

receiving licensed premises must immediately record receipt of the transported inventory.

(9) The receiving licensed premises must document any differences between the items described for transport in the transport manifest versus what was actually received and immediately report discrepancies to the department.

(10) While in transport, all marijuana and marijuana products must be shielded from public view and secured in a locked storage compartment inside the body of the transport vehicle.

(11) All vehicles used to transport marijuana or marijuana products:

(a) shall be considered a licensed premises for purposes of inspection by the department. Transport vehicles may be stopped and inspected by the department at any licensed premises or during transport;

(b) shall be lockable and equipped with a security alarm system;

(c) shall not leave the state of Montana while any amount of marijuana or marijuana product is in the motor vehicle; and

(d) shall not have any external markings, words, or symbols that indicate the vehicle is used for the transport of marijuana or marijuana products or that it is owned or leased by a marijuana business.

(12) A marijuana transporter licensee or employee of a marijuana transporter licensee must not sell marijuana or marijuana products; or transport marijuana or marijuana products directly to consumers.

(13) A marijuana transport licensee must contact the department within 24 hours if a vehicle transporting marijuana items is involved in an accident that involves product loss.

(14) Copies of the transport manifest and delivery receipts must be presented to law enforcement officers or authorized department employees, if requested.

(15) If a marijuana transporter licensee maintains a licensed premises to temporarily store marijuana or marijuana products, the licensee must have a marijuana storage facility endorsement for each storage facility as provided in [NEW RULE VIII].

AUTH: 16-12-112, 16-12-222, MCA

IMP: 16-12-112, 16-12-222, MCA

NEW RULE VI COMBINED USE LICENSES (1) A combined use license allows a federally recognized tribe located in the state or a business entity that is majority-owned by a federally recognized tribe located in the state to maintain a marijuana cultivation facility and marijuana dispensary on the same licensed premises.

(2) The department shall begin accepting applications for combined use licenses on January 1, 2022.

(3) A combined use licensee is subject to the marijuana laws.

AUTH: 16-12-112, 16-12-225, MCA

IMP: 16-12-225, MCA

NEW RULE VII MARIJUANA TESTING LABORATORY LICENSES (1) A marijuana testing laboratory license allows a marijuana testing laboratory to provide testing of representative samples of marijuana and marijuana products and to

provide information about the chemical composition and potency of a sample, as well as the presence of molds, pesticides, or other contaminants.

(2) Current marijuana testing laboratory licensees may continue to operate under their existing license and shall pay the fee provided for in New Rule I at their next renewal date.

~~(32)~~ The department shall begin accepting applications for new marijuana testing laboratories on January 1, 2022.

~~(43)~~ Applicants for marijuana testing laboratories must receive an endorsement from the Department of Public Health and Human Services' state testing laboratory before applying for licensure with the department. The department will accept the state laboratory's standard form of approval or endorsement for the applicant of a marijuana testing laboratory license to meet this requirement.

~~(54)~~ Marijuana testing laboratories may transport samples of marijuana and marijuana products for testing in accordance with 16-12-222(4), MCA, and [NEW RULE V(4) through (15)].

(5) A laboratory licensee must provide and maintain, at its own expense, analytical testing laboratory professional liability insurance with an aggregate limit of one million dollars prior to the issuance of a license.

(6) A laboratory licensee must obtain and maintain a \$25,000 surety bond which names the department as loss payee in the event the laboratory licensee fails to adhere to the security plan approved by the department, or it otherwise operates the facility in a manner that allows for, or results in theft, loss, or diversion of marijuana items. A copy of the bond must be submitted to the department as part of its licensing application.

AUTH: 16-12-112, 16-12-202, MCA

IMP: 16-12-112, 16-12-202, 16-12-222, MCA

NEW RULE VIII MARIJUANA STORAGE FACILITY ENDORSEMENT (1) A marijuana transporter or a marijuana testing laboratory ~~may~~ shall obtain a marijuana storage facility endorsement for any overnight storage of marijuana or marijuana products. A marijuana storage facility endorsement allows a marijuana transporter or marijuana testing laboratory to maintain a separate, off-site storage facility.

(2) A marijuana storage facility may only be used for the temporary storage of marijuana or marijuana products, not to exceed 48 hours. A storage facility may not be used to grow, process, test, manufacture, consume, or sell marijuana or marijuana products.

(3) A marijuana transporter licensee or marijuana testing laboratory with a marijuana storage facility endorsement may not share its storage facility with any other marijuana business.

(4) A marijuana storage facility may only be located in a jurisdiction that allows for the operation of a marijuana business pursuant to 16-12-301, MCA.

AUTH: 16-12-112, 16-12-222, MCA

IMP: 16-12-202, 16-12-222, MCA

NEW RULE IX WORKER PERMITS (1) A marijuana worker permit is required for any individual age 18 and over who performs work for or on behalf of any aspect of a marijuana business.