

Proper Identification Protocols

Massachusetts

Checking identification is a **foundation of compliance** in the cannabis industry. Checking identification is mandatory for all people to enter a licensed facility or to initiate and complete a delivery.

You may be on the security team at a cultivation facility and need to check the identification of a contractor entering the premises while jotting down details on the visitor log. Or, as sellers of cannabis, ensure you **only sell, serve, transfer or deliver to those who may legally shop** with us or consume at our licensed Social Consumption Establishments.

If an ID looks fake, altered, or belongs to someone else, you have the right to confiscate it, but you must follow the proper steps every time.

Visitors

To enter any licensed facility (cultivation, manufacturing, retailer etc.) visitors (i.e., plumbers, electricians) must show a valid ID and be 21+.

Dispensary or Social Consumption Establishments

Immediately upon entry, ask for a valid form of ID: When a patient (or caregiver) enters a Medical Marijuana Establishment, a customer enters a Marijuana Retailer, or a consumer visits a Social Consumption Establishment, greet them politely and request their ID. Inform them that their ID will be checked again and to keep it easily accessible.

Delivery

Pre-verify the ID and physically inspect the ID prior to transfer. The pre-verified ID must be the same ID presented in person at time of delivery.

Medical Marijuana Establishment (Medical):

- Motor vehicle License
- Government-issued ID card
- Military ID card
- Passport
- Massachusetts Commission for the Blind (MCB) Identification Card (New as of January 2026!)

***Patients must show their temporary paperwork (valid 14 days) or patient registration card

***Patients must have a valid certification in the Commission supported interoperable database

***Patients must be residents of Massachusetts

Marijuana Retailer, Delivery & Social Consumption (Adult-Use), Must be at least 21 years of age:

- Motor Vehicle License
- Government-issued ID Card
- U.S. Military ID
- Passport
- Liquor Purchase ID card
- Massachusetts Commission for the Blind (MCB) Identification Card (New as of January 2026!)

****Sell-SMaRT™ Recommendation:** US Govt-issued Driver License & US Govt-issued ID Cards preferred. Any out of country government-issued IDs should be approved by a manager.

Ensure the ID is valid:

- Feel the ID for tactile security features and check the back of the ID for accurate information
- Ensure the ID is valid; not expired, altered, or mangled
- Inspect the ID signature and if needed, ask the consumer to sign a paper to see if the signature matches
- Compare the ID to the ID Checking Guide if unfamiliar with that type of ID
- Scan the ID ****note: this is mandatory at Social Consumption Establishments (ID scanning software)** and optional at other license types

Ensure the ID matches the person presenting it:

- Compare the photo on the ID to the patient/consumer
- Compare the physical description (height/weight)
- Ask questions only the ID owner may know

Vertical Driver Licenses/Minor IDs:

- Connect with a manager for a second opinion/verification that this person is old enough to shop

Tools for proper ID checking

1. ID scanner (**note: some proper IDs don't scan and some fake IDs may scan)
2. Blacklight to inspect holograms or other security features
3. Magnifying glass to read and inspect microprinting

Multiple ID checks at Retailer & Social Consumption Businesses

1. All IDs are checked immediately upon entry
2. All IDs are also checked by agent assisting with sale

Delivery ID checks

1. All IDs must be pre-verified (***in person or electronically by the retailer*)
 - Learn your company's SOP for pre-verified IDs
 - You will likely have an image of the pre-verified ID, or
 - A detailed description of the ID (i.e., FL Driver License, DOB =, license # =, Expiry =, etc.)
2. All IDs are physically checked at the time of transfer

Common Mistakes with IDs

1. Glancing too quickly to ensure accuracy and validity of the ID
2. Only looking at DOB
3. Inaccurate calculations of age based on DOB
4. Not matching the ID image to the individual
5. Forgetting to check expiry
6. Failure to check security features for authenticity
7. Not holding the ID to physically inspect and get a closer look
8. Not checking the ID to the ID Checking Guide to validate

Spotting Fraudulent Identification

- **Compare the photo to the person.** Look at facial features, not just hair or glasses.
- **Check the dates.** Confirm the customer is 21 or older and the ID isn't expired.
- **Feel and look for tampering.** Watch for peeling edges, bumps, uneven lamination, or blurry printing.
- **Check the security features.** Look for holograms, raised text, microprinting, and UV features.
- **Ask questions.** Ask for the ZIP code, birth year, or middle name; hesitation is a red flag.
- **Use your ID scanner.** And, don't rely on the scanner alone... a good fake ID will still pass the scan.

Confiscating Fraudulent Identification

- **Alert a manager right away.** Don't handle it alone.
- **Stay calm and polite.** Refuse sale/entry and don't argue or accuse.
- **Document it** in the incident log. Record the date, time, ID details, a description of the person, and what happened.
- Notify the Cannabis Control Commission (CCC).
- Turn the ID over to CCC inspectors or local police within 3 days.
- Follow your **house SOPs** for storing the ID securely and completing any other required steps.

Remember: When in doubt, don't sell. It's always better to refuse a sale than risk selling to a minor.

High Volume & Peak Periods

Being busy is wonderful for business... and never an excuse to hurry or skip a thorough ID check.

1. Take your time, look at the details
2. Recruit a manager to assist if very busy
3. Social Consumption Establishment? Always scan the ID
4. If a customer exits and returns, always double check the ID upon re-entry

Our commitment is to be thorough and detailed with ID checks. And, ultimately prevent sales to underage persons or non-patients.

Sell-SMaRT™ FAQ for proper identification:

- Temporary paperwork from DMV: acceptable when it has a picture, DOB, expiry. MA Temp DL's say "Not Valid For Identification". Please check with an attorney.
- Must the ID be scanned? Mandatory for Social Consumption Establishments. Not specified by the Commission for Dispensary Entrance. Be aware of host community laws.
- Are Electronic IDs acceptable? The CCC definition of acceptable IDs doesn't exclude electronic Driver Licenses. Create a detailed SOP about acceptance of Electronic IDs (photo of an ID is never acceptable)

Proper Identification Protocols

Cannabis Control Commission

935 CMR 501.140 Additional Operational Requirements for Patient Sales

(2) Verification of Patient and Caregiver Certification

(a) **Upon entry** into a Medical Marijuana Establishment by a Registered Qualifying Patient or Personal Caregiver, **or arrival** at a residence for delivery to a Registered Qualifying Patient or Personal Caregiver, a Medical Marijuana Establishment or Marijuana Courier Agent **shall immediately inspect** the patient's or caregiver's temporary or annual Registration Card and proof of government-issued identification.

1. The government-issued identification card shall contain a **name, photograph, and date of birth**, and shall be limited to one of the following:

- | | |
|---|---------------------------------------|
| a. A driver's license; | c. A military identification card; or |
| b. A government issued identification card; | d. A passport. |

2. A Medical Marijuana Establishment may dispense only to a Registered Qualifying Patient who has a current valid certification with the Commission or Other Jurisdictions that permit the medical use of marijuana or their Personal Caregiver. Pursuant to 935 CMR 501.010(8), a Certifying Healthcare Provider shall have defined the calendar day length of valid certification of a Qualifying Patient.

3. Qualifying Patients younger than 18 years old do not have to have a separate means of identification to enter a Medical Marijuana Establishment.

4. A Qualifying Patient younger than 18 years old cannot enter a Medical Marijuana Establishment without their Caregiver.

935 CMR 500.140: Additional Operational Requirements for Retail Sale (Adult Use Marijuana/Marijuana Retailer)

(1) In addition to the general operational requirements for Marijuana Establishments required under 935 CMR 500.105: General Operational Requirements for Marijuana Establishments and security requirements provided in 935 CMR 500.110: Security Requirements for Marijuana Establishments, Licensees engaged in retail sales shall comply with 935CMR500.140: Additional Operational Requirements for Retail Sale.

(2) On-Premises Verification of Identification.

(a) **On entry into the Premises** of a Marijuana Retailer by an individual, a Marijuana establishment agent shall immediately inspect the individual's proof of identification and determine the individual's age. An individual shall not be admitted to the Premises unless the Marijuana Retailer has verified that the individual is 21 years of age or older by an individual's proof of identification.

(b) **On point of sale** by an individual, a Marijuana establishment agent shall inspect the individual's proof of identification and determine the individual's age.

(c) In accordance with M.G.L. c. 94G, § 4(c)(3), A Marijuana Retailer **may not acquire or record Consumer personal information** other than information typically required in a retail transaction, which can include identifying information to determine the Consumer's age. A Marijuana Retailer may not record or retain any additional personal information from Consumer **without the Consumer's voluntary written permission**, except as provided in (d) and (e).

(d) A Marijuana Retailer that has entered into Delivery Agreements with Delivery Licensees for the purpose of transacting home deliveries to Consumers shall establish a Pre-Verification process for Consumers who intend to place orders for delivery with the Marijuana Establishment. To comply with the requirements of pre-verification, the Marijuana Establishment shall:

1. **Require the Consumer to pre-verify with the Marijuana Establishment in person or through a Commission approved electronic means** by presenting or submitting the Consumer's valid, unexpired government-issued photo identification; and
2. **Examine the government-issued identification card** and verify that the individual Consumer presenting or submitting the identification is the individual Consumer that matches the identification card, and that the individual Consumer is 21 years of age or older.

(e) A Marijuana Retailer shall collect and maintain relevant information about the individual Consumer, for the purpose of transacting a delivery and ensuring that the recipient of a delivery under 935 CMR 500.145: Additional Operational Requirements for Delivery of Marijuana, Marijuana Products, Marijuana Accessories, and Marijuana Establishment Branded Goods to Consumers is legally allowed to receive Marijuana and Marijuana Products, which shall be limited to: 1. The individual's name; 2. The individual's date of birth; 3. The individual's address, 4. The individual's primary telephone number; and 5. The individual's email address.

(f) Any such information collected by the Marijuana Establishment shall be used solely for the purpose of transacting a delivery under 935 CMR 500.145: Additional Operational Requirements for Delivery of Marijuana, Marijuana Products, Marijuana Accessories, and Marijuana Establishment Branded Goods to Consumers and shall be otherwise maintained confidentially.

935 CMR 500.141: Additional Operational Requirements for Social Consumption Establishments

(4) Social Consumption Establishment Sales.

(a) Except as otherwise authorized in 935 CMR 500.141(3), the sale of Marijuana and Marijuana Products for consumption on-site shall take place in compliance with the following:

1. Marijuana and Marijuana Products may only be used by Consumers on the Premises who have demonstrated in compliance with 935 CMR 500.141(5) that they are 21 years of age or older.
2. A Social Consumption Establishment shall use Automatic Identification Technology to provide Consumers with access to Certificates of Analysis, and may use AIT to provide Consumers with access to menus, Consumer education information, access to Marijuana or Marijuana Product labels, and any additional content or materials as may be determined by the Commission; provided however, that a Social Consumption Establishment utilizing AIT is prohibited from collecting, storing, or using any Consumer personal data through such technology.

M.G.L. c. 94G, § 9(b)

Any licensee, or agent or employee thereof, under this chapter who reasonably relies on a **liquor purchase identification card** issued pursuant to section 34B of chapter 138, or on a **motor vehicle license** issued pursuant to section 8 of chapter 90, or on an **identification card** issued under section 8E of said chapter 90, or on a **valid passport** issued by the United States government, or by the government, recognized by the United States government, of a foreign country, or a valid **United States issued military identification card**, for proof of a person's identity and age shall not suffer any modification, suspension, revocation or cancellation of such license, nor shall the licensee, agent or employee suffer any criminal liability, for delivering or selling marijuana or marijuana products to a person under 21 years of age.

* [Liquor purchase identification card: 34B of chapter 138](#)

Any person who shall have attained age twenty-one and does not hold a valid operator's license issued by the registry of motor vehicles, pursuant to section eight of chapter ninety, may apply for a liquor purchase identification card. Such cards shall be valid for five years and shall be issued by the registry of motor vehicles pursuant to regulations prescribed by the registrar with the advice of the commission and shall bear the name, signature, date of birth, address and photograph of such person. The registry of motor vehicles shall require payment of a twenty-five-dollar fee for any card issued pursuant to this section. A liquor purchase identification card issued by the registrar shall be labeled as "Not for Federal Identification."

* [Motor vehicle license issued pursuant to said section 8 of said chapter 90](#)

* [Identification card issued under said section 8E of said chapter 90](#)

A person 14 years of age or older who does not have a valid license to operate a motor vehicle may make application to the registrar for an identification card to be issued under this section. Only a resident of the commonwealth shall be eligible to apply for an identification card issued by the registrar. The registrar shall establish by regulation criteria for identification cards.

M.G.L. c. 94G, § 13 (f)

Procurement of marijuana by a person under 21 years of age. A person under 21 years of age, except a qualifying patient holding a valid registration card for the medical use of marijuana, who purchases or attempts to purchase marijuana, marijuana products or marijuana accessories, or makes arrangements with any person to purchase or in any way procure marijuana, marijuana products or marijuana accessories, or who willfully misrepresents such person's age, or in any way alters, defaces or otherwise falsifies identification offered as proof of age, with the intent of purchasing marijuana, marijuana products or marijuana accessories, shall be punished by a civil penalty of not more than \$100 and shall complete a drug awareness program established pursuant to section 32M of chapter 94C of the General Laws. The parents or legal guardian of any offender under the age of 18 shall be notified in accordance with section 32N of chapter 94C of the General Laws and the failure within 1 year of the offense of such an offender to complete a drug awareness program may be a basis for delinquency proceedings for persons under the age of 17 at the time of the person's offense.

M.G.L. c. 94G, § 13(i)

Whoever furnishes marijuana, marijuana products or marijuana accessories to a person less than 21 years of age, either for the person's own use or for the use of the person's parent or another person shall be punished by a fine of not more than **\$2,000 or by imprisonment for not more than 1 year or both** such fine and imprisonment.

For the purposes of this subsection, "furnish" shall mean to knowingly or intentionally supply, give or provide to or allow a person less than 21 years of age, except for the children and grandchildren of the person being charged, to possess marijuana, marijuana products or marijuana accessories on premises or property owned or controlled by the person charged.

This subsection shall not apply to the sale, delivery or furnishing of medical marijuana pursuant to chapter 94I.