Hello Marijuana Licensing Work Group,

Alex Rubin - Craft Concentrates

Thank you for creating this meeting forum. Please consider the allowable licensing system for Delivery and Hospitality Licenses. The State of Colorado has legalized Hospitality and Delivery licenses and it is time for Denver to opt in. In the cautious times of Covid-19, this is a primary example of why delivery is so very important. Marijuana Delivery provides an option for:

- Medical patients that are home bound to access medical cannabis products,
- Cannabis consumers who don't have access to a vehicle,
- Cannabis consumers who have children and don't want to leave them in the car to have to go into the dispensary (many dispensaries do not allow any person under 21 on the licensed premise)

Cannabis delivery concerns relating to public safety and underage use:

- Colorado Regulated Marijuana Law 3-615 (B) states Delivery Marijuana Licenses must obtain a responsible vendor designation pursuant to CRS 44-10-1201 or 44-10-1202.
  - The Responsible Vendor Training requires training on how to read an identification license. Many licenses provide tools to identify fraudulent IDs.
- Marijuana products are being transferred between marijuana business to business already right now. Transport deliveries already deliver hundreds of pounds of material and exchange thousands of dollars in cash. This is no new situation. Simply delivering products to personal households. Marijuana is not any more special than alcohol delivery or prescription drug delivery.

Thank your for my consideration,

Alexander Rubin
Marijuana Licensing Work Group Meeting #1 - Delivery - Apothecary Farms

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?

Denver should opt-in to marijuana delivery. It should include both medical and retail delivery. This provides a better means of product access to patients and adult consumers. At the same time, delivery enables small businesses to better service the market, thereby creating a more equal playing field between storefront operators.

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

Medical delivery should be rolled-out quickly as administratively possible so that patients can have better access to medicinal products. Many patients are homebound. Relying on family, friends, or other caregivers for transportation to a storefront is unreliable and does not efficiently address patient needs. This is a human welfare issue and should not be politicized or held-up in policy discussions.

Retail delivery should be rolled out January 2, 2021. It is critical that Denver continues to be a leader in cannabis policy and accepts applications as soon as possible. This will drive competition in the state marketplace, ensuring Denver is not left behind.
Cross-Jurisdictional Delivery

- C.R.S. 44-10-501(11)(k)(l) – “An ordinance adopted pursuant to subsection (11)(k)(l) 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?

Denver should allow deliveries into the city from stores located outside the city. City borders should not limit patient and consumer goods. This expands product choice and drives competition, enabling users to buy products that are best for their needs and budget.

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

No. Denver should not deviate from state requirements in order to be competitive in the marketplace.
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 delivery 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?

Denver retail and medical stores should be able to conduct delivery between the hours of 8:00 am and 10:00 am to align with municipal code. Additionally, delivery orders should be able to be accepted 24 hours per day, 7 days per week to align with Division rules.

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?

Denver delivery sales limits should align with Division rules. Standard sales limits guarantee efficient vehicle transport during the delivery process. Such thresholds mitigate looping, traffic congestion, and vehicle emissions that are harmful to the environment and community.
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?

Denver should create a delivery license for Transporters that is ready to roll-out no later than January 1, 2021. Many storefronts, especially smaller businesses, will not be able to afford to purchase a fleet of transport vehicles. Transporters can provide a valuable service in conducting vehicle transport on behalf of storefront operators that will save capital. Creating a delivery license for Transporters also drives a social equity piece. A transporting business is the easiest license-type to enter because of its low cost of entry compared to other businesses. Allowing Transporters to conduct doorstep delivery on behalf of storefronts enhances economic opportunities for transporters, especially economically disenfranchised participants.

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?

Denver should not consider additional camera coverage for vehicles. Division rules establish more than enough camera coverage to enable safe transport of product. Additional camera or other video surveillance requirements will create higher barriers to entry for storefront operators and Transporters, thereby only enabling large businesses to service the delivery market. Additional cameras should be a business decision, not a requirement placed on companies by government.

Data collected in preexisting delivery markets such as California show that less than .01% (out of tens of thousands completed deliveries) of deliveries result in a crime. California does not require video surveillance in delivery vehicles. Therefore, the data shows that vehicle cameras do not mitigate crime, nor is delivery crime an issue.
- 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?

The retail value should reflect current Division limits of $10,000 for enclosed vehicles and $2000 for not enclosed vehicles. Deviating from state rules would decrease efficiency and therefore promote traffic congestion and vehicle emissions that are harmful to the environment and community by causing more frequent deliveries.

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

No. Preexisting data from other states that conduct delivery show there are no safety or security concerns.

Barriers to Entry

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

Affordability of vehicles and video surveillance requirements of vehicles. However, allowing Transporters to obtain delivery permits would help with this. Ultimately, any further restrictions from state regulations would contribute to increase business costs.
Equity in Marijuana Licensing

How can equity be reflected in marijuana licensing?

Can give priority delivery permits to equity Transporters. However, storefronts should have no administrative barriers in obtaining a delivery permit.

Additional Comments:

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

It is critical that Denver opts-into both medical and retail marijuana delivery. Better access to product is good for patients and adult consumers. Delivery enables small businesses to better service the market, thereby creating a more equal playing field between storefront operators.

There was much stakeholder input during last year's legislative session. There is no reason to further restrict delivery regulations from those that were adopted by the Division. Such restrictions would create greater barriers of entry and make Denver less competitive compared to other municipalities that have adopted delivery.
the Surveillance piece has been spelled out in the bill - and should apply for b2b as WELL as b2c

thank
Hello, Ashley, Bia, Molly, Erika and All,

Thank you kindly for the opportunity to submit written remarks post meeting.

It was indeed very difficult (even with the great cue system you created via "chat") to make comments or ask questions vis-a-vis the great volume of comments presented (cue and non-cue), with some members often disrespecting the cue in place.

Although the city did a great job organizing the main threads in the Agenda (i.e. access to capital, hours of operation, scaling and sequencing, health & safety, barriers of entry, etc.), I noticed that members of the work group kept getting ahead of the agenda in order to make a statement. As wonderful as it is to allow for such a diverse group to voice the community's concerns and opportunities here, I find it that we can accomplish a lot more if we respect the rules of the game.

Please, announce yourself before commenting, please review the agenda so you know WHEN your comment is pertinent not to off-track the flow and schedule, and please be mindful of others in the group if you have already voiced your comments several times.

I appreciate your understanding and look forward to working with you.

With gratitude,

Clarissa
Marijuana Licensing Work Group Meeting #1 - Delivery - Jacqueline Flug

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?

To create a comprehensive market for legal marijuana sales Denver must include delivery for both medical and recreational marijuana. The Working Group overwhelmingly cited to the "essential" status of marijuana during the Covid-19 Pandemic and that even many customers on the recreational market use the product for therapeutic means. To have a genuine legal market meet these demands it must include delivery. Additionally, in truly converting marijuana to a legal and regulated marketplace, the City of Denver should permit delivery in order to counter and minimize the current illegal delivery market.

Lastly, Transporter delivery licensees are a genuine opportunity for social equity business to exist in the marijuana industry as they require less capital investment and little real estate obligations.

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

Medical delivery should start as soon as possible, hopefully before January 2, 2021. Recreational delivery should then start on January 2, 2021.
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?

If Denver permits cross-jurisdictional deliveries it should be mindful to take steps to reduce any possible impediments to enforcement when dealing with retail store outside the City of Denver.

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?**

Delivery hours for the City of Denver should be from 8:00 am to 9:00 pm meaning that a delivery order should not leave from the store after 9:00 pm. The thought behind this is that there should be a time built in for instances where deliveries cannot be completed. If an order goes out for delivery and cannot be completed for any reason, the delivery person must be able to return the product to the retail store. The system should not allow for instances where a delivery person has product left with them and cannot get access to the store to return it appropriately.

Additionally, Internet orders should be permitted to be placed at all hours. The more notice a Marijuana Store has for a scheduled delivery the more orderly the delivery process can be. Therefore, though orders can only be delivered during operating hours, orders should be permitted to be received at all hours.

**Sales Limits**

- MED Rule 3-615(F)(8) allows for 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 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?**

Delivery allowances should mirror the in store quantities in MED Rule 3-615(F)(8). There is nothing to suggest that receiving a product by delivery rather than in store should alter the amount of a product a customer receives.

Concerns about issues such as "looping" have been raised in regards to delivery yet we believe solving for "looping" is not the sole responsibility for those in delivery to solve. "Looping" is a problem for in store purchases which the industry and regulators should work to solve together and should not be tied solely to delivery. Public education and awareness of that "looping" is a crime are avenues to combat this issue.
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?

There are several reasons why the City of Denver should create a license for Transporters:
- Transporter licenses can be used to build Social Equity into the marijuana industry. Transporter businesses require less capital and entail reduced operational considerations when compared to retailers and cultivators and are therefore more accessible and obtainable for those in social equity groups.
- We believe it will be less expensive for Marijuana Stores to outsource delivery to Transporters rather than handling delivery in-house. Lower costs would enable a more robust delivery market.
- Delivery demands can change and even if a Marijuana Store does their own delivery, there will be times of increased demand where they will need the support and use a Transporter to keep up with demand.

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?

No, the City of Denver should not consider additional camera coverage. As for safety concerns, to our knowledge, neither Oregon nor New York have reported any crime, theft or safety issues in regards to marijuana delivery. Cameras on delivery persons create added costs in addition to the costs for storing of recordings. Camera's are not proven to be deterrents to crime and most importantly consumers and patients may feel that a camera on their front doorstep is an invasion of privacy. One reasonably expects to be recorded on video when shopping in any sort of retail store, one does not reasonably expect to be recorded on video when receiving the delivery of a legal product at their doorstep.

- 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?

The City of Denver should mirror the state limits. There has been no data to suggest the state levels create an unsafe or unmanageable system.

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?

If Marijuana Stores are allowed to conduct their own delivery with their own employees there will inevitably be some Stores who never choose to engage with an equity Transporter. If the regulatory system is built where equity Transporters are competing with Marijuana Stores, the playing field may never be leveled. However, if the regulatory system requires Marijuana Stores to engage with Transporters a level playing field may be obtained.
Equity in Marijuana Licensing

How can equity be reflected in marijuana licensing?

As noted above, equity can be reflected in licensing by creating a Transporter license for the City of Denver that is only obtainable by social equity applicants. Massachusetts has created a system like this where only social equity applicants can receive the Delivery Only license for the first twenty-four months in which the licenses are issued. If the state feels that more time is needed to help establish social equity Delivery Only businesses, the state can extend that time, or if the state feels social equity licenses are doing well it can end this exclusionary period and allow all applicants to receive the Delivery Only license.

We strongly recommend that the City of Denver adopt the principles of Massachusetts social equity and create a genuine opportunity for social equity in the marijuana market.

Additional Comments

Is there anything else relevant to marijuana delivery licensing in Denver that the Work Group should consider?
Marijuana Licensing Work Group Meeting #1 - Delivery - Jeff Wilson

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?

Yes, both.

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

As soon as possible. Let existing MMCs and Retail Stores engage in delivery (consistent with the timelines authorized under state law) asap. Deal with transporter delivery licensing later.
Cross-Jurisdictional Delivery

- C.R.S. 44-10-501(11)(k)(l) — “An ordinance adopted pursuant to subsection (11)(k)(l) 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?

Yes

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

Providing they otherwise meet the state and local rules of the jurisdiction in which they are situated, and other than perhaps some type of additional surcharge (for equity funding, etc), no.
**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?**

Same as normal operating hours for Denver MMCs and Retail Stores, except that deliveries placed prior to the dispensary’s closing time should be able to be fulfilled.

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**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?**

Same as state law.
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?

Yes, though the rollout for such licenses should come later than initially allowing existing MMCs and Retail Stores to engage in deliveries.

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?

No

- 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?

Less than state law, otherwise delivery drivers may become very attractive robbery targets. I'd suggest $2,000 in an enclosed vehicle and $500 in an non-enclosed vehicle.

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

Discussion of how delivery vehicles (and even delivery employees) should be identified. On the one hand, conspicuous dress or vehicle signage may invite robberies. On the other hand, signage saying that the vehicle (or deliveryperson) is "carrying less than $____" and/or that "the person/vehicle is under continual video surveillance" etc may help to deter robberies. Perhaps some combination of the signage suggested above with an otherwise inconspicuous vehicle/uniform may be a good compromise.

Maybe require some type of safe or other secure transport for any transport of cash (if applicable).

Establish uniform procedures for validating the identification of a purchaser.

Barriers to Entry

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

State and City law — delivery is only currently available to current MMCs and Retail Stores and Denver does not allow new MMCs or Retail Stores. But Denver could allow new entrances via transporter licenses.

Access to capital. High cost of start-up and ongoing regulatory compliance, with a lack of access to traditional sources of capital.
Equity in Marijuana Licensing

How can equity be reflected in marijuana licensing?
The city's own zoning laws caused its disproportionate concentrations of cannabis businesses. The high cost of entry and ongoing compliance, combined with the fact that many traditional avenues for fundraising (such as bank loans) are generally unavailable in the cannabis industry, inherently reduces opportunities for anyone who does not have access to significant private capital (i.e., most of us). Equity (however defined) is almost impossible to achieve under such circumstances.

Perhaps affixing a surcharge to all deliveries in Denver (whether originating from within the city or from outside the city), and then earmarking all funds generated from such surcharge for exclusively equitable uses (such as purging old marijuana convictions, or funding career development and/or educational programs) would be a decent start.

Admittedly, this is a difficult issue without an easy answer. That said, prohibiting delivery to move forward solely because the cannabis industry currently has equity issues (like all of society and all of human existence), does not make the industry any more equitable—it only harms the medical patients and other cannabis consumers (and perhaps even the public at large, given the pandemic) that would benefit from delivery options. As Amazon, Grubhub, Drizzly, and Covid-19 have all shown, delivery is the future of many industries, and cannabis is an ideal fit.

Additional Comments

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

Is cannabis delivery really that different from liquor delivery? I suggest not.

Allowing delivery may (and this is indeed hypothetical) actually result in fewer brick and mortar dispensaries over time. Whether that is good or bad depends upon one's perspective. But it is certainly possible that as the industry turns to delivery, the need for cannabis shops to be located all over may somewhat subside.

Delivery may (again, hypothetical) reduce intoxicated driving or public intoxication, since cannabis consumers would not need to leave their homes.
Good afternoon,

I am a participant in the Denver marijuana licensing working group and have the following comments to add re: delivery:

1. In light of the COVID-related public health crisis, the city should opt in to medical marijuana delivery as quickly as possible in the interest of protecting medical marijuana patients, who largely qualify as Vulnerable Individuals under CDPHE’s Safer at Home Public Health Order 20-28. Vulnerable Individuals remain subject to the state’s Stay at Home advisement.

2. Denver’s delivery ordinances should align with the state’s regulations as much as possible to ensure consistency between the laws. This would presumably include sales and delivery limits, hours of operation, and surveillance requirements, to name a few. Consistency between state and local regulations encourages compliance from operators since the laws are clear and aligned, and will lead to cross-jurisdictional consistency and compliance since many jurisdictions follow Denver’s models.

Please let me know if you have any questions and need anything further on this.

Thank you,

Jessica Scardina
Senior Associate
Chair, Colorado Regulatory Department
Vicente Sederberg LLP
From: Black, Kendra A. - CC Member District 4 Denver City Council

Sent: Thursday, May 14, 2020 3:41 PM

To: Duplechian, Molly S. - EXL Deputy Director of Policy

Subject: MJ work group

I’d be in favor of pursuing both rec and med if we could ensure an equity piece. If not, I’d roll out slow with just med.

Kendra Black | Councilwoman
Lights Signature

Denver City Council | District 4
To Whom It May Concern,

My name is Reuben Droughns and I am a retired professional football player. I initially moved to the Denver metropolitan area when I joined the Denver Broncos in 2002, and I currently reside just outside the city in Centennial.

I am writing in support of adopting a policy that allows licensed Denver cannabis retailers to offer delivery services to cannabis patients and adult consumers within the city limits and in neighboring localities where it has been authorized.

Like many other Coloradans, I choose to consume cannabis therapeutically because I find it provides me with relief, both physically and mentally. While it is legal for me to possess and consume cannabis, I live in an area where there are no retail stores immediately nearby. I am fortunate to have the means to travel to a cannabis retail store to purchase cannabis when I need it, but many others in similar circumstances are not. Some lack mobility due to medical or financial reasons, while others have underlying health problems or compromised immune systems, making it too dangerous to visit a store during the current public health crisis. Patients and consumers under these circumstances are also limited to accessing only the products available in the stores located nearest to them.

Cannabis home delivery would also afford privacy to patients and adult consumers who wish to purchase cannabis but fear being associated with the negative stigma surrounding it. During my time as a professional athlete, my actions were closely scrutinized. I know several current and former professional athletes who know they benefit therapeutically from cannabis but fear entering a store and then seeing accounts or photos of their actions turning up online or in the media. This does not just affect pro athletes and celebrities, but also other adults who fear being seen at a cannabis store might jeopardize their jobs or relationships.

I strongly urge the city of Denver to develop a sensible delivery model that allows patients and other adult consumers to have cannabis products we need delivered to our homes by the dispensary of our choosing. I understand this would also require neighboring communities such as mine to authorize deliveries from Denver retailers, and I am prepared to urge my city officials to do so. However, it would be a moot point if Denver does not allow deliveries outside of city limits.

Sincerely,
Denver should opt-in to delivery of both Medical and Recreational Marijuana delivery to assist Medical Patients and safe access for Recreational customers. This will help patients, customers and sales people deal with the current COVID pandemic and exposure for people both shopping and working in the stores.

Medical delivery should start first, as soon as possible, and then phase in Retail in January or later. Medical first will allow greater access for Medical Patients immediately and help protect the health of the immunocompromised Medical Patients.

If the State has said Denver can give permission to deliver without issuing a new license, Denver should allow, at least temporarily, the ability for Medical stores to deliver only to their registered member patients as long as the State's delivery requirements are met.

Denver should NOT allow deliveries into the city from stores located outside the city. However, if Denver does allow cross-jurisdictional deliveries an additional delivery sales tax should be charged to those companies located outside Denver.

What should be the hours of operation for marijuana delivery in Denver? I think delivery should be delivered between 8am and 8pm for the safety of the delivery drivers and the store locations. Placement of orders should be allowed 24 hours.

What should be the sales limits for marijuana delivery in Denver? They should be the same as what that patient would be allowed to purchase in the store.

Thank you,
Anita Bear
Little Brown House Dispensary
Marijuana Licensing Work Group Meeting #1 - Delivery - Sarah Belstock

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?

Some considerations, as based on current public health research:

1. While we are in the early stages of understanding the relationship between cannabis liberalization and lifetime trajectories of cannabis use, recent investigations of the impact of cannabis legalization have shown that laws featuring relaxed supply regulations are associated with increased rates of adult Cannabis Use Disorder (Smart & Pacula, 2019). Likewise, research undertaken in California has noted that the "total physical availability through dispensaries and delivery services per roadway mile...is positively related to current marijuana use and greater frequency of use" (Freisthler & Gruenewald, 2014).

2. The increased accessibility afforded by the introduction of marijuana delivery may also be associated with increases in high risk cannabis use. "Increased availability is...connected to higher use of non-smoked routes of administration: the types of

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

Any roll-out must include the development and incorporation of enforcement mechanisms to ensure that age-related restrictions and other sales limits are uniformly followed. A recent Audit Report from the City and County of Denver identified several unlicensed marijuana delivery businesses operating in Denver, indicating a deficit in the City and County's ability to identify illicit operations (retrieved from: www.denverauditor.org/project/marijuana-taxation). Current enforcement deficiencies should be adequately addressed prior to the enactment of large-scale policy changes.
Cross-Jurisdictional Delivery

- C.R.S. 44-10-501(11)(k)(l) – “An ordinance adopted pursuant to subsection (11)(k)(l) 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?*

Allowing delivery to occur outside of Denver's established retail hours should be considered as a stipulation that would further increase access.

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**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?

Given the potential relationship between relaxed supply regulations and increased marijuana use, it is essential to: 1) establish mechanisms for monitoring changes in usage rates and other population-level metrics that result from any policy changes that are enacted, 2) develop a cadence for reviewing and communicating population-level trends, and 3) identify resources to enable an adequate prevention response to any changes that are observed at the population level and/or within specific communities.
Marijuana Licensing Work Group Meeting #1 - Delivery - Ken Allison

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?
Start the rollout at the same time and monitor quarterly or semi annual achievement's.
Cross-Jurisdictional Delivery

- **C.R.S. 44-10-501(11)(k)(I)** - “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?

Yes

How is the city going to monitor and oversee that deliveries are successful.

What technology do they have in place to access this information?

Is the city going to have full access to view transaction history?

Is the city going to monitor if the delivery vehicle is safe to operate and meet DOT requirements.

Is there a way to track movement from pick up to final destination?

The city needs to take a look at marijuana data that shows exactly how the store collects the instore sales information. There is only a hand full of businesses that actually communicate with other stores if a customer has made a purchase.

PROBLEM: there is no system that tracks the daily sales limits on instore purchases in EVERY dispensary. A customer can now go from store to store and purchase their local

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

Not sure, but how is the city going to make sure delivery information is communicated with law enforcement to verify
**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?
Yes

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?
No, the minimum requirement should be met and anything after that can be decided upon by the delivery company and the drivers.

- 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?
I would hope that each company follow axel weight requirements, proper ventilation, storage & safety locks.

Are there any other safety or security measures that Denver should consider implementing in order to protect employees, consumers, and the community?
I hope that we all play by the rules and that the police don't get involved more than they have too.

Barriers to Entry

What barriers to entry might exist for starting a marijuana delivery business?
Its almost always money, the cost to enter the business has always been a barrier. Fees are way too high, cost of finding a facility, zoning regulations, loans if you can get them. Why is everything such a hardship?
Equity in Marijuana Licensing

How can equity be reflected in marijuana licensing?
Marijuana business need to set up in communities of color, the general metro area and beyond. It is a refreshing thing to see a person of different races behind the counter as managers and owners. People of color are years behind and those who have the head start will be hesitant to welcome its newest members. So let's just take a breath and allow others to succeed in business without unnecessary burdens to carry. After all we are providing services to our community and providing revenue to the state.

Additional Comments

Is there anything else relevant to marijuana delivery licensing in Denver that the Work Group should consider?
We should consider Mobile Dispensaries that can deliver small amounts to local neighborhoods that would cost less to operate with hopefully lower fees.
Marijuana Licensing Work Group Meeting #1 - Delivery - The Green Solution

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?

We remain opposed to delivery for retail marijuana but appreciate the work of the workgroup and staff at Excise and License and will comment as if retail marijuana delivery is moving forward.

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

Both retail and medical marijuana delivery should be launched simultaneously to prevent competitive advantage for dually licensed businesses and prevent the loss of tax revenue should people move back to the medical market to access delivery options.

Further, we would like to see Denver work with the cities on its border that allow for marijuana sales in order to create a well thought out regional policy. The system is more likely to fail with a patchwork of regulation or intergovernmental agreements for enforcement, tax collection, and community safety.
Cross-Jurisdictional Delivery

- C.R.S. 44-10-501(11)(k)(l) — “An ordinance adopted pursuant to subsection (11)(k)(l) 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?

Deliveries from outside the city should only happen from stores outside of the city that have licensed stores within the City and County of Denver. For instance, The Green Solution has stores in Denver, Glendale, Sheridan, and Aurora. If it is the case that one of these locations are closer to the customer requesting the delivery, we should be allowed to transfer that order and have it go out regardless of the boundary. This will help us and well as the City achieve our sustainability goals.

The caveat of having a licensed store in the City is a critical part of this calculation. Without that requirement, the City will eliminate any benefit of the current moratorium or stringent zoning requirements for marijuana businesses in the City. Without this requirement we would request no deliveries from outside the city. Transporters should not be allowed to conduct deliveries outside the city in which they are licensed.

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

Yes, cross-jurisdictional should require a store or transporter license to be held in both jurisdictions where the deliveries are coming from or going to.
**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?

The hours of delivery should mirror the hours of operation for stores.

**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?

The sales limits for retail delivery should mirror the limits in retail stores. However, the overall limit of the value of product in the vehicle needs to be drastically reduced from what is allowable at the state level. There really should be no more than 5-10 transactions per vehicle. The average price of a transaction for our Denver stores is $50. The MED set the limit at $10,000. There is no reason to have that much product in an unsecured vehicle for personal deliveries.
**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?**

A delivery license for transporters should have the same requirements as a store license with a delivery permit. The vehicle must be owned by the transporter company and operated by an employee of the transporter, not a contract or other type of worker. Further, transporters should not be permitted to pick up from a licensed storage facility.

**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?**

Camera coverage and data storage should be substantially similar to the requirements of a marijuana store.

- 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?

This should be changed to a transaction limit. As we mentioned our average transaction in Denver is $50. Carrying 200 transactions in a vehicle will only lead to public safety issues as well as quality control/delivery accuracy problems.

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?

Start-up costs have always been an issue for every marijuana business given the industry's lack of access to traditional loans. However, requirements should not be eased for delivery to try to overcome these barriers. Rather, the City should do a comprehensive review of over-burdensome regulations on the entire industry that don't work to improve public safety.
**Equity in Marijuana Licensing**

*How can equity be reflected in marijuana licensing?*

Equity should be considered as one of the criteria for entering the lottery for new licenses. It should not, however, be the only requirement.

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**Additional Comments**

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

The city should look to the requirements on liquor stores regarding delivery limits from stock in storage. As with liquor, setting these limits maintains the integrity of the store-front model for marijuana sales.
Marijuana Licensing Work Group Meeting #1 - Delivery - Shawn Coleman

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?

Medical delivery should be implemented with some urgency as patients benefit greatly from reducing public trips as many have conditions that place them at higher covid risk. The smaller population also gives the City the opportunity to “pilot” regulating this type of operation with a much smaller population.

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

Medical delivery should be implemented as quickly as practicable considering the public health benefit for the patient community. Balancing equity for the retail consumer who may also benefit from delivery for health or convenience reasons, with the current law for the licenses making it a limited opportunity for new market entrants, the implementation of retail delivery should also occur as deliberately as possible, even if the public health situation has hopefully improved.
Cross-Jurisdictional Delivery

- C.R.S. 44-10-501(11)(k)(l) – “An ordinance adopted pursuant to subsection (11)(k)(l) 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?
A consumer’s preferred business may be in another jurisdiction or for patients a provider in another jurisdiction may be the only place a certain product is available. Cross-jurisdictional delivery should be permitted for the benefits of consumer choice and reducing single occupant vehicle trips for tax revenue the City would have lost anyway if that customer was already traveling to the out of jurisdiction business. The City should work with other jurisdictions to develop common requirements and best practices to help Denver businesses retain their out of City customers.

Should Denver have any different requirements for cross-jurisdictional deliveries?
Denver should work with other communities as they implement to determine if there are regulatory gaps in the state code, that the municipal regulations provide regularity and predictability for operators and are neutral for consumers to discourage jurisdiction switching that is not related to consumer choice.
**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?**

Hours of operation should mirror the hours for the licensed premises at least initially for consumer and enforcement clarity. The hours should move with the licensed premises if they were ever to change.

**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?**

For operational and enforcement consistency, delivery limits should mirror the limits of the licensed premises.
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?

The ability of a transporter licensee to delivery on behalf of medical marijuana dispensary licensees does provide a limited opportunity for new market participants and should be considered as an option for equity candidates. Licensees may be incentivized to contract with an equity candidate operated transporter instead of doing delivery for themselves for example.

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?

The states requirements are fairly substantive and it should be considered that increasing the capital costs for starting the business or operating costs such as footage storage or equipment repairs should provided meaningful public safety returns worth the barrier to entry the requirement would present to a potential licensee or the cost to mitigate that expense for equity applicants.

- 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?
I can't conceive of a public safety benefit from limiting the amount the vehicle can hold, however I can see a public safety challenge as the limitation would require more frequent trips to the licensed premises providing greater opportunity for the vehicle to be identified by a potential criminal as a delivery vehicle.

Are there any other safety or security measures that Denver should consider implementing in order to protect employees, consumers, and the community?
City and industry should be flexible to adjust as the policy is implemented. Starting with medical will give the opportunity to discover what challenges may be presented when delivery is scaled to retail which can inform changes to policy or the timing of implementation based on operational experience.

Barriers to Entry

What barriers to entry might exist for starting a marijuana delivery business?
The largest barrier to entry is the requirement for a dispensary license under state law. For transporters, if the city does not permit transporters to have licensed premises for storage, this may prove a barrier to entry for new transporters or chill interest as it would limit business growth.
**Equity in Marijuana Licensing**

How can equity be reflected in marijuana licensing?

Delivery is not the best opportunity for equity in licensing due to the state framework. However, in addition to the accelerator program where there may be opportunities to encourage licensees to participate, coordinate applicants and hosts and encourage licensees to give shelf space to products developed by these companies, the new hospitality license class is an opportunity to encourage equity in a new market segment where a new entrant can compete.

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**Additional Comments**

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