannabis or 4000 mg THC total of cannabis products to a patient in a 30-day period.

- Patients under the age of 19 cannot be sold cannabis flowers or any products with >6% THC.

Returning to Premises

Manifest. Drivers must enter the end time of the delivery and any changes to the route. This must be stored for at least seven years after the documentation date.





OH

Ohio

Legal Status ■ Medical Use Only

Delivery Status ■ Not Permitted

Legislative History

1975

Cannabis possession was decriminalized for fewer than 100 grams with a \$150 maximum fine; possession of 100-200 grams is a misdemeanor with up to 30 days in jail and a \$250 fine.

2015

Ballot Issue 3 to legalize recreational cannabis failed.

2016

HB 523 to legalize medical cannabis passed, establishing a licensed system for patients with one of 21 qualifying conditions. The law permits use only in edible, oil, vapor, patch, tincture, or plant matter form; cultivation and smoking of cannabis remain illegal.





OH

Oklahoma

Legal Status █ Medical Use Only

Delivery Status █ Not Permitted

Legislative History

1933

Possession or use of cannabis is banned.

2015

HB 2154 legalized CBD oil with less than 0.3% THC.

2018

The State Question 788 referendum to legalize medical cannabis and create the Oklahoma Medical Marijuana Authority passed.

2023

The State Question 820 referendum to legalize recreational cannabis failed





OR

Oregon

Legal Status | Legal

Delivery Status | Medical & Recreational

Strategic Considerations

Licensed Cannabis Operators

Only storefront dispensaries, known as “**Retailers**” in the state’s licensing framework, are allowed to deliver cannabis to consumers. There are no “delivery only” licenses in Oregon. Retailers that want to do “home delivery” must register with the Oregon Liquor & Cannabis Commission (OLCC).

Delivery Opportunities

Oregon has the most dispensaries “per capita” of any state in the country, with more than 700 Retailers across the state. Of these 700 Retailers, more than **100 Retailers offer delivery**.

Initially, Oregon’s delivery market strictly limited deliveries to addresses in the city or county where the delivery business was located. Recent regulatory changes allow deliveries across city/county lines to “directly neighboring” jurisdictions as long as the local authorities in the adjacent jurisdiction approved these sales.

While local jurisdictions in Oregon have the right to ban deliveries of adult-use cannabis from operators outside the jurisdiction, they cannot ban deliveries to patients registered under the Oregon Medical Marijuana Program (OMMP). Retailers can deliver cannabis to any OMMP patient in the state, regardless of their location.

“Case Pack Value” Limits

The maximum value of cannabis product a driver can have with them in their car is \$3,000.

Employee Classification

Delivery drivers in Oregon must be an “employee” of a licensed Retailer, but the OLC does not actually require delivery drivers to be W-2 employees of a Retailer. Delivery drivers in Oregon must only be designated as an “employee” of a Retailer in Oregon’s Cannabis Tracking System (CTS). They may be employed by another entity that is not a cannabis company but merely focuses on delivery.



Employee Training

Delivery drivers must have successfully completed Oregon's required Marijuana Worker Permit education courses and have a valid cannabis Worker Permit Number. A properly licensed delivery driver must be declared on each delivery manifest, as recorded in Oregon's Cannabis Tracking System (CTS).

Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be "enclosed motor vehicles."

Security. The vehicle must be capable of locking all doors and be equipped with an Alarm System.

Insurance. The vehicle must also be insured at or above the legal requirements in Oregon.

Leaving Delivery Premises

Hours. Deliveries can only take place between 8 am and 9 pm. Delivery orders must also be placed by 8 pm, or they can only be delivered the next day. Local jurisdictions may also impose more restrictive hours of operation on their licensees, further limiting delivery hours.

Order Received. Drivers cannot depart the licensed premises with cannabis until a "bona fide order" has been received and processed. Oregon prohibits the delivery "ice cream truck model," in which delivery drivers can be on the road without having previously received an order.

Manifest. Delivery companies must create a manifest in Oregon's Cannabis Tracking System (CTS) for each delivery that includes the delivery locations, the amount to be delivered at each location, and the route between all destinations. Drivers must carry a manifest with them for each delivery they are making.

Non-Cannabis Items. Unlike in many other states, Oregon Retailers can deliver non-cannabis items. However, these items may not be "bundled" with cannabis items. Each item must have a separate price, and a Retailer cannot discount a cannabis item contingent upon purchasing a non-cannabis item.

Packaging / Exit Bag. Cannabis products must be placed within a delivery receptacle with a label that reads "Contains marijuana: Signature of person 21 years of age or older required for delivery."

Cannabis Goods Secured. Cannabis goods in a delivery vehicle must be kept in a "lock box" securely affixed inside the delivery vehicle.

Between Deliveries

Stops. Drivers cannot engage in any activities except for necessary rest, fuel, or vehicle repair stops.

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

During Delivery

Delivery Address. Drivers can only deliver to an address that is a residence, such as a house or an apartment. Deliveries cannot be made to a PO Box, dormitory, hotel, motel, bed and breakfast, or any other commercial business. Deliveries also cannot be made to a residence that is located on publicly-owned land.

Valid Identification. Drivers must confirm the identity and age of the customer before delivering cannabis goods. Customers must be at least 21 years old or 18 years old with a valid OMMP medical card.

Multiple Deliveries. Drivers cannot make multiple deliveries to the same address in a single day, even if the delivery is to a different customer.

Visibly Intoxicated Customers.

Drivers cannot make deliveries to visibly intoxicated customers at the time of delivery.

Sales Limits. Drivers cannot deliver more than the transaction limit to any customer in a single day.

- The **recreational limit** is 2 ounces of cannabis a day.
- The **medical limit** is 8 ounces of cannabis a day.

Signature. Drivers must collect a signature from the customer after making the delivery to officially consummate the transaction..

Recordkeeping

Recordkeeping. Delivery companies must retain the following records for one year -

- The Date / Time the order was received
- A copy of the Delivery Manifest.
- The Name of the Delivery Driver and their Worker Permit Number
- The Name of the Customer
- A full description of the products delivered (weight, volume, price)
- The Date / Time the order was delivered
- Signature of the person who received the order



PA

Pennsylvania

Legal Status █ Medical Use Only

Delivery Status █ Not Permitted

Legislative History

2016

SB 3 passed, legalizing medical cannabis for the treatment of 17 conditions and establishing structure for its regulation and sale.

2018

HB 163 passed, repealing the “Smoke a joint, lose your license” policy that punished cannabis possession with a mandatory 6-month driver’s license suspension.





RI

Rhode Island

Legal Status ■ Legal

Delivery Status ■ Medical Only

Strategic Considerations

Licensed Cannabis Operators

There are three types of licensed cannabis operators allowed:

- A “**cultivator**” license allows a licensee to cultivate cannabis for medical use.
- A “**industrial hemp and CBD**” license allows a licensee to convert or compound cannabis into cannabis products, concentrates, or extracts and to package, repackage, label, or relabel cannabis products.
- A “**compassion center**” license authorizes medical cannabis sales, delivery, and, in some cases, cultivation.

“Case Pack Value” Limits

The maximum value of cannabis product a driver can have in their vehicle is \$7,500.

Delivery Opportunities

Currently, only medical cannabis delivery is permitted in Rhode Island. Recreational cannabis became legal in December 2022, and delivery is expected to be allowed, but formal rules have not yet been adopted to inform licensing or application processes.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, registered in the state, and maintain valid insurance.

Tracking & Security. Delivery vehicles must be “enclosed motor vehicles” with an active alarm system and dedicated Global Positioning System (GPS) for location tracking.

Identifiers. The vehicle also cannot display any sign or illustration related to medical cannabis or the cannabis business.

Leaving Delivery Premises

Hours. Deliveries can only take place between the hours of 8 am and 8 pm.

Order Received. Drivers cannot depart the licensed premises with cannabis until a “bona fide order” has been received and processed.

Two Employees Present. The vehicle cannot leave the licensed premises unless two people are in the car. Two people must be in the vehicle at all times.

Packaging. Cannabis goods must be in tamper-evident, child-resistant, resealable packaging.

Cannabis Goods Secured. Cannabis goods cannot be visible to the public and must be locked in a fully enclosed box secured inside the vehicle, but not the trunk.

Manifest. Drivers must have a copy of the delivery manifest before transportation. This includes:

- Patient name, address, registry ID card number
- Dispensary name, address, and license number
- Product name or description, and quantities (by weight or unit) of each product delivered
- Departure date & time
- Arrival date & time
- Transporter's name, driver's license number, vehicle make, model, and license plate number

Between Deliveries

Stops. Drivers cannot engage in any activities except for necessary rest, fuel, or vehicle repair stops. All stops must be documented in the delivery manifest.

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

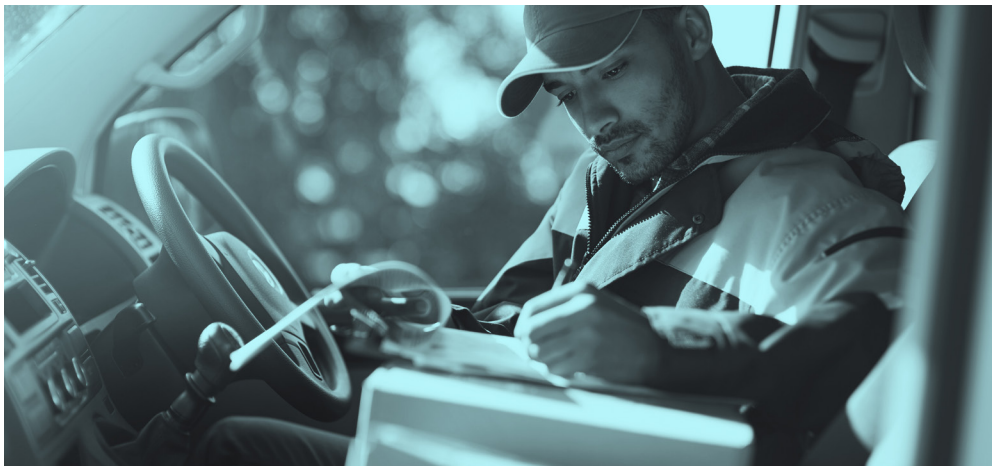
During Delivery

Valid Identification. Drivers must confirm the identity and age of the patient before delivering cannabis goods.

Transaction Limits. Drivers cannot deliver more than 2.5 ounces of cannabis to a customer per day.

Returning to Premises

Manifest. Drivers must enter the end time of the delivery and any changes to the route. This must be stored for at least five years after the documentation date.



South Carolina

Legal Status ■ Illegal

Legislative History

2014

SB 1035 passed, allowing children with severe epilepsy to be treated with CBD oil if recommended by a physician.

2022-23

SB 150 is introduced to legalize medical cannabis. It failed during the 2022 session but was revised and currently awaits a House vote.





SD

South Dakota

Legal Status ■ Medical Use Only

Delivery Status ■ Not Permitted

Legislative History

1931

Possession or use of cannabis is banned.

2006-10

Two ballot initiatives to legalize medical cannabis failed.

2020

Initiated Measure 26 passed, legalizing cannabis for medical purposes. "Amendment A" to legalize recreational cannabis was also passed but was struck down by the State Supreme Court.

2023

SB1 passed, adding 8 qualifying conditions to the medical cannabis laws and providing greater structure to medical prescribers.





TN

Tennessee

Legal Status ■ Illegal

Legislative History

2015

SB 280 passed, legalizing the possession of CBD oil for people with epilepsy and other serious conditions unresponsive to existing therapies.

2021

SB 854 to legalize medical cannabis for patients with severe conditions failed.





TX

Texas

Legal Status

■ Illegal

Legislative History

1931

Possession or use of cannabis is banned.

1973

HB 447 decriminalized cannabis possession, with penalties downgraded from a felony to a class B misdemeanor, a \$1000 fine, and up to 180 in prison for possessing up to 2 ounces.

2015

HB 2165 to legalize recreational cannabis failed; SB 339 passed, legalizing the use of low-THC cannabis (less than 0.5% THC) for epilepsy patients.

2019

HB 3703 added terminal cancer, autism, multiple sclerosis, amyotrophic lateral sclerosis (ALS), seizure disorders, and incurable neurological disorders such as Alzheimer's, Parkinson's, and Huntington's Disease to the list of qualifying conditions for low-THC cannabis usage.

2021

SB 181 passed, repealing the "Smoke a joint, lose your license" policy that punished any drug conviction with a mandatory 6-month driver's license suspension.





UT

Utah

Legal Status | Medical Use Only

Delivery Status | Medical Only

Strategic Considerations

Licensed Cannabis Operators

There are four major types of licensed cannabis operators allowed:

- A **“cultivator”** license allows a licensee to cultivate cannabis for medical use.
- A **“processor”** license allows a licensee to convert or compound cannabis into cannabis products, concentrates, or extracts and to package, repackage, label, or relabel cannabis products.
- A **“medical cannabis pharmacy”** license authorizes medical cannabis sales, delivery, and, in some cases, cultivation.
- A **“courier”** license permits home delivery for courier companies via medical cannabis pharmacies.

“Case Pack Value” Limits

Rather than a specific “case pack value” limit, the amount of cannabis that can be delivered is limited to the specific amount requested by the qualifying patient or designated caregiver.

Delivery Opportunities

Currently, only a few medical cannabis pharmacy locations provide delivery to patients. Legislation has been proposed to expand at-home cannabis deliveries to include direct-to-consumer purchases from processor facilities.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, registered in the state, and maintain valid insurance.

Tracking & Security. Delivery vehicles must be “enclosed motor vehicles” with an active alarm system and dedicated Global Positioning System (GPS) for location tracking.

Identifiers. The vehicle also cannot display any sign or illustration related to medical cannabis or the cannabis business.

Leaving Delivery Premises

Hours. Deliveries can only take place between the hours of 6 am and 10 pm.

Order Received. Drivers cannot depart the licensed premises with cannabis until a “bona fide order” has been received and processed.

Packaging. Cannabis goods must be in tamper-evident, child-resistant, resealable packaging.

Cannabis Goods Secured. Cannabis goods cannot be visible to the public and must be locked in a fully enclosed box secured inside the vehicle, but not the trunk.

Manifest. Drivers must have a copy of the delivery manifest before transportation. This includes:

- Patient name, address, registry ID card number
- Dispensary name, address, and license number
- Product name or description, and quantities (by weight or unit) of each product delivered
- Departure date & time
- Arrival date & time
- Transporter’s name, driver’s license number, vehicle make, model, and license plate number

Between Deliveries

Stops. Drivers cannot engage in any activities except for necessary rest, fuel, or vehicle repair stops. All stops must be documented in the delivery manifest.

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

During Delivery

Cannabis Goods Unattended.

Drivers must ensure that cannabis products in the car only remain unattended for 1 hour if the motor vehicle is locked, has an active vehicle alarm system, and the cannabis goods are locked in a fully enclosed box secured inside the vehicle.

Valid Identification. Drivers must confirm the identity and age of the patient before delivering cannabis goods.

Transaction Limits. Drivers cannot deliver more than 113 grams of cannabis and more than 20 grams of total composite THC in all other medicinal dosage forms to a patient per 30-day period.

Returning to Premises

Manifest. Drivers must enter the end time of the delivery and any changes to the route. This must be stored for at least five years after the documentation date.





VT

Vermont

Legal Status ■ Legal

Delivery Status ■ Medical Only

Strategic Considerations

Licensed Cannabis Operators

There are three major types of licensed cannabis operators allowed:

- A **“cultivator”** license allows a licensee to cultivate cannabis for medical use.
- A **“manufacturer”** license allows a licensee to convert or compound cannabis into cannabis products, concentrates, or extracts and to package, repackage, label, or relabel cannabis products.
- A **“retailers”** license authorizes medical or recreational cannabis sales.

“Case Pack Value” Limits

Rather than a specific “case pack value” limit, the amount of cannabis that can be delivered is limited to the specific amount requested by the qualifying patient or designated caregiver.

Delivery Opportunities

Currently, only medical cannabis delivery is permitted in Vermont. Recreational cannabis sales became legal in October 2022 but delivery was left to the state’s Cannabis Control Board to offer legislative recommendations. A January 2023 report to the Vermont Legislature recommended authorizing cannabis delivery and the creation of a “delivery” license.



Compliance Considerations

Vehicle Requirements

Registration. Delivery vehicles must be owned by the business, registered in the state, and maintain valid insurance.

Identifiers. The vehicle also cannot display any sign or illustration related to medical cannabis or the cannabis business.

Leaving Delivery Premises

Hours. Deliveries can only take place during the dispensary's operating hours.

Order Received. Drivers cannot depart the licensed premises with cannabis until a "bona fide order" has been received and processed.

Packaging. Cannabis goods must be in tamper-evident, child-resistant, resealable packaging.

Cannabis Goods Secured. Cannabis goods cannot be visible to the public and must be locked in a fully enclosed box secured inside the vehicle, but not the trunk.

Manifest. Drivers must have a copy of the delivery manifest before transportation. This includes:

- Patient name, address, registry ID card number
- Dispensary name, address, and license number
- Product name or description, and quantities (by weight or unit) of each product delivered
- Departure date & time
- Arrival date & time
- Transporter's name, driver's license number, vehicle make, model, and license plate number

Between Deliveries

Stops. Drivers cannot engage in any activities except for necessary rest, fuel, or vehicle repair stops. All stops must be documented in the delivery manifest.

Route. Drivers can only drive from the licensed premises to the delivery address, from one delivery address to another delivery address, or from a delivery address back to the licensed premises.

During Delivery

Valid Identification. Drivers must confirm the identity and age of the patient before delivering cannabis goods.

Transaction Limits. Drivers cannot deliver more than 2 ounces of cannabis to a patient in a 30-day period.

Returning to Premises

Manifest. Drivers must enter the end time of the delivery and any changes to the route. This must be stored for at least five years after the documentation date.





VA

Virginia

Legal Status ■ Legal

Delivery Status ■ Not Permitted

Legislative History

1979

Proposition 215 passed, allowing doctors to recommend cannabis for patients with glaucoma or cancer, but did not establish laws for distribution or sales.

1998

The state legislature added a provision permitting cannabis use and distribution for the treatment of cancer and glaucoma, but formal regulatory structures were not established.

2018

Virginia State Board of Pharmacy approved 5 licenses for medical marijuana dispensaries across the state.

2020

HB 972 passed, decriminalizing cannabis possession of less than 1 ounce with a \$25 civil fine.

2021

SB 1406 passed, legalizing recreational cannabis use and possession of up to 1 ounce.

2023

Multiple bills to introduce licensing and regulations for recreational retail sales failed.





Washington

Legal Status ■ Legal

Delivery Status ■ Not Permitted

Legislative History

1923

HB 3 banned cannabis, defined it as a narcotic drug with possession punishable by up to 10 years in prison.

1971

The punishment for possessing 40 grams or less of cannabis is lowered to a misdemeanor, and it is no longer defined as a narcotic drug.

1979

The Washington Court of Appeals' *State v. Diana* decision held that there was a medical defense for cannabis possession in very specific circumstances.

1997

Ballot Initiative 685 to allow doctors to prescribe any Schedule I drug, including cannabis, failed.

1998

Ballot Initiative 692 to decriminalize medical cannabis passed, allowing doctors to prescribe cannabis to patients with terminal or debilitating illnesses.

1998-2011

Up to 75 dispensaries are established to serve medical patients, despite no explicit permission in Initiative 692 to allow operations.

2010

House bills to decriminalize or legalize recreational cannabis failed in committee; Initiative 1068 to legalize cannabis use for all adults 18 and over failed.

2011

Dispensaries in Seattle, Spokane, Tacoma, Olympia, Puyallup, Lacey, and Rochester were ordered to cease operations or risk being targeted by federal raids.

2012

Ballot Initiative 502 to legalize recreational cannabis for adults 21 and over passed.

2014

Recreational cannabis sales began.





WV

West Virginia

Legal Status ■ Medical Use Only

Delivery Status ■ Not Permitted

Legislative History

2010-15

Multiple bills to legalize medical cannabis were introduced but failed to pass.

2017

SB 386 passed, legalizing cannabis use for the treatment of specific chronic medical conditions.

2021

The Office of Medical Cannabis allowed MMJ patients to begin registration.





WI

Wisconsin

Legal Status ■ Illegal

Legislative History

1939

Possession or use of cannabis is made punishable with up to 2 years in state prison.

2014

Act 267, also known as Lydia's Law, legalized the use of CBD for the treatment of seizure disorders.

2017

Lydia's Law is amended to legalize access to CBD oil for patients whose doctors certify that it is used to treat a medical condition.





Wyoming

Legal Status █ Illegal

Legislative History

1929

Possession or use of cannabis is banned.

2015

The state legislature passed a bill allowing the use of CBD oil to treat seizures.





Conclusion

We hope that this wide analysis of the laws regulating cannabis legalization and delivery helped inform or reaffirm your understanding of the landscape of your state (or others). If nothing else, it shows that the cannabis delivery sector shows no signs of slowing down, despite being heavily regulated by local, state, and federal laws.

Should cannabis become legal at the federal level, the door could open for large corporations to enter the field. Companies like [Uber](#) have already begun to explore how cannabis delivery fits under its business model. Anyone with an interest in cannabis delivery operations will surely be keeping a close eye on rule-making in the coming years.

A Better Way to Approach Cannabis Delivery

Onfleet is the preferred delivery management software for the cannabis industry providing a host of features specifically designed for dispensaries. Onfleet's customers include leaders in their field — Amuse, dutchie, Jane, Meadow, and other brands that know smart and efficient delivery can put them ahead of their competition. Most importantly, Onfleet has the [features](#) that cannabis companies need to comply with delivery regulations, including:

Route management — Get the most out of your fleet with a simple route management interface that optimizes deliveries.

Predictive ETAs — Reduce customer delivery inquiries with predictive ETAs.

Easy driver onboarding — Onfleet integrates with your drivers' smartphones, so they can begin using it right away.

Customer notifications — Onfleet automatically alerts customers when their product is on the way and when it's been delivered.

Age verification — Drivers can use Onfleet to scan ID barcodes to verify the customer or patient's age.

Proof of delivery — Record and store [proof of delivery](#) within Onfleet.

Driver tracking — Track drivers wherever they are and review driver data at a glance.

Reporting — Easily run reports with supporting documentation so that you can demonstrate compliance.

Integrations — Onfleet connects with the software and systems you use every day: Google Sheets, Shopify, Square, and more.



Find out how Onfleet can help your business streamline operations and delight your customers. [Contact us today!](#)

About Onfleet

Onfleet is the world leading last mile delivery software platform. Onfleet powers millions of deliveries per month for thousands of businesses, including best in class grocers like Hy-Vee, United Supermarkets, Bi-Rite, and Total Wine & More.

Onfleet's software powers last mile deliveries end-to-end, from routing and dispatching to real-time driver tracking, analytics, proof of delivery, customer communications, and more.

Onfleet is built with ❤️ in San Francisco, California.

Contact Us

Want to learn more about how Onfleet can help you re-shape your pharmacy delivery operations? Click [here](#) to schedule a consultation or email us at sales@onfleet.com.

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deliveries powered

500,000,000+
miles tracked

1000+
happy customers

90+
countries