
SUBSTITUTE SENATE BILL 5051

State of Washington

64th Legislature

2015 Regular Session

By Senate Commerce & Labor (originally sponsored by Senators Hatfield and Kohl-Welles)

READ FIRST TIME 02/05/15.

1 AN ACT Relating to transportation and delivery services for
2 marijuana producers, marijuana processors, and marijuana retailers;
3 amending RCW 69.50.4013 and 69.50.4014; and adding new sections to
4 chapter 69.50 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 69.50
7 RCW to read as follows:

8 A licensed marijuana producer, marijuana processor, or marijuana
9 retailer, or their employees, when operating in compliance with the
10 provisions of RCW 69.50.325 through 69.50.401, and the administrative
11 rules adopted thereunder, may use the services of a common carrier
12 who is subject to the provisions of chapter 81.29 RCW to physically
13 transport or deliver marijuana, useable marijuana, marijuana
14 concentrates, and marijuana-infused products to another licensee, if
15 the carrier is a licensed transporter as authorized by the liquor
16 control board under section 2 of this act.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 69.50
18 RCW to read as follows:

19 (1) The liquor control board must adopt rules providing for an
20 annual licensing procedure of a common carrier who seeks to transport

1 or deliver marijuana, useable marijuana, marijuana concentrates, and
2 marijuana-infused products to another licensee.

3 (2) The rules for licensing must:

4 (a) Establish criteria for considering the approval or denial of
5 a common carrier's original application or renewal application;

6 (b) Provide minimum qualifications for any employee authorized to
7 drive or operate the transportation or delivery vehicle, including a
8 minimum age of at least twenty-one years;

9 (c) Address the safety of the employees transporting or
10 delivering the products;

11 (d) Address the security of the products being transported,
12 including a system of electronically tracking all products at both
13 the point of pickup and the point of delivery; and

14 (e) Set reasonable fees for the application and licensing
15 process.

16 (3) The liquor control board may adopt rules establishing the
17 maximum amounts of marijuana, useable marijuana, marijuana
18 concentrates, and marijuana-infused products that may be physically
19 transported or delivered at one time by a common carrier as provided
20 under section 1 of this act.

21 **Sec. 3.** RCW 69.50.4013 and 2013 c 3 s 20 are each amended to
22 read as follows:

23 (1) It is unlawful for any person to possess a controlled
24 substance unless the substance was obtained directly from, or
25 pursuant to, a valid prescription or order of a practitioner while
26 acting in the course of his or her professional practice, or except
27 as otherwise authorized by this chapter.

28 (2) Except as provided in RCW 69.50.4014, any person who violates
29 this section is guilty of a class C felony punishable under chapter
30 9A.20 RCW.

31 (3)(a) The possession, by a person twenty-one years of age or
32 older, of useable marijuana or marijuana-infused products in amounts
33 that do not exceed those set forth in RCW 69.50.360(3) is not a
34 violation of this section, this chapter, or any other provision of
35 Washington state law.

36 (b) The possession of marijuana, useable marijuana, marijuana
37 concentrates, and marijuana-infused products being physically
38 transported or delivered to another licensee, in amounts not
39 exceeding those that may be established under section 2(3) of this

1 act, by an employee of a common carrier when performing the duties
2 authorized under section 1 of this act, is not a violation of this
3 section, this chapter, or any other provision of Washington state
4 law.

5 **Sec. 4.** RCW 69.50.4014 and 2003 c 53 s 335 are each amended to
6 read as follows:

7 Except as provided in RCW 69.50.401(2)(c) or as otherwise
8 authorized by this chapter, any person found guilty of possession of
9 forty grams or less of (~~marihuana~~)marijuana is guilty of a
10 misdemeanor.

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