

TITLE 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 100 – Division of Cannabis Regulation
Chapter 1 – Marijuana

PROPOSED AMENDMENT

19 CSR 100 – 1.180 Dispensary Facilities. The division is adding section (3).

PURPOSE: This amendment allows for curbside pickup at dispensary facilities.

(3) Curbside pickup.

(A) Curbside pickup locations must –

- 1. Be located on dispensary premises within fifty (50) feet of the primary public ingress and egress for customer access, such as a sidewalk or parking lot;**
- 2. Provide for clear visibility of the consumer, qualifying patient, or primary caregiver for verification of identity;**
- 3. Be covered at all times by video camera monitoring and recording that meets the standards described in this chapter;**
- 4. Have posted, at the designated curbside pickup location, department approved signage that conveys the following warning:**
“It is against the law to operate a dangerous device, motor vehicle, aircraft, or motorboat while under the influence of marijuana”;
- 5. Clearly demarcate each curbside pickup space; and**
- 6. Only take place in a space commenced for curbside pickup.**

(B) Curbside transactions. In addition to the requirements for transactions set forth in this rule, curbside transactions must comply with the following:

- 1. For every transaction, dispensary licensees must receive the transaction order via the internet or by phone, and the order must be placed in advance;**
- 2. Payment shall be completed prior to marijuana product leaving the dispensary for disbursement at the curbside location;**
- 3. Marijuana product must be stored in a designated storage area until the consumer, qualifying patient, or primary caregiver arrives for curbside pickup;**
- 4. A facility agent may only possess and distribute marijuana product to one consumer, qualifying patient, or primary caregiver at a time. A facility agent serving a consumer, qualifying patient, or primary caregiver at a curbside pickup location is not available to serve a consumer, qualifying patient, or primary caregiver at a drive-through window, pick-up window, or in the limited access area as long as the facility agent is serving the curbside consumer, qualifying patient, or primary caregiver;**

AUTHORITY: Sections 1.3.(1)(b), 1.3.(2), 2.4(1)(b), and 2.4(4) of Article XIV, Mo. Const. Emergency rule filed January 20, 2023, effective February 3, 2023, expires August 1, 2023. Original rule filed January 20, 2023, effective July 30, 2023.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Health and Senior Services, DCRPublicComment@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*