

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

—
H.P. 1360 - L.D. 1827

**An Act To Permit Curbside Pickup and Limited Delivery of Adult Use
Marijuana**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 28-B MRSA §504, sub-§2, ¶C, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

C. Sell adult use marijuana, adult use marijuana products or marijuana plants using:

- (1) An automated dispensing or vending machine;
- (2) A drive-through sales window, except as provided by subsection 10;
- (3) An Internet-based sales platform; or
- (4) A delivery service, except as provided by subsection 9; or

Sec. 2. 28-B MRSA §504, sub-§4, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

4. Verification of purchaser's age. A person must be 21 years of age or older to make a purchase ~~in~~ from a marijuana store. A marijuana store may not sell any item to a person under 21 years of age.

A. Prior to initiating a sale in a marijuana store, an employee of the marijuana store licensee shall verify that the purchaser has a valid government-issued photographic identification card, or other acceptable photographic identification, demonstrating that the purchaser is 21 years of age or older.

A-1. Prior to concluding a sale by delivery under subsection 9 or curbside pickup under subsection 10, an employee of the marijuana store licensee shall verify that the purchaser has a valid government-issued photographic identification card, or other acceptable photographic identification, demonstrating that the purchaser is 21 years of age or older.

B. The department shall by rule determine the forms of photographic identification that a marijuana store licensee may accept when verifying a purchaser's age.

Sec. 3. 28-B MRSA §504, sub-§9 is enacted to read:

9. Limited delivery service. A marijuana store may operate a limited delivery service for the delivery of immature marijuana plants, seedlings, adult use marijuana and adult use marijuana products in accordance with the requirements of this subsection. A marijuana store may not deliver adult use marijuana or an immature marijuana plant, seedling or adult use marijuana product to a person under 21 years of age.

A. A marijuana store operating a limited delivery service shall ensure that marijuana store employees engaging in delivery have received training, prescribed by the department by rule, on how to properly verify the age of a person making a purchase for delivery and how to ensure that no deliveries are made to a person under 21 years of age.

B. A marijuana store operating a limited delivery service may deliver only to a residential dwelling and may not deliver to any residential dwelling located within a safe zone designated by a municipality under Title 30-A, section 3253. A marijuana store operating a limited delivery service may deliver to a residential dwelling in any municipality in the State regardless of whether the municipality has approved the operation of marijuana stores.

The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. 28-B MRSA §504, sub-§10 is enacted to read:

10. Curbside pickup. A marijuana store may allow curbside pickup of immature marijuana plants, seedlings, adult use marijuana and adult use marijuana products at a designated location outside of the marijuana store in accordance with the requirements of this subsection and any additional requirements imposed by the department by rule.

A. A marijuana store that allows curbside pickup of immature marijuana plants, seedlings, adult use marijuana or adult use marijuana products shall designate a curbside pickup location outside of the marijuana store and near the entrance to the marijuana store and mark the location in a manner designated by the department by rule.

B. A marijuana store that allows curbside pickup of immature marijuana plants, seedlings, adult use marijuana or adult use marijuana products shall implement security and record-keeping requirements for all sales concluded by curbside pickup as established by the department by rule.

The department shall adopt rules to implement this subsection, including, but not limited to, rules establishing security and record-keeping requirements for sales concluded by curbside pickup. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. 28-B MRSA §505, as enacted by PL 2017, c. 409, Pt. A, §6, is amended by enacting at the end a new paragraph to read:

A marijuana store licensee and its employees may also transport adult use marijuana or adult use marijuana products between the licensed premises of the licensee and the location of a delivery conducted under section 504, subsection 9.