**ADVISORY - DRAFT**

Date: April 14, 2020

To: All Marijuana Establishment Licensees

Re: Marijuana Control Board Policy on Enforcement of 3 AAC 306.750 (Transportation)

The Marijuana Control Board met on April 11, 2020 to specifically discuss the ongoing COVIC19 pandemic and the Board’s ability to minimize the spread of Covid19. The Board is considering emergency regulations to achieve these objectives. In the meanwhile, the Board concluded that 3 AAC 306.750 will be interpreted to permit the following.

1. 3 AAC 306.750(a). Transportation (a) Marijuana or a marijuana product may only be transported to a licensed marijuana establishment by a licensee or an agent or employee of a licensee.

3 AAC 306.750(a) will be interpreted to permit the handoff off marijuana or marijuana products between transporters, so long as each transporter is an agent or employee of a licensed marijuana establishment and each transporter holds a marijuana handler permit. In each case, the handoff and change in agents or employees must be documented in the transport manifest accompanying the marijuana or marijuana product and in the marijuana inventory tracking system. As an example, so long as properly documented, a transporter for a marijuana cultivation facility may hand off marijuana or marijuana product to a transporter for a marijuana retail store at or outside an airport so the transporter for the marijuana cultivation facility does not have to enter a small community and potentially spread Covid19. The licensees do so at their own risk that the marijuana or marijuana product appropriately fills the order.

1. 3 AAC 306.750(d). During transport, the marijuana or marijuana product must be in a 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

3 AAC 306.750(d) will be interpreted to permit a marijuana handler permit to make an overnight stop to deliver or pick up marijuana or a marijuana product and keep the sealed marijuana or marijuana product in their immediate possession, so long as the purpose of the stop is to minimize the amount of intrastate travel and the security of the marijuana or marijuana product can be maintained. All overnight stops must be planned and documented in the transport manifest accompanying the marijuana or marijuana product and in the marijuana inventory tracking system.

These interpretations shall be in place during the length of the Covid19 Public Health Emergency, as determined by the Governor of the State of Alaska unless terminated by the Marijuana Control Board on an earlier date or otherwise enacted in emergency or permanent regulations.

Sincerely,

Glen Klinkhart
Interim Director
Alcohol & Marijuana Control Board