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SECURE TRANSPORTER

R 8(2)(a-i)

- (2) The marihuana facility plan shall include, but not be limited to, the following:
- (a) The type of proposed marihuana facility, location, description of the municipality, and any of the following if applicable:
 - (i) Operation at the same location under Rule 24.
 - (ii) Proof of common ownership interest under Rule 24.
 - (iii) Stacked license under Rule 22.
 - (iv) Temporary operation under Rule 19.
 - (b) Diagram of the marihuana facility including, but not limited to, its size and dimensions; specifications; physical address; location of common entryways, doorways, or passageways; means of public entry or exit; limited-access areas within the marihuana facility; and indication of the distinct areas or structures at a same location as provided for in Rule 24.
 - (c) Floor plan and layout, including dimensions, maximum storage capabilities, number of rooms, dividing structures, fire walls, and entrances and exits.
 - (d) Means of egress, including, but not limited to, delivery and transfer points.
 - (e) Construction details for structures and fire-rated construction for required walls.
 - (f) Building structure information, including but not limited to, new, pre-existing, free-standing, or fixed. Building type information, including but not limited to, commercial, warehouse, industrial, retail, converted property, house, building, mercantile building, pole barn, greenhouse, laboratory, or center.
 - (g) Zoning classification and zoning information.
 - (h) If the proposed marihuana facility is in a location that contains multiple tenants and any applicable occupancy restrictions.
 - (i) A proposed security plan that demonstrates the proposed marihuana facility must meet the security requirements under Rule 27.

R 9

- Pre-licensure investigation and proposed marihuana facility inspection.
- (1) An applicant for a state operating license shall submit to a pre-licensure physical inspection to ensure the safety, security, and integrity of the operation of a proposed marihuana facility.
 - (5) An applicant shall submit proof to the department of the following:
 - (a) A certificate of use and occupancy as required pursuant to section 13 of 1972 PA 230, MCL 125.1513 and these rules.
 - (b) A final inspection completed by the department notwithstanding any local ordinance or building permit inspection.
 - (c) Proof of a fire safety inspection as provided for in Rule 26.

R 14	<p>Notification and reporting.</p> <p>(1) Applicants and licensees have a continuing duty to provide the department with up-to-date contact information and shall notify the department in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the department.</p> <p>(2) Applicants and licensees shall report any material and nonmaterial changes to the department.</p> <p>(3) Applicants and licensees shall report nonmaterial changes to the department within 7 business days.</p> <p>(4) Applicants and licensees shall report material changes to the department prior to the change, within 1 business day, and may need prior authorization by the department. Material changes, include, but are not limited to, the following:</p> <p>(a) Change in owners, officers, members, or managers.</p> <p>(b) Change in location.</p> <p>(c) The addition or removal of named people.</p> <p>(d) Change in entity name</p> <p>(e) Any attempted transfer, sale, or other conveyance of an interest in a license.</p> <p>(5) An applicant or licensee shall notify the department within 1 business day of all the following:</p> <p>(a) Adverse reactions to marihuana product sold or transferred by any licensee.</p> <p>(b) Criminal convictions, charges, or civil judgements in this state or any other state.</p> <p>(c) Regulatory disciplinary action taken or determined against an applicant or licensee by this state or any other states, including any pending action.</p>
R 10(3)	<p>A secure transporter shall show proof of auto insurance, vehicle registration, and registration as a commercial motor vehicle as applicable for any transporting vehicles used to transport marihuana product.</p>
R 15(1)	<p>ADHERENCE TO: Licensees and applicants shall notify the department, state police, and local law enforcement authorities within 24 hours of theft or loss of any marihuana product or criminal activity.</p>
R20(1-3)	<p>ADHERENCE TO Transition period:</p> <p>(1) To ensure the safety, security, and integrity of the operation of marihuana facilities, there is a transition period consisting of 30 calendar days during which marihuana product can be entered into the statewide monitoring system to ensure statewide tracking beginning on the day a state operating license is issued to a licensee for the first time except for additional licenses issued to the same license holder for a stacked license after a first license is issued.</p> <p>(2) Within the 30-calendar-day period, a licensee shall do all of the following:</p> <p>(a) Record all marihuana product in the statewide monitoring system during this 30-calendar-day period as prescribed by the act and these rules.</p> <p>(b) Tag or package all inventory that has been identified in the statewide monitoring system as prescribed by the act and these rules.</p> <p>(3) After the 30-calendar-day period, any marihuana product that has not been identified in the statewide monitoring system under these rules and the act is prohibited from being onsite at a marihuana facility.</p>
R 21(2)(a)	<p>Marihuana facilities shall be partitioned from any other marihuana facility, activity, business, or dwelling.</p>
R 21(2)(d)	<p>ADHERENCE TO: The marihuana facility must be at a fixed location. Mobile marihuana facilities and drive through operations are prohibited. Any sales or transfers of marihuana product by internet or mail order, consignment, or at wholesale are prohibited.</p>

R 25(g-h)	<p>(g) A secure transporter shall follow the manifest. In cases of emergencies the secure transporter shall notify the transferor and transferee, update the statewide monitoring system and revise the manifest to reflect the unexpected change to the original manifest.</p> <p>(h) The reasonable timeframe for the secure transporter to maintain custody of the marihuana is not more than 48 hours or by permission of the department on a case-by-case basis.</p>
R 36	<p>(1) Marihuana product that is to be destroyed or is considered waste must be rendered into an unusable and unrecognizable form and recorded in the statewide monitoring system.</p> <p>(2) A licensee shall not sell marihuana waste or marihuana products that are to be destroyed, or that the department orders destroyed.</p> <p>(3) A licensee shall manage all waste that is hazardous waste pursuant to part 111 of 1994 PA 451, MCL 324.11101 to 324.90106.</p> <p>(4) A licensee shall dispose of marihuana product waste in a secured waste receptacle using 1 or more of the following: (a) A manned and permitted solid waste landfill. (b) A manned compostable materials operation or facility. (c) An in-vessel digester. (d) In a manner in compliance with applicable state and local laws and regulations.</p> <p>(5) Wastewater generated during the cultivation of marihuana and processing of marihuana products shall be disposed of in compliance with applicable state and local laws and regulations.</p>
§406	<p>Each license is exclusive to the licensee, and a licensee or any other person must apply for and receive the board's approval before a license is transferred, sold, or purchased. (No, means - The attempted transfer, sale, or other conveyance of an interest of more than 1% in a license without prior board approval).</p>
§503(1)	<p>ADHERENCE TO: Store and transport marihuana and money associated with the purchase or sale of marihuana between marihuana facilities for a fee upon request of a person with legal custody of that marihuana or money. Not authorized to transport to a registered qualifying patient or registered primary caregiver.</p>
§503(2)	<p>ADHERENCE TO: To be eligible for a secure transporter license, the applicant and each investor with an interest in the secure transporter must not have an interest in a grower, processor, provisioning center, or safety compliance facility and must not be a registered qualifying patient or a registered primary caregiver.</p>
§503(3)	<p>ADHERENCE TO: A secure transporter shall enter all transactions, current inventory, and other information into the statewide monitoring system.</p>

<p>§503(4)</p>	<p>ADHERENCE TO: (4) A secure transporter shall comply with all of the following: (a) Each driver transporting marihuana must have a chauffeur’s license issued by this state. (b) Each employee who has custody of marihuana or money that is related to a marihuana transaction shall not have been convicted of or released from incarceration for a felony under the laws of this state, any other state, or the United States within the past 5 years or have been convicted of a misdemeanor involving a controlled substance within the past 5 years. (c) Each vehicle must be operated with a 2-person crew with at least 1 individual remaining with the vehicle at all times during the transportation of marihuana. (d) A route plan and manifest must be entered into the statewide monitoring system, and a copy must be carried in the transporting vehicle and presented to a law enforcement officer upon request. (e) The marihuana must be transported in 1 or more sealed containers and not be accessible while in transit. (f) A secure transporting vehicle must not bear markings or other indication that it is carrying marihuana or a marihuana-infused product.</p>
<p>R 25(2)</p>	<p>ADHERENCE TO: A secure transporter shall have a primary place of business as its marihuana facility that is operating in a municipality that has adopted an ordinance permitting secure transporters.</p>
<p>R 42</p>	<p>(1) Marihuana facilities shall comply with all municipal ordinances, state law, and these rules regulating signs and advertising. (2) A licensee shall not advertise marihuana product where the advertisement is visible to members of the public from any street, sidewalk, park, or other public place. (3) Marihuana products must be marketed or advertised as “medical marihuana” for use only by registered qualifying patients or registered primary caregivers. (4) Marihuana products must not be marketed or advertised to minors aged 17 years or younger. Sponsorships targeted to members aged 17 years or younger are prohibited.</p>
<p>R 21(2)(e)</p>	<p>ADHERENCE TO: A state operating license issued under the act must be framed under a transparent material and prominently displayed in the marihuana facility.</p>
<p>R 25(2)(d-e)</p>	<p>ADHERENCE TO: (d) All transactions including, but not limited to, current inventory must be entered in the statewide monitoring system. These records must be maintained and made available to the department upon request. (e) All handling of money associated with the purchase or sale of marihuana between facilities must be logged and tracked. These records must be maintained and made available to the department upon request.</p>
<p>R 25(2)(f)</p>	<p>(f) A secure transporter shall have a route plan and manifest available for inspection.</p> <p>A copy of the route plan and manifest must be carried with the secure transporter during transport between marihuana facilities.</p> <p>A secure transporter is subject to administrative inspection by a law enforcement officer at any point during the transportation of marihuana product pursuant to the act or these rules.</p> <p>A copy of a route plan and manifest must be carried in the transporting vehicle and presented to a law enforcement officer upon request.</p>
<p>R 25(i)</p>	<p>A secure transporter shall identify and record all vehicles with the department and have the required registration with the secretary of state as required under state law.</p>

R 26(6)(b)	<p>Did the facility have an additional fire safety inspection under these conditions?:</p> <p>(i) Modifications to the grow areas, rooms and storage, extraction equipment and process rooms, or marihuana-infused product processing equipment within a marihuana facility.</p> <p>(ii) Changes in occupancy.</p> <p>(iii) Material changes to a new or existing grower or processor facility including changes made pre-licensure and post-licensure.</p> <p>(iv) Changes in extraction methods and processing or grow areas and building structures may trigger a new inspection.</p>
R 26(4)	<p>An applicant or licensee shall not operate a marihuana facility unless the proposed marihuana facility or marihuana facility has passed prelicensure fire safety inspection by the Bureau of Fire Services (BFS).</p>
R 26(3)	<p>An applicant or licensee shall not operate a marihuana facility unless a permanent certificate of occupancy has been issued by the appropriate enforcing agency.</p>
R 27(1)	<p>An applicant for a license to operate a proposed marihuana facility shall submit a security plan that demonstrates, at a minimum, the ability to meet the requirements of rule 27.</p>
R 43 (1),(2)(a, f)	<p>(1) A licensee shall conduct a criminal history background check on any prospective employee prior to hiring that individual pursuant to section 405 of the act. The licensee shall keep records of the results of the criminal history background checks. A licensee shall record confirmation of criminal history background checks and make the confirmation of criminal history background checks available for inspection upon request by the department or authorized persons.</p> <p>(2) To ensure the safety, security, and integrity of marihuana facility operations, a licensee shall comply with all of the following:</p> <p>(a) A licensee shall have a policy in place that requires employees to report any new or pending charges or convictions. If an employee is charged or convicted for a controlled substance-related felony or any other felony, the licensee shall report it immediately to the department.</p> <p>(f) A licensee shall screen prospective employees against a list of excluded employees based on a report or investigation maintained by the department in the statewide monitoring system.</p>
§405	<p>Before hiring a prospective employee, the holder of a license shall conduct a background check of the prospective employee. If the background check indicates a pending charge or conviction within the past 10 years for a controlled substance-related felony, a licensee shall not hire the prospective employee without written permission of the board.</p>
R 43(2)(b-c)	<p>(b) A licensee shall enter any employee of the licensee at the time of hire in the statewide monitoring system for an identification number that will be assigned by the department in the statewide monitoring system. The licensee shall immediately update in the statewide monitoring system employee information and status.</p> <p>(c) If an employee is no longer employed by a licensee, the licensee shall remove access and permissions to the marihuana facility and the statewide monitoring system.</p>
R 43(d)	<p>A licensee shall train employees and have an employee training manual that includes, but is not limited to, employee safety procedures, employee guidelines, security protocol, and educational training, including, but not limited to, marihuana product information, dosage and daily limits, or educational materials.</p>

R 43(g)	At the time a registered primary caregiver is hired as an employee of a grower, processor, or secure transporter, the licensee or the individual shall withdraw registration as a registered primary caregiver in a manner established by the department.
R 43(3)	Employee records are subject to inspection or examination by the department, through its investigators, agents, auditors, or the state police to determine compliance with the act or these rules.
§303(f)	Require all relevant records of licensees, including financial or other statements, to be kept on the premises authorized for operation of the marijuana facility of the licensee or in the manner prescribed by the board.
R 21(2)(c)	ADHERENCE TO: Licensee records must be maintained and made available to the department upon request.
§207	Licensee shall adopt and use a third-party inventory control and tracking system that is capable of interfacing with the statewide monitoring system.
§207(a-e)	The third-party inventory control and tracking system must have all of the following capabilities necessary for the licensee to comply with the requirements applicable to the licensee's license type: (a) Tracking all marijuana plants, products, packages, transfers, sales, and returns that are linked to unique identification numbers. (b) Tracking lot and batch information throughout the entire chain of custody. (c) Tracking all products, conversions, and derivatives throughout the entire chain of custody. (e) Tracking transportation of product.
§207(f-k)	(f) Performing complete batch recall tracking that clearly identifies all of the following details relating to the specific batch subject to the recall: (iii) Product that is in the process of transfer. (g) Reporting and tracking loss, theft, or diversion of product containing marijuana. (h) Reporting and tracking all inventory discrepancies. (j) Reporting and tracking all sales and refunds. (k) Electronically receiving and transmitting information.
§207(n-r)	(n) Providing the licensee with access to information in the tracking system that is necessary to verify that the licensee is carrying out the marijuana transactions authorized under the licensee's license in accordance with this act. (p) Providing the department and state agencies with access to information in the database that they are authorized to access. (r) Providing licensees with access only to the information in the system that they are required to receive before a sale, transfer, transport, or other activity authorized under a license issued under this act.
§207(s-t)	(s) Securing the confidentiality of information in the database by preventing access by a person who is not authorized to access the statewide monitoring system or is not authorized to access the particular information. (t) Providing analytics to the department regarding key performance indicators such as the following: (i) Total daily sales. (iv) Total inventory adjustments.

R 21(2)(b)	Access to the marihuana facility is restricted to the licensee, employees of the licensee, and registered qualifying patients and registered primary caregivers with valid registry cards, if applicable, and the department, through its investigators, agents, auditors, or the state police. A separate waiting area may be created for visitors not authorized to enter the marihuana facility. The licensee shall maintain a log tracking all visitors to a marihuana facility. The visitor log must be available at all times for inspection.
R 27(2)	Licensees shall ensure that any person at the marihuana facility, except for employees of the licensee, are escorted at all times by the licensee or at least 1 employee of the licensee when in the limited-access areas at the marihuana facility.
R 43(h)	If an individual is present at a marihuana facility or in a secure transporter vehicle who is not identified as a licensee or an employee of the licensee in the statewide monitoring system or is in violation of the act or these rules, the department, through its investigators, agents, auditors, or the state police may take any action permitted under the act and these rules.
§504(4)(d-e)	(d) Not allow the sale, consumption, or use of alcohol or tobacco products on the premises. (e) Not allow a physician to conduct a medical examination or issue a medical certification document on the premises for the purpose of obtaining a registry identification card.
R 24(3)	(3) Operation of a state operating license at the same location that includes a licensed provisioning center shall have the entrance and exit to the licensed provisioning center marihuana facility and entire inventory physically separated from any of the other licensed marihuana facility or facilities so that persons can clearly identify the retail entrance and exit.
R 25(1)(b)	(b) The marihuana facility operations are within a building except for cultivation may occur in an outdoor area that must meet all the following conditions: (i) The outdoor area containing the cultivation of marihuana plants is contiguous with the building, fully enclosed by fences or barriers that block outside visibility of the marihuana plants from the public view, with no marihuana plants growing above the fence or barrier that is visible to the public eye and the fences are secured and comply with the applicable security measures in these rules, including but not limited to, locked entries only accessible to authorized persons or emergency personnel. (ii) After the marihuana is harvested, all drying, trimming, curing, or packaging of marihuana occur inside the building.
R 27(3)	A licensee shall securely lock the marihuana facility, including all interior rooms, windows, and points of entry and exits with commercial-grade, nonresidential door locks.
R 33(3)	Marihuana-infused products must be stored and secured as prescribed under these rules
R 35(1)	All inventory of marihuana products must be stored at a marihuana facility in a secured limited access area or restricted access area, and identified and tracked consistently with the statewide monitoring system under the act, the marihuana tracking act, or these rules.
R 35(5)	A provisioning center shall store all marihuana products for transfer or sale behind a counter or other barrier separated from stock rooms.
R (25)(3)	A provisioning center shall have a separate room that is dedicated as the point of sale area for the transfer or sale of marihuana product as provided in the act and these rules. The provisioning center shall keep marihuana products behind a counter or other barrier to ensure a registered qualifying patient or registered primary caregiver does not have direct access to the marihuana products.

R 35(6)	A safety compliance facility shall establish an adequate chain of custody and instructions for sample and storage requirements.
R 25(2)(b-c)	ADHERENCE TO: (b) A secure transporter is prohibited from selling or purchasing marihuana products. (c) A secure transporter must transport any marihuana product in a locked, secured, sealed container that is not accessible while in transit. If the licensee transports money associated with the purchase or sale of marihuana product between facilities, the licensee shall lock the money in a sealed container kept separate from the marihuana product and only accessible to the licensee and its employees.
R 35(7)	A licensee shall ensure that any stock or storage room meets the security requirements of these rules and any other applicable requirements in the act and these rules.
R 27(4)	A licensee shall maintain an alarm system at the marihuana facility. Upon request, a licensee shall make available to the department all information related to the alarm system, monitoring, and alarm activity.
R 27(5)	A licensee shall have a video surveillance system that, at a minimum, consists of digital or network video recorders, cameras capable of meeting the recording requirements in this rule, video monitors, digital archiving devices, and a color printer capable of delivering still photos.
R 27(6)(a)(i)	The licensee shall ensure the video surveillance system does all the following: (a) Records at a minimum the following areas: (i) Any areas where marihuana products are weighed, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the marihuana facility.
R 27(6)(a)(ii)	The licensee shall ensure the video surveillance system does all the following: (a) Records at a minimum the following areas: (ii) Limited-access areas and security rooms. Transfers between rooms must be recorded.
R 27(6)(a)(iii)	(6) The licensee shall ensure the video surveillance system does all the following: (a) Records at a minimum the following areas: (iii) Areas storing a surveillance system storage device with at least 1 camera recording the access points to the secured surveillance recording area.
R 27(6)(a)(iv)	The licensee shall ensure the video surveillance system does all the following: (a) Records at a minimum the following areas: (iv) The entrances and exists to the building must be recorded from both indoor and outdoor vantage points. The areas of entrance and exit between marihuana facilities at the same location if applicable, including any transfers between marihuana facilities.
R 27(6)(a)(v)	The licensee shall ensure the video surveillance system does all the following: (a) Records at a minimum the following areas: (v) Point of sale areas where marihuana products are sold and displayed for sale.
R 27(6)(b)	The licensee shall ensure the video surveillance system does all the following: (b) Records at all times images effectively and efficiently of the area under surveillance with sufficient resolution.

R 27(7-8)	<p>(7) A licensee shall install each camera so that it is permanently mounted and in a fixed location. Each camera must be placed in a location that allows the camera to clearly record activity occurring within 20 feet of all points of entry and exit on the marihuana facility, and allows for the clear and certain identification of any person, including facial features, and activities, including sales or transfers, in all areas required to be recorded under these rules.</p> <p>(8) A licensee shall have cameras that record continuously 24 hours per day and recorded images must clearly and accurately display the time and date.</p>
R 27(9 - 12)	<p>(9) A licensee must secure the physical media or storage device on which surveillance recordings are stored in a manner to protect the recording from tampering or theft.</p> <p>(10) A licensee shall keep surveillance recordings for a minimum of 14 days, except for in instances of investigation or inspection by the department, through its investigators, agents, auditors, or the state police, in which case the licensee shall retain the recordings until such time as the department notifies the licensee that the recordings may be destroyed.</p> <p>(11) Surveillance recordings of the licensee are subject to inspection by the department, through its investigators, agents, auditors, or the state police, and must be kept in a manner that allows the department to view and obtain copies of the recordings at the marihuana facility immediately upon request. The licensee shall also send or otherwise provide copies of the recordings to the department upon request within the time specified by the department.</p> <p>(12) A licensee shall maintain a video surveillance system equipped with a failure notification system that provides notification to the licensee of any interruption or failure of the video surveillance system or video surveillance system storage device.</p>
R 27(13)	<p>A licensee shall maintain a log of the recordings, which includes all of the following:</p> <p>(a) The identities of the employee or employees responsible for monitoring the video surveillance system.</p> <p>(b) The identity of the employee who removed the recording from the video surveillance system storage device and the time and date removed.</p> <p>(c) The identity of the employee who destroyed any recording.</p>
R 28	<p>(1) Marihuana products not identified and recorded in the statewide monitoring system pursuant to the act, the marihuana tracking act, or these rules are prohibited from being on or at a marihuana facility. A licensee is prohibited from transferring or selling marihuana product that is not identified in the statewide monitoring system pursuant to the act or these rules.</p> <p>(2) Any marihuana product without a batch number or identification tag or label pursuant to these rules is prohibited from being on or at a marihuana facility. Marihuana product must be immediately tagged or identified into the statewide monitoring system or recorded as part of a batch as defined in these rules.</p>
R 37	<p>(1) All marihuana product sold or transferred between marihuana facilities must have the tracking identification number that is assigned by the statewide monitoring system affixed, tagged, or labeled and recorded, and any other information required by the department, the act, and these rules.</p>
R 35 (2)	<p>(2) All containers used to store marihuana products for transfer or sale between marihuana facilities must be clearly marked, labeled, or tagged, if applicable, and enclosed on all sides in secured containers. The secured containers must be latched or locked in a manner to keep all contents secured within. Each secured container must be identified and tracked in accordance with the act, the marihuana tracking act, and these rules.</p>

R 38	<p>Prior to a marihuana plant being sold or transferred, a package tag must be affixed to the plant or plant container and enclosed with a tamper proof seal that has the following information: (a) Business or trade name, licensee number, and RFID package tag assigned by the statewide monitoring system that is visible. (b) Name of the strain. (c) Date of harvest if applicable. (d) Seed strain if applicable. (e) Universal symbol if applicable.</p>
R 39	<p>Prior to marihuana product being sold or transferred to or by a provisioning center, the container, bag, or product holding the marihuana product must have a label and be sealed with all the following information:</p> <p>(a) The name of the licensee and license number that is the producer, including business or trade name, and tag or source number as assigned by the statewide monitoring system.</p> <p>(b) The name of the licensee and license number including business or trade name of licensee that packaged the product, if different from the processor of the marihuana product.</p> <p>(c) The unique identification number for the package or the harvest if applicable.</p> <p>(d) Date of harvest.</p> <p>(e) Name of strain.</p> <p>(f) Net weight in United States customary and metric units.</p> <p>(g) Concentration of THC or CBD.</p> <p>(h) Activation time expressed in words or through a pictogram.</p> <p>(i) Name of the safety compliance facility that performed any test, any associated test batch number, and any test analysis date.</p> <p>(j) Universal symbol published by the department.</p> <p>(k) A warning that states all the following: (i) "For use by registered qualifying patients only. Keep out of reach of children." (ii) "It is illegal to drive a motor vehicle while under the influence of marihuana."</p>
R 35 (3)	<p>(3) All chemicals or solvents must be stored separately from marihuana products and kept in locked storage areas.</p>
R 35 (4)	<p>(4) Marihuana-infused products or materials used in direct contact with such products must have separate storage areas from toxic or flammable materials.</p>