

Pre-Licensure Inspection List

Disclaimer: The Office of Cannabis Management (OCM) is providing a list of items likely to be inspected as a part of a pre-license inspection. This list may not be exhaustive of all items that the office will be inspecting during a pre-license inspection. OCM is tasked with inspecting the entire premises of a cannabis business and is in no way limited in its authority to inspect any and all parts of a cannabis business. This list is based on requirements in Minnesota Rules (M.R.), chapter 9810, and Minnesota Statutes (M.S.), chapter 342.

License type: cannabis delivery service

Endorsements and activity types available:

- ☐ Delivery activity (medical and adult-use)
 - [M.S. § 342.41, subd. 1]

Not all questions will apply; requirements will vary based on what endorsements and activity types you selected in your application.

On-site inspection list

Security

- Does the business have effective security measures to guard against theft?
 - [M.R. P. 9810.1500, subp. 5(A)]
- Does the business have effective security measures to guard against product diversion?
 - [M.R. P. 9810.1500, subp. 5(B)]
- Does the business have effective security measures to guard against unauthorized access to motor vehicles used in the transport or delivery of cannabis or cannabis products?
 - [M.R. P. 9810.1500, subp. 7(B)]
- Does the business have effective security measures to guard against unauthorized access to electronic business and customer records created and maintained by the business?
 - [M.R. P. 9810.1500, subp. 7(C)]
- Does the business have effective security measures to guard against unauthorized access to paper records created and maintained by the business?
 - [M.R. P. 9810.1500, subp. 7(D)]
- Does the vehicle(s) have a locked, safe, and secure storage compartment that is separate from vehicle door locks?
 - [M.R. P. 9810.2300, subp. 6(C)]

- **If the business is using the entire cargo bay, cargo area, or trunk of the vehicle for product storage: Is the cargo bay, cargo area, or trunk protected by a locking mechanism with a lock or keypad separate from vehicle door locks?**
 - [M.R. P. 9810.2300, subp. B(1)]
- **If the business is using the entire cargo bay, cargo area, or trunk of the vehicle for product storage: Is the cargo bay, cargo area, or trunk inaccessible from the driver and passenger areas of the vehicle?**
 - [M.R. P. 9810.2300, subp. B(2)]
- **If the vehicle is using any other container for storage of regulated products, is the container locked, secured to prevent removal from the vehicle, and prevents visibility from outside the vehicle?**
 - [M.R. P. 9810.2300, subp. 6(C)(3)]
- **Does the vehicle contain any identifying logos or business names that will identify the type of cargo, including the vehicles external paint, on a vehicle wrap, stick on products, or otherwise directly affixed to the vehicle?**
 - (M.S. § 342.42, subd. 6)
- **Are all delivery vehicles equipped with a GPS system capable of operating regardless of if the engine is running, and permanently or temporarily affixed to the vehicle while in operation?**
 - [M.R. P. 9810.1500, subp. 17B(2)]
- **Are all delivery vehicles equipped with a security system to prevent the theft of cannabinoid products?**
 - [M.R. P. 9810.2600, subp. 3(B)(2)]
- **Do all delivery vehicles display the Department of Transportation (DOT) registration number on the outside of the vehicle (if applicable)?**
 - [M.R. P. 9810.1500, subp. 17(B)(4)]

Employees and personnel

- **Are there any employees under 21 years of age whose scope of work involves the handling of cannabis plants, cannabis flower, artificially derived cannabinoids, or cannabinoid products?**
 - [M.R. P. 9810.2300, subp. 9(A)]
- **Is the vehicle staffed with at least two employees so that at least one transporter team member shall remain with the motor vehicle at all times that it contains regulated products?**
 - [M.R. P. 9810.2300, subp. 9]

Operational requirements

- **Is the license holder included on the most recent monthly notice by the Minnesota Department of Revenue (DOR) for “Posting of Tax Delinquency”?**
 - (M.S. § 270C.726)
- **How does the license holder ensure they do not make any sales or deliveries to another license holder that is included on the most recent monthly notice by the Minnesota DOR “Posting of Tax Delinquency”?**
 - (M.S. § 270C.726, subd. 2)

- **If the business has structures onsite, is building and fire code compliance demonstrated? Both building and fire codes must be addressed:**
 - **Building code – must meet one:**
 - The applicant has documentation from their local certified building official certifying building code compliance (in the form of a certificate of occupancy or other official documentation) or an agricultural exemption.
 - The applicant has official documentation from a private certified building official certifying building code compliance.
 - **Fire code – must meet one:**
 - The applicant has a certificate of occupancy or other official documentation from their local fire code official certifying fire code compliance.
 - The applicant has official documentation from a state fire marshal inspector certifying fire code compliance.
 - [M.R. P. 9810.1100, subp. 6(B)]
- **Are all delivery vehicles equipped with functioning heating and air conditioning systems that maintain temperatures appropriate for storing cannabis?**
 - [M.R. P. 9810.1500, subp. 17(B)(3)]
- **Is the vehicle in working condition, with no defects that prevent the driver from operating the vehicle in a manner that complies with applicable traffic and safety laws?**
 - [M.R. P. 9810.2600, subp. 3(B)(1)]
- **What are the businesses plans for compliance with federal regulations for vehicles over 10,000 lbs. gross vehicle weight (GVW)?**
 - (49 C.F.R. § 570, subp. B)
- **Does the business have proof of Minnesota vehicle registration for every delivery vehicle?**
 - (M.R. P. 9810.2300, subp. 4)
- **Does the business have proof of Minnesota vehicle insurance for every delivery vehicle and does the number match those provided on the vehicle disclosure form?**
 - [M.R. P. 9810.2600, subp. 3(B)(3)]
- **Do the insurance policy numbers for each delivery vehicle match those provided on the vehicle disclosure form?**
 - [M.S. § 342.35, subd. 2(1)-(2)]

Manuals, standard operating procedures (SOPs) and record keeping

- **Does the business have procedures for tracking inventory, shipments, and creating and retaining shipping manifests for every shipment?**
 - [M.R. P. 9810.2600 subp. 3(D)]
- **Does the business have procedures for ensuring the safe handling and operation of delivery vehicles?**
 - (M.R. P. 9810.2300, subp. 1)
- **Does the business have SOPs that include the creation and entry of accurate data in the statewide monitoring system?**
 - [M.R. P. 9810.1100, subp. 2(A)(4)]

- **Does the business have SOPs that include the proper segregation and disposal of a regulated product that is damaged, contaminated, expired, or is the subject of a recall?**
 - [M.R. P. 9810.1100, subp. 2(A)(6)]
- **Does the business have SOPs that include the proper designation of authorized personnel for specified duties of the cannabis business and the procedure for issuing necessary worker identification for restricted-access areas, if applicable?**
 - [M.R. P. 9810.1100, subp. 2(A)(7)]
- **Does the business have SOPs that include the proper designation of authorized personnel who have the authority to access, enter, and update private and nonpublic computer data?**
 - [M.R. P. 9810.1100, subp. 2(A)(8)]
- **Does the business have SOPs that include procedures for responding to a security breach, consistent with Minnesota Statutes, sections 325E.61 and 325E.64?**
 - [M.R. P. 9810.1100, subp. 2(A)(9)]
- **Does the business have annual worker training, including SOPs required under Minnesota Rules, part 9810.1100, subpart 2(A)?**
 - [M.R. P. 9810.1102, subp. 2(B)(1)]
- **Does the business have annual worker training that includes state and federal cannabis laws?**
 - [M.R. P. 9810.1102, subp. 2(B)(2)]
- **Does the business have annual worker training, including state and federal laws regarding data privacy and confidentiality?**
 - [M.R. P. 9810.1102, subp. 2(B)(3)]
- **Does the business have annual worker training, including the proper use of security measures and controls that have been adopted in compliance with Minnesota Rules, part 9810.1500, and Minnesota Statutes, chapter 342?**
 - [M.R. P. 9810.1102, subp. 2(B)(4)]
- **Does the business have annual worker training, including procedures on responding to an emergency, including a fire, loss of electrical power, robbery, natural disaster, and workplace violence?**
 - [M.R. P. 9810.1102, subp. 2(B)(5)]
- **Does the business have annual worker training, including product recall procedures?**
 - [M.R. P. 9810.1102, subp. 2(B)(6)]
- **Does the business maintain records containing information about each worker who conducts activities authorized by the office, including records that the worker completed necessary training?**
 - [M.R. P. 9810.1102, subp. 2(D)]
- **Does the business have procedures for storing regulated products in a controlled environment, ensuring that products are free from contamination?**
 - (M.R. P. 9810.1104, subp. 1)
- **Do the business's storage procedures ensure that product storage areas are only used for the storage of regulated products?**
 - [M.R. P. 9810.1104, subp. 1(A)]
- **Are records maintained that describe the date and time of each occasion when a product storage area was accessed, by whom (the name of individual) and the products that were added or removed from the storage area?**
 - [M.R. P. 9810.1104, subp. 1(B)]

- **Are records maintained for the names and log-in credentials of all Metrc system administrators and system users who have had access within the past 12 months?**
 - (M.R. P. 9810.1301, subp. 8)
- **Does the business have procedures for handling customer complaints, including how complaints are received, documented, investigated, and resolved?**

Vehicle disclosure form review

- **Confirm the following characteristics of the vehicle's product storage feature: lockable, secured to the vehicle and non-removable, ensuring that regulated products are not visible from outside the vehicle.**
 - [M.R. P. 9810.1500, subp. 17(B)(1)] (M.S. § 342.36, subd. 3) (M.S. § 342.42, subd. 5)
- **If the vehicle utilizes the entire cargo bay, cargo area, or trunk for regulated product storage, does it have the following:**
 - **Locking mechanism with a lock or keypad separate from the vehicle's door locks.**
 - **Storage that is inaccessible from the driver and passenger areas of the vehicle.**
 - **An exterior that ensures no regulated products are visible from outside the vehicle.**
 - [M.R. P. 9810.1500, subp. 17(B)(1)] (M.S. § 342.36, subd. 3) (M.S. § 342.42, subd. 5)
- **Does the vehicle contain any identifying logos or business names that may identify the type of cargo, including in the vehicle's external paint, on any vehicle wrap or stick-on products, or otherwise directly affixed to the vehicle?**
 - (M.R. P. 9810.2300, subp. 7) (M.S. § 342.36, subd. 4) (M.S. § 342.42, subd. 6)
- **Is the vehicle equipped with a global positioning system (GPS) tracking device?**
 - [M.R. P. 9810.1500, subp. 17(B)(2)]
- **Is the GPS tracking device capable of operating regardless of if the vehicle's engine is running?**
 - [M.R. P. 9810.1500, subp. 17(B)(2)]
- **Is the GPS tracking device securely affixed to the vehicle while in operation?**
 - [M.R. P. 9810.1500, subp. 17(B)(2)]
- **Identify the GPS tracking device brand.**
 - [M.R. P. 9810.1500, subp. 17(B)(2)]
- **Is the GPS tracking device capable of storing data for at least 30 days?**
 - [M.R. P. 9810.1500, subp. 17(B)(2)]
- **Is the Minnesota/U.S. DOT license number visible on the outside of the vehicle? [If applicable. (Applicable if GVW is over 10k or transporting products for others.)]**
 - (M.R. P. 9810.2300, subp.1) (M.R. P. 9810.2600, subp. 1)
- **Does the vehicle contain functioning heating and air conditioning systems that maintain temperatures appropriate for storing regulated cannabis products?**
 - [M.R. P. 9810.1500, subp. 17(B)(3)]
- **Is the vehicle(s) in good working condition, with no defects that prevent the vehicle from being operated in a manner that complies with applicable traffic and safety laws?**
 - [M.R. P. 9810.2600, subp. 3(B)(1)]
- **Is the vehicle's security system manufacturer-installed or aftermarket?**
 - [M.R. P. 9810.2600, subp. 3(B)(2)]
- **Identify the aftermarket security system brand (if applicable).**
 - [M.R. P. 9810.2600, subp. 3(B)(2)]
- **Describe the secure form of communication equipped in the vehicle at all times.**
 - [M.R. P. 9810.1500, subp. 17(B)(5)]

- **For each vehicle intended to be used for the transportation of regulated cannabis products, confirm the following information from the Vehicle Disclosure Form:**
 - **Vehicle make**
 - **Vehicle model**
 - **Vehicle year of manufacture**
 - **Vehicle color**
 - **Vehicle identification number (VIN)**
 - **Vehicle license plate number**
 - **GVW (if applicable)**
 - **Vehicle Minnesota DOT number (if applicable)**
 - **(M.S. § 342.41, subd. 2) [M.R. P. 9810.2300, subp. 3(A)(6)]**