

Subject

The purpose of this notice is to inform all transporting organizations about potential modifications that can be made to transporter operation and security plans. First, is the ability to operate physical “transfer sites” that allow for the transfers of cannabis containers to different vehicles at a secured location. Second, is the amendment of driver requirements in a transporter security plan.

Regulatory Authority and Policies

Transfer Sites and Physical Location

The Cannabis Regulation and Tax Act (CRTA) (410 ILCS 705/et seq.) allows for a physical location for transporters, but does not require transporters to operate a physical location. Transporters that operate a physical location either must have provided the address and location at time of application or must provide it via an application for a modification of the transporting license.

Transporters may apply for modification of the transporting license to open a physical location in which a transporter may as part of their operations plan transfer sealed cannabis containers to different vehicles with different drivers often called a “transfer site”. A transfer site must be secured and the transfer operations must be hidden from view. Transfer sites that have been approved are generally located in enclosed garages or loading bays.

The CRTA only permits the transport of cannabis and cannabis-infused products to cultivation centers, craft growers, infusers, dispensaries, and testing facilities therefore transfer site operations are considered part of the transport and cannabis **product shall not be stored for any amount of time** at the transfer site.

A transporter may apply for a transfer site via the submission of an application for modification which is available on the Division of Cannabis Regulation website.

Section 40-10. Application.

(a)(3) the proposed physical address of the transporting organization, if one is proposed

Section 40-25. Transporting organization requirements; prohibitions

(b) A transporting organization may not transport cannabis or cannabis-infused products to any person other than a cultivation center, a craft grower, an infuser organization, a dispensing organization, a testing facility, or as otherwise authorized by rule.

Driver Requirements

Transporters are required to conduct transports in accordance with the security and operation plan submitted as part of the transporter’s initial application for license.

If a transporter included plans that stated the number of drivers the transporter planned to use to conduct a transport, the transporter is required to conduct transports with the stated number of drivers. A transporter may apply for modification of the transporter license to amend the number of drivers a transporter is required to use to conduct a transport.

Transporters shall conduct transports in a manner that is safe and secure and must use their best judgement in determining the number of drivers that shall accompany the transport to ensure that the transport is conducted safely and securely and that all operational requirements are met.

Section 40-15. Issuing Licenses

(d) Should the applicant be awarded a transporting organization license, the information and plans that an applicant provided in its application, including any plans submitted for the acquiring of bonus points, shall be a mandatory condition of the permit. Any variation from or failure to perform such plans may result in discipline, including the revocation or nonrenewal of a license.

Questions

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