



MCP Courier Application

License Year:

Applicant Information

Courier Name DBA Business Name: _____ Date: _____
Courier Name

Address: _____
Street Address *Apartment/Unit #*

City *State* *ZIP Code*

Phone: _____ Email: _____

Disclaimer: Submission of this Courier application, does not guarantee approval. Courier may not begin handling medical cannabis products, until the application is approved by the MCP. Courier applications must be submitted annually; applications are good for 1 year, from the date of approval. Courier applications will not be considered, nor approved, at the address of a private residence. Submit all contracts, such as Memorandum of Understanding, Memorandum of Agreements and a listing of all entities the Courier will conduct medical cannabis business with.

7.34.4.20 Department Approved Courier General Provisions:

A. Approval of couriers: The department may approve a courier for the purpose of transporting usable cannabis from one or more licensed non-profit producers to qualified patients, primary caregivers, other non-profit producers, approved manufacturers and approved laboratories.

B. Application requirements: An applicant who seeks department approval to operate as a courier shall provide the following materials and information to the department in order to be considered for approval; and an approved courier shall promptly submit revisions in the event that the materials or information changes:

Each item listed must be submitted in order to constitute a complete Courier application. The complete application must be submitted in electronic form and must be submitted in full. Check each box when the item is satisfied and ready to submit to MCP. For the electronic submission, each item must be clearly numbered and labeled with the file name and include them on an electronic jump drive or other method approved by the Medical Cannabis Program.

- (1) a plan for delivery
- (2) a plan for security, including a description of facilities and containers intended for use in storing and transporting usable cannabis
- (3) a plan for safety, to include at a minimum a description of measures to be taken by the courier and its employees to ensure the safety of qualified patients, primary caregivers, and courier staff
- (4) a description of all vehicles used or intended to be used for the transport of usable cannabis
- (5) a complete list of employees
- (6) clear, legible photocopies of current New Mexico state-issued identification cards of all courier personnel

- (7) completed nationwide and statewide criminal history screening documentation
- (8) a description of the courier's hours of operation
- (9) a description of the locations or type(s) of locations where the courier will offer delivery of usable cannabis
- (10) a description of all licensed non-profit producers for whom the courier will deliver usable cannabis, and copies of all agreements between the courier and licensed non-profit producers for the delivery of usable cannabis
- (11) a description of all fees to be charged by the courier
- (12) protocols for contacting and communicating with qualified patients and primary caregivers regarding deliveries
- (13) training materials for drivers
- (14) confidentiality training materials that address the confidentiality of qualified patient and primary caregiver information
- (15) proof that the applicant is in good standing with the New Mexico taxation and revenue department (TRD)
- (16) copies of the applicant's articles of incorporation or organization, as applicable
- (17) copies of the applicant's by-laws, as applicable
- (18) a list of all persons or business entities having direct or indirect authority over the management or policies of the courier, as applicable
- (19) a list of all persons or business entities having any ownership interest in any property utilized by the courier, whether direct or indirect, whether the interest is in land, building(s), or other material
- (20) proof that no buildings to be used by the courier are located within 300 feet of any school, church, or daycare center; or alternatively, proof that any school, church, or daycare center that is located within 300 feet of a building to be used by the applicant did not occupy that location prior to the applicant initially seeking to become licensed to operate at the location
- (21) if the courier will base its business at a location that is not owned by the applicant: a written statement from the property owner or landlord of the location that grants to the courier permission to possess cannabis on the premises
- (22) an attestation that the courier will not distribute cannabis within 300 feet of a school, church or daycare center, in accordance with the provisions of this rule
- (23) an attestation that no firearms will be permitted on any premises or in any vehicle used by the courier; and that no employee will possess a firearm when transporting or distributing cannabis
- (24) an attestation that the courier will not transport cannabis across state lines

C. Application fee: A courier applicant shall submit to the program with each initial application and renewal application for continued approval a non-refundable application fee of one-thousand-five-hundred dollars (\$1,500), payable to the medical cannabis program

The below regulations must be incorporated into Courier company policies and training records, which entail signatures and dates of all employees, who will be working with medical cannabis. Electronic copies of such records must also be provided to MCP; items D, 1-12 (listed below), must be clearly titled as such on the records provided.

D. General requirements: An approved courier shall adhere to each of the following requirements:

- (1) a courier may contract with a licensed non-profit producer to deliver usable cannabis from the non-profit producer to qualified patients, primary caregivers, other non-profit producers, approved manufacturers and approved laboratories; a courier that provides service to more than one licensed non-profit producer shall offer their service at a uniform price for all non-profit producers for whom they deliver; an approved courier shall not transport a cannabis product that is not individually packaged, or that is not labeled in accordance with this rule
- (2) an approved courier shall not request or receive payment from a qualified patient or primary (care provider).
- (3) upon obtaining a package of usable cannabis from a licensed non-profit producer, an approved courier shall hold the package in a secured area or areas that are locked and otherwise resistant to tampering or theft, until the package is delivered to its intended recipient or returned to the licensed non-profit producer;
- (4) an approved courier shall not relinquish possession of usable cannabis unless and until the package of usable cannabis is either successfully delivered or returned to the licensed non-profit producer; for purposes of this section, a package of usable cannabis is successfully delivered only upon the approved courier's verification that an intended recipient has taken actual, physical possession of the package; an approved courier shall not leave a package at any location for any reason, unless the package is successfully delivered to its intended recipient
- (5) an approved courier shall not deliver a package to any person or entity who is not identified by the licensed non-profit producer as an intended, authorized recipient
- (6) at the time of delivery, an approved courier shall verify the recipient's identity by requiring presentation of the recipient's department-issued medical cannabis identification card and New Mexico-issued photo identification card or a passport; an approved courier shall not deliver usable cannabis to any person whose identity is not verified in accordance with this rule; an approved courier shall document having verified the recipient's identification in accordance with this rule for each transaction;
- (7) an approved courier shall not possess usable cannabis for a time period greater than seven days; an approved courier shall return any usable cannabis that is not successfully delivered to its intended recipient to a licensed non-profit producer within this time period;
- (8) an approved courier shall not distribute cannabis at locations that are within 300 feet of a school, church, or daycare center; provided that, for purposes of this provision, delivery to the residence of a qualified patient or primary caregiver shall not be deemed "distribution"
- (9) an approved courier and its personnel shall at all times take measures to ensure confidentiality and safety in the transport and delivery of usable cannabis
- (10) an approved courier shall appropriately train its personnel regarding the confidentiality of information concerning qualified patients and primary caregivers; confidentiality training shall describe confidentiality requirements applicable under both federal and state law; an approved courier shall conduct confidentiality training of its personnel at least once annually, and shall maintain training materials on its premises, and document the training of individual staff
- (11) personnel of an approved courier shall not possess a firearm while distributing or otherwise possessing cannabis; an approved courier shall not possess or permit the possession of a firearm on any premises, including a building or vehicle, utilized by the courier

- (12) an approved courier shall not, when transporting usable cannabis to a qualified patient or primary caregiver, utilize a delivery vehicle that advertises or otherwise displays signage, logos, or symbols that would indicate that the vehicle is used for the transport of cannabis

Check the boxes below, confirming acknowledgement

E. Identification cards: The department shall issue an identification card to each authorized employee of an approved courier authorizing that individual to transport cannabis from a non-profit producer to a qualified patient or primary caregiver. An employee of an approved courier shall carry their department issued employee identification card at all times during their work, and shall present the card to law enforcement officials and to department officials upon request. An employee who is unable to produce their department issued identification card upon request shall not remain on the licensed premises, and shall produce the card for the department's inspection prior to returning to the licensed premises. Identification cards issued by the department are the property of the department and shall be returned to the department upon an approved courier's withdrawal from the program, upon the termination of a card holder's employment with the approved courier, upon suspension or revocation, or upon demand of the department.

- I certify, that I acknowledge, understand and agree to adhere to the above regulation
 I certify, that there are "no blanks" on the employee applications and all fields are filled in
 I certify, employee applications for MCP employee cards and all supporting documentation are attached
 I certify, employee State and Federal Background checks are included

F. Term of approval: Department approval of a courier shall be for a term of one year, and shall expire after that year, or upon closure of the courier. A courier shall apply for renewal of approval annually no later than 30 days prior to expiration.

G. Amended License:

1. An approved courier shall submit to the department an application form for an amended license, and shall obtain approval from the department, at least 30 business days prior to implementing any:

(a) change of location of the courier's facilities, change of directors, change of ownership of the courier's facilities, change of company name, and any physical modification or addition to the courier's facilities; and

(b) substantial change to the courier's methods for storing, transporting and delivering cannabis-derived products, and any substantial change to the courier's security plan.

2. **Process for incomplete application for amended license:** In the event that an application for amended licensure is determined by the program to be incomplete, the program will specify the information or materials that remain to be submitted. If the courier does not submit the requested information or material, and does not otherwise contact the department regarding the application, within thirty days of receiving notice of the deficiency, the application will be closed as incomplete, and the courier will be required to resubmit the application in order to recommence the application process.

H. Reporting of theft to department: A courier shall submit to the department notification of any theft, robbery, break-in, or security breach that occurs on the courier's premises, no later than 10 calendar days after the courier first becomes aware of the event. The description shall include a description of any property that was stolen or destroyed, and the quantity of any usable cannabis that was stolen

I. Drugs and alcohol: A courier shall prohibit its employees and contractors from being under the influence of drugs or alcohol in the workplace

J. Inventory and sales equipment: The department may require a licensed courier to utilize specified equipment, software, and services for purposes of tracking distribution, inventory, and other information, and for the purpose of reporting that information to the department of health

K. Chain of custody: A courier shall adopt, maintain, and enforce chain of custody procedures and documentation requirements to ensure appropriate tracking and inventory of usable cannabis. A courier shall also adopt, maintain, and enforce security requirements to ensure that usable cannabis transported by the courier is secured, and to promote the safety of courier personnel, as well as qualified patients and primary caregivers who receive packages from the courier

- I certify, that I acknowledge, understand and agree to adhere to the above regulations
 I certify, a copy of chain of custody procedures are attached
 I certify, a copy of Courier chain of custody form is attached

I certify, required security training records are attached and signed/dated by all employees

L. Confidentiality: An approved courier may obtain contact information of a purchasing qualified patient or primary caregiver, as permitted by agreement between the courier and a respective licensed non-profit producer, and may utilize such information solely for the purpose of arranging a delivery location and time with the qualified patient or primary caregiver. An approved courier shall not otherwise disseminate, disclose, or use identifying information or contact information concerning a qualified patient or primary caregiver.
[7.34.4.20 NMAC - Rp. 7.34.4.17 NMAC, 6/23/2020]

I certify, acknowledge and understand the above regulations and agree to adhere to these rules

I certify, signed/dated copies of employee confidentiality agreements are attached

Signing below, signifies all material in this MCP Courier application are acknowledged, understood and will be adhered to. All above required documentation will be submitted, simultaneously, with this application. I certify this application is correct and complete to the best of my knowledge.

Performed by:

Courier

Representative

Signature: _____ Date: _____

Checked by:

Courier

Representative

Signature: _____ Date: _____

The below section for MCP official use only

Reviewed by:

MCP

Representative

Signature: _____ Date: _____

Checked by:

MCP

Representative

Signature: _____ Date: _____

Application:

Approved

Denied

reason for denial:

Courier License approved by: _____ **on**

_____.

License expiration date:

_____.