



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
CANNABIS COMMISSION



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CNMI Cannabis Commission Compliance Advisory

**CNMICC Advisory # 24-02
RE: Marijuana Retailer Delivery**

The CNMI Cannabis Commission (CNMICC or the Commission) is providing the following information to existing and prospective cannabis retail licensees.

The advisory issued pursuant to 4 CMC § 53008 is to ensure licensee compliance with CNMI Law and CNMICC regulations. It is important that the contents of this advisory are read and understood.

Failure to comply with the information contained in this advisory and the relevant statute for which it references could result in penalties affecting a retail licensee.

CNMICC Advisory # 24-02 covers the following issue(s):

Marijuana Retailer Delivery

The Commission wishes to ensure that all retail licensees comply with the applicable restrictions for the sale and delivery of marijuana items off the licensed premises to a consumer pursuant to bona fide orders received on the licensed premises prior to delivery.

Please refer to **4 CMC § 53035, CNMICC regulations § 180-10.1-701 (a)(3)(iii) and the advisory information below.**

Commercial Sale and Delivery of Marijuana Items

Pursuant to **4 CMC § 53035, CNMICC regulations § 180-10.1-701 (a)(3)(iii) and this advisory**, the Commission allows marijuana retailers to make deliveries to consumers off the licensed premises pursuant to bona fide orders received on the licensed premises prior to delivery.

A licensed Marijuana Retailer is authorized to sell marijuana products from the licensed premises to a consumer 21 years of age or older between the hours of 7:00 a.m. and 10:00 p.m. local time.

A bona fide order must be received by the licensee and the delivery completed within the authorized hours of operation on the day the order is received and must adhere to CNMI law and Commission Regulations.

If a delivery cannot be made before 10:00 p.m. due to circumstances beyond the licensee's control, the delivery must be rescheduled or cancelled. The licensee or employee (known to the Commission) may only deliver in a motor vehicle to the individual who placed the bona fide order and only to individuals who are 21 years of age or older.

The bona fide order must contain:

- The individual requestor's name, date of birth, the date delivery is requested and the physical address* of the residence or lodging where the individual would like the items delivered;
- A document that describes the marijuana items proposed for delivery and the amounts; and
- A statement that the marijuana item(s) is for personal use and not for the purpose of resale.

*Addresses that do not have physical addresses may use GPS technology or other methods satisfactory to the Commission.

At the time of delivery, the individual performing the delivery must confirm the identification of the individual to whom the delivery is being made to determine that it is the same individual who submitted the bona fide order.

This includes ensuring that the individual:

- Is 21 years of age or older;
- Is not visibly intoxicated at the time of delivery; and
- Signs a document indicating that the marijuana item(s) were received in good order (i.e., undamaged, sealed, and untampered, etc.).

Deliveries may be made to a residence or curbside in proximity to lodging facilities and must not be made more than once per day to the same physical address, lodging location or to the same individual.

For the purpose of this rule, "residence" means a dwelling such as a house or apartment, "lodging" means temporary accommodation facilities that include a hotel, dormitory, and bed and breakfast. "Curbside" means within the vehicular parking spaces of a lodging facility's premises and does not mean within public rights-of-way in proximity to a lodging facility. Marijuana items must not be delivered to a residence or lodging facility located on publicly owned land other than public land leases with existing hotels or commercial buildings prior to the enactment of the Taulamwaar Sensible CNMI Cannabis Act of 2018, provided that the delivery of marijuana item(s) to a lodging facility does not infringe on the lodging facility's rights or policies with respect to marijuana on its premises.

Marijuana items delivered to an individual's residence or lodging facility must:

- Be kept in a secured compartment (satisfactory to the Commission) during transportation; and
- Comply with the packaging and advertising rules.

Additional Licensee Requirements

- Must take steps to ensure the personal safety of delivery personnel, including providing any necessary training.
- A retailer may not carry or transport at any one time more than a total of \$3000 in retail value worth of marijuana items designated for retail delivery.
- A manifest must be created for each delivery or series of deliveries and the individual making the delivery may not make any unnecessary stops between deliveries or deviate substantially from the manifest route.
- A retailer is only required to maintain the name of an individual to whom a delivery was made for one year.

Documentation Requirements

A marijuana retailer must document the following regarding deliveries:

- The bona fide order and the date and time it was received by the retailer;
- The date and time the marijuana item(s) were delivered;
- A description of the marijuana item(s) that were delivered, including the weight or volume and price paid by the consumer;
- The name of the employee who delivered the marijuana item(s); and
- The name of the bona fide recipient of the marijuana item(s) and the delivery address.

Please be advised that the CNMI Cannabis Commission continues to monitor and investigate the business activities of all CNMICC licensees to ensure the suitability and compliance with CNMI law and CNMICC regulations.

Thank you for your cooperation and understanding of this advisory. If you need clarification or assistance in understanding this advisory, please contact the CNMI Cannabis Commission.