



## Class 5 Retailer Home Delivery Guidance

Pursuant to N.J.A.C. 17:30-14.8(b), as approved by the Commission, Class 5 Cannabis Retailers may utilize a Class 6 Delivery Service or their own delivery personnel to deliver cannabis to a consumer at a residence. A cannabis business holding a Class 5 Retailer license wishing to engage in home delivery shall submit to the Commission for approval:

- A letter requesting permission to perform “Home Delivery” services
- If utilizing a Class 6 Delivery Service, the agreement with the Class 6 Delivery Service as well as the Class 6 Delivery Services’ proof of licensure, similar to the regulations regarding vendor-contractors, including but not limited to N.J.A.C. 17:30-7.10(d)(18), N.J.A.C. 17:30-7.13(c)(8) and N.J.A.C. 17:30-9.4.
- A Standard Operating Procedure (SOP) covering the “Home Delivery” process for the entity
- All documentation required including:
  - Insurance for vehicle/driver as outlined in N.J.A.C 17:30-14.8(r)
  - Vehicle make, model, color, VIN number, license plate number, vehicle registration
  - Current driver’s insurance information
  - Valid driver’s license
  - All selected employee driver training information
  - Vehicle Inspection Report

If the entity has already submitted a home delivery SOP as well as all necessary documentation to the Commission as part of its application for licensure, that entity need only keep compliance with its SOP, provide updates to the Commission and satisfy all necessary inspections.

Pursuant to N.J.A.C. 17:30-14.8(b)(1), Cannabis retailers may engage in delivery in any region and may institute geographic and hourly restrictions on where and when they opt to deliver to consumers. The cannabis retailer shall comply with N.J.A.C. 17:30-14.8(b)(2) through (b)(4) regarding any restrictions, including all notice requirements.

Pursuant to N.J.A.C. 17:30-14.8(c), after an order is placed in advance by a consumer, the cannabis items in the purchase order shall be assembled for delivery at the cannabis retailer premises and then provided to the cannabis retailer delivery personnel. When a consumer places an order for delivery for the first time with a cannabis retailer, the cannabis retailer may validate the consumer’s age by phone or through online means, provided, however that an in-person verification is conducted by cannabis delivery personnel prior to sale and furnishing the ordered items. Expanded Alternative Treatment Centers (Expanded ATCs) holding a Class 5 Retailer



license shall make all efforts to prioritize medical patients over recreational consumers when conducting home deliveries.

Pursuant to N.J.A.C. 17:30-14.8 (d), while in transit, cannabis items shall be locked and stored in a sanitary and secure lockbox in the delivery vehicle until cannabis delivery personnel arrive at the delivery address. Cannabis delivery personnel shall also comply with the secure transport regulations under N.J.A.C. 17:30-9.15 when conducting home deliveries. Pursuant to N.J.A.C. 17:30-14.8(e), when outside of the vehicle to conduct a delivery, or when leaving the vehicle for any other reason, cannabis delivery personnel shall lock the delivery vehicle and the secure lockbox and engage the vehicle alarm system.

Pursuant to N.J.A.C. 17:30-14.8(j), Cannabis delivery personnel may make multiple deliveries in one trip and shall travel only between the cannabis retailer premises and residential delivery addresses, except in the event of emergency or dangerous road conditions or as necessary for sanitization, rest, fuel, or vehicle repair stops. Pursuant to N.J.A.C. 17:30-14.8(k), all transactions shall be appropriately logged in the Commission's designated inventory management system and, as applicable, the cannabis retailer's internal inventory in accordance with N.J.A.C. 17:30-9.7 and 9.13 and other corresponding rules.

Any cannabis retailer wishing to engage in home delivery shall familiarize itself with the Commission's regulations at N.J.A.C. 17:30, et seq., and specifically the entirety of N.J.A.C. 17:30-14.8 for additional details regarding delivery personnel and vehicle requirements.