

Recreational Marijuana Delivery: Considerations for Opting Out

The public health best practice is to opt out of recreational marijuana delivery. Listed below are considerations that support this recommendation. Opting out of recreational marijuana delivery provides a more permanent protection for community members against the risks related to recreational marijuana delivery.

- Driver safety
 - Delivery drivers are transporting a valuable product and could be put in vulnerable situations while making deliveries
- Challenges with ID verification
 - Delivery purchase interaction not filmed like it would be in a store. Drivers are required to have a camera on the marijuana products while transporting, but not required to have a camera filming the purchase interaction.
- The daily delivery limit is generous and there is no method for tracking multiple deliveries to one address from different retailers
 - According to state law a retailer can deliver up to 1 oz. of flower, 8 g. of concentrate, or ten 80 mg. services of THC to one address during a 24hr delivery period.
 - There are concerns from youth community members that this daily limit is too high.
 - Amendment 64 prohibits the government from collecting information on individuals who are purchasing marijuana; therefore, there is not currently a method for verifying that individuals are not making orders from multiple dispensaries in one day.
 - Lowering the daily delivery limit can be one method for lowering the overall amount of marijuana one address could obtain even if ordering from multiple locations.
- Need for local oversight through licensure and increase beyond required \$1 surcharge
 - Research has shown that meaningful penalties, including license suspension and revocation, paired with increased local retail inspections can reduce age-restricted sales to young people (2).
 - Additionally, local licensing fees can provide a sustainable revenue source for evidence-based community prevention strategies to benefit the communities where marijuana delivery businesses are located (1, 3). In order to ensure adequate enforcement for violations and proactive compliance checks, local licensing fees need to be high enough to pay for the increased enforcement burden for County staff.
- Need to collect data on community impacts
 - Since recreational marijuana delivery has not been implemented before, we can only estimate the impacts it will have on the community by looking to similar industries that provide delivery of age-restricted products.
 - Data will need to be collected and available to the public about business violations, revenue generated, compliance and follow-up checks, and changes to youth perception of risk from regular marijuana use and perception about ease of access to marijuana.
- Could open door for Purchase, Use, and Possession (PUP) or Minor in Possession (MIP) laws
 - These strategies are not effective at reducing youth substance use and moves responsibility for making underage sales away from the industry.
- Normalization of marijuana use for youth

- Research on alcohol sales has shown that living in areas with higher density of alcohol outlets was associated with a statistically significant increase in the likelihood of adolescent early initiation of alcohol use. (4,5)

Citations

1. Barry RA, Glantz S. A Public Health Framework for Legalized Retail Cannabis Based on the US Experience: Avoiding a New Tobacco Industry. PLOS Medicine. 2016;13(9). doi:10.1371/journal.pmed.1002131.2.
2. Kerry Cork, Tobacco Control Legal Consortium, Toking, Smoking, and Public Health: Lessons from Tobacco Control for Cannabis Regulation (2nd ed. 2018, 2015) <https://www.publichealthlawcenter.org/sites/default/files/resources/Toking-Smoking-Public-Health-2018.pdf.3>.
3. McLaughlin I. License to Kill?: Tobacco Retailer Licensing as an Effective Enforcement Tool. Tobacco Control Legal Consortium, 2010.
4. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2810108/>
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