

THE CANNABIS INDUSTRY INFORMATION MEMO

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BudHub: Revisiting New York's Cannabis Delivery Guidance After Dispensaries Have Begun Operations

Following New York's first licensed sale of recreational cannabis last December, many consumers are wondering how they will be able to get cannabis delivered to their front doors. Luckily for them, the Office of Cannabis Management (OCM) released [guidance](#) last year regarding delivering cannabis directly to consumers (Guidance). Following the approval of New York's first 66 adult-use cannabis dispensaries, it should only be a matter of time before some storefronts begin to offer delivery services.

All licensees that have received their final approval from the OCM may deliver cannabis and cannabis products directly to customers who are at least 21 years old. Licensees may choose to operate their delivery services from a temporary, delivery-only non-residential location (e.g., a warehouse) for up to 12 months following the issuance of their license. Customers will be allowed to schedule "order ahead" cannabis deliveries, and must present valid identification at the time of delivery to prove they are at least 21 years of age.

All deliveries must be pre-paid by customers at the time an order is made, and licensees may only accept delivery orders online or over the phone. Further, licensees must both own and operate any application through which customers can place delivery orders, and are not permitted to utilize a third-party, intermediary, broker, etc. for deliveries. Each licensee may only employ 25 individuals to provide full-time delivery services to customers per week.

Licensees may utilize motor vehicles, bicycles, scooters or other similar methods of transportation to make cannabis deliveries. However, all non-enclosed delivery vehicles (e.g., bicycle scooter, etc.) may only carry up to \$5,000 worth of cannabis products, while enclosed vehicles may carry up to \$20,000 worth. Importantly, New York's cannabis packaging, labeling, marketing and advertising regulations apply to delivery services, including without limitations all vehicles, online delivery platforms and applications and licensee websites.

Bond's cannabis attorneys continue to closely monitor developments to New York's cannabis industry. For questions about the information provided above or about the cannabis industry in general, please contact [Dustin M. Dorsino](#) or the Bond attorney with whom you are regularly in contact.



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