

Marijuana Licensing Work Group Meeting #1 - Delivery

Below are the discussion questions posed to the Marijuana Licensing Work Group on Thursday, May 14 regarding marijuana delivery. If you have thoughts on any of the discussion questions below, please provide input below and submit the document to marijuanainfo@denvergov.org. Comments will be circulated to the Marijuana Licensing Work Group.

Opt-in to Marijuana Delivery

- The state began issuing permits for medical marijuana delivery on January 2, 2020, and will begin issuing permits for retail marijuana delivery on January 2, 2021.

Should Denver opt-in to marijuana delivery? If so, should it include retail marijuana delivery, medical marijuana delivery, or both?

What should the timing and sequencing of retail and medical marijuana delivery roll-out look like?

Cross-Jurisdictional Delivery

- C.R.S. 44-10-501(11)(k)(II) – “An ordinance adopted pursuant to subsection (11)(k)(I) of this section may prohibit delivery of medical marijuana or medical marijuana products from a medical marijuana store that is outside a municipality’s, county’s, or city and county’s jurisdictional boundaries to an address within its jurisdictional boundaries.” (The same provision exists for retail marijuana delivery.)
- State statute also requires a \$1 surcharge to be placed on each delivery, which is remitted to the municipality where the licensed marijuana store is located for local law enforcement costs related to marijuana enforcement.
- Per Colorado’s Online Sales Tax rules, the CO Dept. of Revenue will “require all businesses who sell goods to customers in their state to assess sales tax based on the customer’s address, not the location of the business.”

Should Denver allow deliveries into the city from stores located outside the city?

Should Denver have any different requirements for cross-jurisdictional deliveries?

Hours of Operation

- MED Rule 3-245(A)(4) allows deliveries to be made only between the hours of 8:00 a.m. and midnight, and deliveries orders to be accepted 24 hours per day, 7 days per week.
- Denver retail and medical marijuana stores may operate between the hours of 8:00 a.m. and 10:00 p.m.

What should be the hours of operation for marijuana delivery in Denver?

Sales Limits

- MED Rule 3-615(F)(8) allows for no more than the following quantities of medical marijuana to be delivered in a single business day:
 - 2 ounces of medical marijuana
 - 40 grams of medical marijuana concentrate
 - Medical marijuana products containing 20,000 mg of THC
- MED Rule 3-615(F)(8) allows for no more than the following quantities of retail marijuana to be delivered in a single business day:
 - 1 ounce of retail marijuana
 - 8 grams of retail marijuana concentrate
 - Retail marijuana products containing more than ten 80 milligram servings of THC

What should be the sales limits for marijuana delivery in Denver?

Transporters

- MED Rule 3-615(E)(6) – Medical Marijuana Transporters and Retail Marijuana Transporters shall not take delivery orders but may deliver Regulated Marijuana on behalf of Medical Marijuana Stores and Retail Marijuana Stores pursuant to a contract with the Medical Marijuana Store or Retail Marijuana Store provided that the store also holds a valid delivery permit.
- Under state law, Medical and Retail Marijuana Transporters may not obtain delivery licenses until January 1, 2021.

Should Denver create a delivery license for Transporters?

Safety & Security

- MED Rule 3-615(D)(6)(a) requires video surveillance to record at least the secured marijuana storage compartment and the front view (dash view) of the vehicle.

Should Denver consider any additional camera coverage?

- MED Rule 3-615(D)(7) allows an enclosed delivery vehicle to hold up to \$10,000.00 in retail value of marijuana, and allows a delivery vehicle that is not enclosed to hold up to \$2,000.00 in retail value of marijuana.

What should be the limits in Denver for the amount of retail value of marijuana a delivery vehicle can hold?

Are there any other safety or security measures that Denver should consider implementing in order to protect employees, consumers, and the community?

Barriers to Entry

What barriers to entry might exist for starting a marijuana delivery business?

Equity in Marijuana Licensing

How can equity be reflected in marijuana licensing?

Additional Comments

Is there anything else relevant to marijuana delivery licensing in Denver that the Work Group should consider?