

COMPLIANCE ALERT

March 2022

Division of Cannabis Regulation

Compliance Issue

The purpose of this notice is to inform all cannabis business entities under the authority of Illinois Department of Agriculture of transportation regulations and policies applicable to transporters operating in inclement weather, or when a delivery is interrupted by an accident, medical emergency, or vehicle failure.

Regulatory Authority and Policies

In January 2020, the Illinois Department of Agriculture (the Department) filed emergency rules for the Cannabis Regulation and Tax Act (CRTA), (410 ILCS 705/et seq). The emergency rules for the Act appeared in the [January 17, 2020 Illinois Register](#). The Department then filed the proposed rules, which appeared in the [March 13, 2020 Illinois Register](#). Notice appeared in the [June 19, 2020 Illinois Register](#) that the rules had been adopted, effective June 3, 2020.

SUBPART F: TRANSPORTERS

Section 1300.595 Operations

- *Transportation of Cannabis Containers – Daily Inventory*
 - *Once the transporter receives a cannabis container, it must create a daily inventory.*
- *A transporter agent shall not open a cannabis container. Once a cannabis container is packed and sealed for delivery, only the following may open a cannabis container:*
 - A. *The cannabis business establishment that initiated a request to ship;*
 - B. *The cannabis business establishment intended for delivery;*
 - C. *Local, State or federal law enforcement; or*
 - D. *An employee of DFPR or the Department.*
- *A copy of the transporter's registration and a manifest for the delivery shall be present in any vehicle transporting cannabis. [410 ILCS 705/40-25(k)]*
- *Cannabis must be transported in a cannabis container. The cannabis container must be transported in an enclosed, locked storage compartment that is secured or affixed to the vehicle. [410 ILCS 705/40-25(n)]*

Please note that it is strongly recommended that transporters utilize metal or heavy plastic transport containers. Cardboard boxes are not a viable solution and will not prevent product from being disbursed outside the vehicle in the event of an accident. Failure to properly contain product in the event of an accident may result in a fine or other disciplinary action.

- *All vehicles transporting cannabis must be equipped with a Global Positioning System (GPS) based tracking device. The GPS tracking device shall be capable of allowing the transporter to track the vehicles at all times. The GPS tracking system shall also be able to store historic data (for no less than 12 months) and shall permit the Department to search all real-time and archived data upon request.*
- *Transporters are subject to random inspections by the Department, DPH, and ISP. [410 ILCS 705/40-25(d)]*

Cannabis Transporter Licensee Delivery Interruption Procedure

All product listed on a transporter manifest must be delivered to the licensed cannabis business identified on the manifest on the same day the product was manifested for delivery. Product cannot be held overnight by licensed cannabis transporters.

Any deviation from the manifest schedule caused by unforeseen circumstances must be immediately reported to your **IDOA inspector**, Bureau of Cannabis Inspection, **Bureau Chief**, Bresha Brewer (Bresha.B.Brewer@Illinois.gov), in addition to your assigned **ISP inspector** and the **Illinois Cannabis Control Office** (isp.cannabiscontrol@illinois.gov).

Compliance Objective

Driver safety as well as the security of cannabis product should be primary priorities when operating transport vehicles carrying manifested cannabis products.

Please note that while weather in your section of the State may be fine, Illinois is a large state, and the transport teams may encounter inclement weather when traveling to other sectors of the state. Please monitor the following websites and Facebook pages for weather updates. In the event that a manifested delivery cannot be completed due to weather or similar unforeseen circumstances, you must immediately notify your IDOA inspector, Bureau of Cannabis Inspection, Bureau Chief, Bresha Brewer (Bresha.B.Brewer@Illinois.gov), in addition to your assigned ISP inspector and the Illinois Cannabis Control Office (isp.cannabiscontrol@illinois.gov).

Weather can be unpredictable—It is expected that licensees will exercise caution and good judgement when deciding whether it is safe or worth the risk to ignore predicted inclement or dangerous weather forecasts. Additionally, it is expected that licensees will use all available tools and weather resources when making a decision regarding the safety of proceeding with planned deliveries despite predicted severe weather alerts.

- National Weather Service - <https://www.weather.gov/>
- US National Weather Service Chicago (Facebook) <https://www.facebook.com/NWSChicago>
- US National Weather Service Central Illinois (Facebook) <https://www.facebook.com/NWSLincoln>
- US National Weather Service Paducah Kentucky (Facebook) <https://www.facebook.com/NWSPaducah>
- US National Weather Service Saint Louis Missouri (Facebook) <https://facebook.com/NWSStLouis>
- Illinois Department of Transportation home page: <https://www.gettingaroundillinois.com/>
- Illinois Department of Transportation Winter Weather Conditions <https://www.gettingaroundillinois.com/WinterConditions/index.html>
- Illinois Department of Transportation Road Closures Due to Flooding <https://www.gettingaroundillinois.com/MapView/?config=FLDconfig.json>
- Illinois Department of Transportation Road Closures <https://www.gettingaroundillinois.com/MapView/?config=RDCconfig.json>
- Illinois Department of Transportation Road Closures Due to Construction <https://www.gettingaroundillinois.com/RoadConstruction/index.html>

Illinois State Police (Facebook) has occasional updates on road conditions during storms. <https://www.facebook.com/IllinoisStatePolice>

Questions

For questions related to this Compliance Alert, please contact the Illinois Department of Agriculture, Division of Cannabis, Bureau of Inspections by emailing AGR.CannabisInspections@Illinois.gov.