

## **REGULATION 7**

### **CANNABIS SALES FACILITY**

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**7.010 Requirements for operation; posting of hours of operation.** Each cannabis sales facility shall:

1. Ensure that the cannabis sales facility is operating and available to sell cannabis or cannabis products to consumers during, and only during, the designated hours of operation of the cannabis sales facility as provided to the Board in the application for a license submitted by the cannabis sales facility and the hours authorized by the locality in which the cannabis sales facility is located; and
2. Post, in a place that can be viewed by persons entering the cannabis sales facility, the hours of operation during which the cannabis sales facility will sell cannabis or cannabis products to consumers.

**7.015 Duties of cannabis establishment agent before sale to consumer.** Before a cannabis establishment agent sells cannabis or cannabis products to a consumer, the cannabis establishment agent shall:

1. Verify the age of the consumer by checking a government-issued identification card containing a photograph of the consumer using an identification scanner approved by the appropriate Board Agent to determine the validity of any government-issued identification card;
2. Offer any appropriate consumer education or support materials; and
3. Enter the following information into the inventory control system:
  - (a) The amount of cannabis or cannabis product sold;
  - (b) The date and time at which the cannabis or cannabis product was sold;
  - (c) The number of the cannabis establishment agent registration card of the cannabis establishment agent; and
  - (d) The number of the license for the cannabis establishment.

**7.020 Valid proof of identification of age of consumer required.**

1. Except as otherwise provided in this subsection, a cannabis sales facility shall refuse to sell cannabis or cannabis products to any person unless the person produces a form of valid identification showing that the person is 21 years of age or older. A dual licensee may sell cannabis or cannabis products to a person who is less than 21 years of age if the sale complies with the provisions of Title 56 of NRS and NCCR.
2. Identification presented to satisfy subsection 1 must contain a photograph and the date of birth of the person.
3. Identification presented to satisfy subsection 1 must be a valid and unexpired:
  - (a) Driver's license or instruction permit issued by this State or any other state or territory of the United States;
  - (b) Identification card issued by this State or any other state or territory of the United States for the purpose of proof of age of the holder of the card;
  - (c) United States military identification card;
  - (d) A Merchant Mariner Credential or other similar document issued by the United States Coast Guard;
  - (e) A passport issued by, or recognized by, the United States Government or a permanent resident card issued by the United States Citizenship and Immigration Services of the Board of Homeland Security; or
  - (f) A tribal identification card issued by a tribal government, as defined in NRS 239C.105, which requires proof of the age of the holder of the card for issuance.

**7.025 Prohibition on sale that exceeds maximum usable quantity of cannabis.** A cannabis sales facility shall not sell to any consumer an amount of cannabis or cannabis products which exceeds:

1. One ounce (28.35 grams) of usable cannabis other than concentrated cannabis;
2. One-eighth ounce of concentrated cannabis or cannabis products containing not more than 3,543 milligrams of THC; or
3. A combination of usable and concentrated cannabis not to exceed the legal limit.

**7.030 Products required to be offered for sale; restrictions on sale of other products; restrictions on advertising.**

1. A cannabis sales facility shall only offer for sale cannabis, cannabis products, cannabis paraphernalia, cannabis-related accessories, products containing CBD and products containing industrial hemp which are related to cannabis.
2. Each cannabis sales facility shall offer for sale containers for the storage of cannabis and cannabis products which lock and are designed to prohibit children from unlocking and opening the container.
3. A cannabis sales facility shall not sell any food, beverage or personal care item that does not contain cannabis.
4. A cannabis sales facility shall not sell any product that contains nicotine.
5. A cannabis sales facility shall not sell any product that contains alcohol if the product would require the cannabis sales facility to hold a license issued pursuant to chapter 369 of NRS.
6. A cannabis sales facility shall not sell cannabis or cannabis products to a consumer through the use of, or accept a sale of cannabis or cannabis products from, a third party, intermediary business, broker or any other business that does not hold a license for a cannabis sales facility in this State.
7. A cannabis sales facility shall not contract with a third party or intermediary business to advertise delivery to consumers. This section applies to advertising only and not delivery services.
8. A cannabis sales facility shall not recommend products to women that are pregnant or breastfeeding.

**7.035 Storage and location of products; disclosure of cannabis testing facility performing quality assurance tests upon request of consumer; approved sources of products for sale; maintenance and availability of certificate of analysis; exemption for industrial hemp.**

1. A cannabis sales facility must store all usable cannabis, concentrated cannabis and cannabis products behind a counter or other barrier to ensure a consumer does not have direct access to the cannabis, concentrated cannabis or cannabis products.
2. Upon the request of a consumer, a cannabis sales facility must disclose the name of the cannabis testing facility which performed the required quality assurance tests for the cannabis sales facility and the corresponding certificate of analysis.
3. A cannabis sales facility may only sell usable cannabis obtained from a cannabis cultivation facility in this State.
4. Except as otherwise provided in subsection 6, a cannabis sales facility may only sell concentrated cannabis and cannabis products obtained from a cannabis product manufacturing facility in this State.

5. Except as otherwise provided in subsection 6, a cannabis sales facility may not sell a product other than usable cannabis, concentrated cannabis or cannabis products which contain any level of THC or CBD without the approval of the appropriate Board Agent. Each cannabis sales facility shall maintain a file which contains a certificate of analysis for any such approved product at the cannabis sales facility and shall make the file available for review upon request.
6. The provisions of subsection 4 does not apply to industrial hemp, as defined in NRS 557.040, which is certified and registered with the State Department of Agriculture.

**7.040 Delivery to consumer: General requirements.** Except for a delivery made pursuant to NCCR 6.035, a cannabis establishment or a third party shall not deliver cannabis or cannabis products to a consumer unless:

1. The delivery is made by a cannabis establishment agent who holds a cannabis establishment agent registration card in the category of cannabis sales facility;
2. The delivery is made by a cannabis establishment agent employed by a cannabis sales facility or by an independent contractor:
  - (a) Which has entered into a service agreement with a cannabis sales facility to perform deliveries to consumers using only cannabis establishment agents who hold a cannabis establishment agent registration card in the category of cannabis sales facility; and
  - (b) Whose name has been disclosed to the Board before any deliveries are made.
3. The name of the cannabis sales facility and all independent contractors who perform deliveries on behalf of the cannabis sales facility has been published on the Internet website of the Board;
4. The Board has received confirmation from the cannabis sales facility, before a person engages in the delivery process, including, without limitation, accepting an order or physically delivering cannabis or cannabis products, that the person is employed by, volunteers at or provides labor as a cannabis establishment agent at the cannabis sales facility and holds a valid cannabis establishment agent registration card in the cannabis sales facility;
5. The cannabis establishment agent who delivers cannabis or cannabis products to a consumer obtains verification of the identity and age of the consumer at the point of delivery by scanning a document described in NCCR 7.020 before providing the cannabis or cannabis products to the consumer;
6. The cannabis establishment agent who delivers cannabis or cannabis products to a consumer does not also deliver any other item to the consumer unless the item is cannabis paraphernalia or merchandise, packaging or a promotional item directly related to the cannabis or cannabis product;
7. The cannabis establishment agent who delivers cannabis or cannabis products to a consumer does not first purchase the cannabis or cannabis product from the cannabis sales facility and then obtain reimbursement from the consumer;
8. The delivery is conducted only during the hours that the cannabis sales facility is open for business;
9. The delivery is conducted only within the borders of this State;
10. The cannabis establishment agent who delivers cannabis or cannabis products only travels to and from the cannabis sales facility and the delivery destination and does not make any unnecessary stops that are not disclosed in the trip plan and delivery manifest. If the cannabis establishment agent makes a stop for fuel, the stop must be documented in the trip plan and maintained for review by the Board and Board Agents; and

11. If the cannabis sales facility contracts with a service that provides a digital or other platform used in conjunction with an agreement to facilitate deliveries to consumers, the digital or other platform is approved by the Board.

**7.045 Delivery to consumer: Duties of cannabis sales facility.**

1. A cannabis sales facility delivering cannabis or cannabis products to a consumer pursuant to NCCR 7.040 shall:

(a) Ensure that all cannabis and cannabis products are secured at all times during delivery; and

(b) Maintain a physical or electronic copy of a delivery manifest generated using the seed-to-sale tracking system that contains all the information required by this section in a format approved by the Board.

2. A cannabis sales facility may deliver cannabis or cannabis products to more than one consumer in a single trip if the delivery manifest correctly reflects the specific inventory destined for each specific consumer and location.

3. Before delivering cannabis or cannabis products to a consumer, the cannabis sales facility shall enter the information required to indicate that the cannabis or cannabis products will be delivered to a consumer into the seed-to-sale tracking system.

4. A cannabis sales facility shall not alter the information which has been entered into the seed-to-sale tracking system pursuant to subsection 3.

5. If a cannabis establishment agent is not able to deliver cannabis or cannabis products directly to the consumer who ordered the cannabis or cannabis products, the cannabis establishment agent shall return the cannabis or cannabis products to the cannabis sales facility.

6. A cannabis sales facility shall provide a receipt to the consumer generated by their own point of sale system.

7. The delivery manifest generated using the seed-to-sale tracking system must include, without limitation:

(a) The date and approximate time of the delivery;

(b) The name, location, address and license number of the cannabis sales facility;

(c) The name, location and address of each consumer;

(d) The name and quantity, by weight and unit, of each item to be delivered to each consumer;

(e) The make, model, license plate number and number of the identification card issued pursuant to NCCR 7.055 of the vehicle used for delivery; and

(f) The name, number of the cannabis establishment agent registration card and signature of each cannabis establishment agent performing or accompanying the delivery of the cannabis or cannabis products.

8. In addition to the requirements of this section, the cannabis sales facility shall ensure that each delivery satisfies the requirements of NCCR 6.075 & 6.078.

9. Before cannabis or cannabis products leave the cannabis sales facility for delivery, the cannabis sales facility shall adjust its records to reflect the removal of the cannabis or cannabis products in a manner that reflects the information included in the delivery manifest generated using the seed-to-sale tracking system and that can be easily reconciled, by the name and quantity of the cannabis or cannabis products, with the delivery manifest.

10. After delivery of cannabis or cannabis products, the cannabis sales facility shall ensure that the trip plan, including any changes to the trip plan made pursuant to subsection 9 of NCCR 7.040, is accurate.

11. Any cannabis or cannabis product which is damaged, undeliverable to the consumer or refused by the consumer must be delivered back to the cannabis sales facility and reconciled by the cannabis sales facility in the seed-to-sale tracking system.
12. A cannabis sales facility shall not deliver any cannabis or cannabis products unless the cannabis sales facility can reconcile the delivery of cannabis or cannabis products with the seed-to-sale tracking system and all associated transaction history and order receipts.
13. A cannabis sales facility must reconcile all transactions to the seed-to-sale tracking system at the close of business each day.
14. A cannabis sales facility shall ensure that all information contained in a delivery manifest generated using the seed-to-sale tracking system is accurate for each delivery that is completed.
15. A cannabis sales facility shall maintain all documents required by this section and provide a copy of any such document to the Board or Board Agents for review upon request.

**7.050 Delivery to consumer: Restrictions; duties of cannabis establishment agent making delivery.**

1. A cannabis sales facility shall not deliver more than 5 ounces (141.75 grams) of cannabis or an equivalent amount of cannabis products to any combination of consumers within a single trip.
2. A medical cannabis sales facility shall not deliver more than 10 ounces (283.5 grams) of cannabis, edible cannabis products or cannabis-infused products, or any combination thereof when making a sales delivery exclusively to persons who hold a valid registry identification card or designated as a primary caregiver.
3. A cannabis sales facility shall not deliver cannabis or cannabis products to a consumer at any location that has been issued a gaming license, as defined in NRS 463.0159.
4. A cannabis sales facility shall not knowingly deliver more than 1 ounce (28.35 grams) of cannabis or cannabis products to a consumer in a private residence in one calendar day.
5. A cannabis sales facility shall not deliver cannabis or cannabis products to any person other than the consumer who ordered the cannabis or cannabis products. Before delivering cannabis or cannabis products to a consumer, the cannabis establishment agent delivering the cannabis or cannabis products for a cannabis sales facility shall:
  - (a) Confirm by telephone that the consumer ordered the cannabis or cannabis products and verify the identity of the consumer; and
  - (b) Enter the details of such a confirmation in a log which must be made available for inspection by an appropriate law enforcement agency, the Board and Board Agents.
6. A cannabis sales facility shall not allow a cannabis establishment agent to deliver cannabis or cannabis products unless the cannabis or cannabis products are:
  - (a) Stored in a lockbox or locked cargo area within the vehicle being used for delivery;
  - (b) Not visible from outside the vehicle; and
  - (c) Contained in sealed packages and containers which remain unopened during delivery.  
→For the purpose of this subsection, the trunk of a vehicle is not considered to be a lockbox or locked cargo area unless the trunk cannot be accessed from within the vehicle and can only be accessed using a key which is different from the key used to access and operate the vehicle.
7. A cannabis sales facility shall ensure that a cannabis establishment agent delivering cannabis or cannabis products for the cannabis sales facility has a means of communicating with the cannabis sales facility while he or she provides delivery.

8. A person shall not be present within any vehicle while it is being used for the delivery of cannabis or cannabis products unless the person is a cannabis establishment agent for the cannabis sales facility providing delivery of the cannabis or cannabis products or an independent contractor retained by the cannabis sales facility to provide delivery.

9. Each cannabis establishment agent delivering cannabis or cannabis products must:

(a) Report to a person designated by the cannabis establishment to receive such reports any motor vehicle crash that occurs during the delivery as soon as reasonably possible after the crash occurs, but in no instance shall such time to report exceed 12 hours;

(b) Report to Board Agents any unauthorized stop; and

(c) Report to a person designated by the cannabis establishment to receive such reports any loss or theft of cannabis or cannabis products that occurs during the delivery immediately after the cannabis establishment agent becomes aware of the loss or theft. A cannabis sales facility that receives a report of loss or theft pursuant to this paragraph must immediately report the loss or theft to the appropriate law enforcement agency, to the Board and to the Executive Director.

**7.055 Delivery to consumer: Requirements for motor vehicles used to make deliveries; adequate temperature control of products required; inspection of motor vehicles authorized.**

1. A cannabis sales facility may use any motor vehicle, not to include two wheeled motor vehicles, that can legally be operated on the highways of this State and that meets the requirements of this section to deliver cannabis and cannabis products.

2. Before using a motor vehicle to deliver cannabis or cannabis products, a cannabis sales facility must obtain the approval of the appropriate Board Agent for the use of the motor vehicle. Upon approving a motor vehicle for use to deliver cannabis or cannabis products, the Board will issue an identification card containing such information as the Board determines to be necessary, which must be kept inside the motor vehicle at all times.

3. A cannabis sales facility shall ensure that each motor vehicle used to deliver cannabis or cannabis products:

(a) Has no advertising, signage or other markings relating to cannabis; and

(b) Is equipped with an audible car alarm.

4. A cannabis sales facility shall provide adequate care for perishable cannabis products including, without limitation, refrigeration during delivery, if required. Any method for temperature control used during delivery must be approved by the appropriate Board Agent before use. If a potentially hazardous cannabis product is being delivered, the potentially hazardous cannabis product must be maintained at a temperature of less than 41°F (5°C) throughout delivery.

5. Board Agents may inspect each motor vehicle used for delivery of cannabis or cannabis products by a cannabis sales facility pursuant to NCCR 5.070.