

Marijuana Control Board
550 W 7TH AVE, STE 1600.
ANCHORAGE, AK 99501

Re: Proposed Changes to 3 AAC 306.750. Transportation

Dear Honorable Members of the Marijuana Control Board:

From the beginning of the marijuana industry, the regulations regarding the transportation of commercial marijuana (**3 AAC 306.750.**) have proven to be unsafe, onerous, and burdensome for license-holders. As written, the current regulations jeopardize the safety and security of the transporter and the product they transport. They require a detailed transport manifest to be entered into the METRC inventory traceability system, of which people from other businesses can view to access travel routes, destination times & arrivals. It is a matter of when not if, this transport information is obtained by a wrongful party and invites criminal activity that endangers the safety and the well-being of a transporter and or the public.

Current marijuana regulations require a constant chain of custody as the product leaves a licensed facility by a transporter(s). This is cost prohibitive for business and restricts commerce, in what is currently a financially starved industry. Furthermore, this diminishes economic development and opportunity for Alaskans and Alaskan communities, due to space constraints and excessive travel costs when having to move products to market, particularly when many cannabis businesses are not on the road system. The inability for cultivators and producers to move products to market, creates additional barriers to business when transportation is expensive and can have the negative consequence to promote nefarious activity. Cannabis companies are struggling to meet the demand by Alaskan residents and are finding it difficult to supply the rural markets; it is not feasible to transport bulk goods in quantity through traditional methods like other industries utilize. Village communities rely on small planes throughout rural Alaska; boats and floatplanes are common in Southeast Alaska; normal shipping methods for businesses to receive and transport goods. As a parallel, the alcohol industry employs these same methods to meet the supply chain demands of shipping goods to Alaskan communities. Simplified transportation regulations will improve accessibility for marijuana businesses to supply the rural markets and encourage opportunities for the rural markets to become producers as well.

It is with these safety and economic concerns that we recommend that 3 AAC 306.750. Transportation Regulations be amended and simplified, to be defined as the origin facility- to create the manifest and the marijuana product to be transported, and the destination facility- to receive the manifested product into a marijuana businesses METRC inventory tracking system. The specific travel logistics, vehicle and transporter information is sensitive information that should no longer be a requirement. A simple "point A to point B" approach would improve public safety, improve business commerce and trade while continuing to grow the industry by providing greater access and opportunity in rural markets across Alaska.

By adopting these recommendations, the Marijuana Control Board would be taking a more progressive position that reflects the rapidly evolving marijuana industry. Some of the concerns that existed when the Regulations were first adopted no longer exist, and as the industry has matured the industry has demonstrated that we are comprised of responsible business owners and operators. It is an exciting time to be a part of the industry with the MCB, the Marijuana Task Force Members and Active license-holders being more involved than ever before. We share the common goal and purpose to streamline regulations and make regulatory changes that support more positive business outcomes.

Thank you for your time and the opportunity to share our recommended changes to **3 AAC 306.750. Transportation.**

Attached to this letter you will find amended regulations, for your consideration.

Sincerely,

~~Gary Evans, Aaron Stiassny & Sam Hachey~~

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3 AAC 306.750. Transportation

(a) Marijuana or a marijuana product ~~may~~ shall only be transported ~~to a in or out of a~~ licensed marijuana establishment by a licensee or an agent or employee of a licensee.

(b) A marijuana establishment from which a shipment of marijuana or marijuana product originates is responsible for preparing, packaging, and securing the marijuana or marijuana product ~~during for~~ shipment, for recording the transfer in the marijuana inventory tracking system, and for preparing the transport manifest. An individual transporting marijuana in compliance with this section shall have a marijuana handler permit required under 3 AAC 306.700.

(c) When marijuana or a marijuana product is transported, the marijuana establishment that originates the transport shall use the marijuana inventory tracking system to record the type, amount and weight of marijuana or marijuana product being transported. ~~, the name of the~~

~~transporter, the time of departure and expected delivery, and the make, model, and license plate~~

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~~number of the transporting vehicle.~~ A complete printed transport manifest on a form

prescribed by the board must be kept with the marijuana or marijuana product at all times.

(d) During transport, the marijuana or marijuana product must be in a ~~locked smell proof~~ sealed package or container. ~~and in a locked, safe, and secure storage compartment in the vehicle transporting the~~

~~marijuana or marijuana product. The sealed package may not be opened during transport. A~~

~~vehicle transporting marijuana or a marijuana product must travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and may not make unnecessary stops in between except to deliver or pick up marijuana or a marijuana product at another licensed marijuana establishment.~~

(e) When a marijuana establishment receives marijuana or a marijuana product transported in compliance with this section, the recipient of the shipment shall use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received. The recipient shall refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest **and contact enforcement as soon as possible.**

(f) A marijuana establishment shall keep records of all marijuana or marijuana products shipped from or received at that marijuana establishment as required under 3 AAC 306.755.

(g) A marijuana establishment may transport marijuana or a marijuana product to and from a trade show or similar industry event in accordance with 3 AAC 306.760 and this section.

(h) Expired 8/14/2020

(i) A marijuana establishment shall keep records of all marijuana or marijuana products relocated to the new licensed premises in the case of transfer of a marijuana establishment license to another location approved by the board. (Eff. 2/21/2016, Register 217; am 10/11/2017, Register 224; am 8/11/2018, Register 227; em am 4/17/2020 – 8/14/2020, Register 234; em am 5/7/2020 – 8/14/2020, Register, 234; am 1/22/2023, Register 245)