

July 26, 2017

INDUSTRY-WIDE BULLETIN: 17-04

RE: Transporter License

Dear Marijuana Industry Stakeholders:

The General Assembly passed House Bill 16-1211, effective August 10, 2016, establishing the transporter license in both the Colorado Medical Marijuana Code, 12-43.3-101, *et seq.*, C.R.S., and the Colorado Retail Marijuana Code, 12-43.4-101, *et seq.*, C.R.S. The act, signed by Governor Hickenlooper on June 10, 2016, may be located at the following link:

https://leg.colorado.gov/sites/default/files/documents/2016a/bills/2016A_1211_signed.pdf

Public rulemaking proceedings followed in the summer and fall of 2016, so that statute and rule now require, effective July 1, 2017, that any independent firm transporting marijuana between licensees hold a transporter license. There was no change to the requirement that any individual actually conducting the transport hold an occupational license issued by MED. Applications for the transporter license were provided on-line in December 2016.

Transporter licensee requirements include possession of a licensed premises and adherence to the public safety standards required of any limited access area at a licensed marijuana business or establishment. This includes surveillance and security requirements, and reporting through metrc, the inventory tracking system. This bill created operational efficiencies for transporters, and ensures that licensed transporters have available on a 24/7 basis a secure location to temporarily store, for a period of no more than seven days, marijuana under their control that is intended for delivery. The statute also provides that holders of transporter licenses may be required to receive local licensing approval.

Prior to July 1, 2017, while all individuals providing transport services between licensees were required to hold an occupational (support, key or associated key) license, firms were not required to hold a marijuana business license. Some may have been operating with a MED-issued **vendor registration**, a category which includes a variety of other services that are provided to the industry. As a result of HB16-1211, existing vendor registrants exercising license privileges that are established in statute and rule as privileges of a transporter license must apply for and be issued a transporter license in order to continue such activity.

It is critical to note that pursuant to statutory and rule requirements existing prior to passage of House Bill 16-1211, and which remain equally applicable today, occupational license holders employed by Medical Marijuana Businesses and Retail Marijuana Establishments may continue to transport marijuana on behalf of the Business and/or Establishment.



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