



Ohio Administrative Code

Rule 3796:5-3-01 Transportation of medical marijuana and medical marijuana products.

Effective: May 6, 2017

(A) Prior to transporting any medical marijuana, regardless of form, a medical marijuana entity licensed by the department shall maintain a transportation log, in writing, that contains the following information:

- (1) The names and addresses of the medical marijuana entities sending and receiving the shipment;
- (2) The names and registration numbers of the registered employees transporting the medical marijuana or the products containing medical marijuana;
- (3) The license plate number and vehicle type that will transport the shipment;
- (4) The time of departure and estimated time of arrival;
- (5) The specific delivery route, which includes street names and distances; and
- (6) The total weight of the shipment and a description of each individual package that is part of the shipment, and the total number of individual packages.

(B) The medical marijuana entity transporting medical marijuana under paragraph (A) of this rule shall transmit a copy of the transportation log to the medical marijuana entity that will receive the products and to the department before the close of business the day prior to transport. The medical marijuana entity shall enter the information required in the inventory tracking system in accordance with section 3796.07 of the Revised Code and the rules promulgated in accordance with Chapter 3796. of the Revised Code. The transportation log shall be made available to law enforcement agencies upon request. A medical marijuana entity shall maintain all transportation logs in accordance with the record keeping requirements established under the rules promulgated in accordance with Chapter 3796. of the Revised Code, and make them available at the request of the department.



(C) The vehicle transporting the medical marijuana or any product containing medical marijuana shall meet the following requirements:

(1) Be insured as required by law;

(2) Store the medical marijuana and any product containing medical marijuana in a locked, safe, and secure storage compartment that is part of the motor vehicle, or in a locked storage container that has a separate key or combination pad;

(3) Ensure any medical marijuana or product containing medical marijuana is not visible from the outside of the vehicle;

(4) Be staffed with a minimum of two employees registered with the department, with at least one employee remaining with the vehicle at all times that the vehicle contains medical marijuana;

(5) Have access to a secure form of communication with personnel at the medical marijuana entity and the ability to contact law enforcement through the 911 emergency system at all times that the vehicle contains medical marijuana, unless notification is impractical under the circumstances; and

(6) Not contain any marks, logos, brands, or other illustrations on the exterior of the vehicle, other than those affixed to the vehicle by the vehicle manufacturer or dealership.

(D) Any vehicle transporting medical marijuana or any product containing medical marijuana shall travel directly from the sending medical marijuana entity to the receiving medical marijuana entity and shall not make any stops in between except to other medical marijuana entities listed on the transportation log, to refuel the vehicle, or to notify the medical marijuana entities, the department and law enforcement in the event of an emergency. In the event of an emergency, the employees will report the emergency immediately to law enforcement through the 911 emergency system and to the medical marijuana entities, which will immediately notify the department, unless the notification is impractical under the circumstances.

(E) A registered employee transporting medical marijuana shall do the following:



- (1) Display his or her department issued employee identification card at all times when transporting or delivering medical marijuana and shall produce it for the department or department's authorized representative or law enforcement official upon request;
- (2) Ensure delivery times vary and routes are randomized;
- (3) Report any vehicle accident that occurs during the transportation to a person designated by the transporting medical marijuana entity to receive such reports within two hours after the accident occurs;
- (4) Report any loss or theft of medical marijuana that occurs during the transportation of medical marijuana in accordance with rule 3796:5-4-01 of the Administrative Code;
- (5) Carry a copy of the transportation log completed pursuant to paragraph (A) of this rule for the duration of the trip; and
- (6) Notify the medical marijuana entity when the delivery has been completed.