Toolkit · Operate SOP Updated November 22, 2026

Age and ID Verification SOP for Retail

The age, identification and sales-limit requirements in the Cannabis Control Act and the CCA draft rules, each cited: the 21-and-over purchase rule, the statutory list of acceptable IDs, no sales to intoxicated buyers or straw purchasers, the 2-ounce transaction limit and its equivalents, the sales floor, delivery ID checks, medical dispensing checks, and transaction error review.

Who needs it: Retail marijuana stores; Microbusinesses (retail side); Delivery operators and stores that deliver; Dual-use pharmaceutical processors and dispensing facilities.

Rule basis: Code of Virginia §§ 4.1-606 B 21 and 22, 4.1-802 B, 4.1-805 A, 4.1-1104 (effective July 1, 2027), 4.1-1200 A 2; HB 30 enactments 10 and 17; draft rules 3VAC10-40-20 B, -25 B, -30 J, -100 A 8, -140 L, -255 B, -275, 3VAC10-50-30, -80 A, -85, -95 (proposed); CCA draft provisions for CPHAC review (Nov. 2026).

Citations starting **3VAC10** are the Cannabis Control Authority's draft proposed adult-use regulations dated September 9, 2026: **proposed, not final, may change**. Citations starting **§ 4.1** are the Code of Virginia as amended by HB 30, Chapter 1 (2026). The section "What other states required or scored" is reference only and is not Virginia law.

We report what the law says. Not legal advice; see the disclaimer.

The Cannabis Control Act sets the minimum purchase age at 21, lists what counts as bona fide evidence of legal age, bars sales to intoxicated persons and to anyone buying for someone under 21, and caps a single transaction at two ounces or the equivalent. HB 30 makes § 4.1-1104 effective July 1, 2027 and bars retail sales by adult-use licensees before that date. The CCA's draft rules add the equivalents, the factors the CCA weighs on age, the sales-floor limits, delivery ID checks and transaction error reviews. Citations to 3VAC10 are to the CCA's draft regulations dated Sept. 9, 2026 (proposed, not final; they may change before adoption).

What Virginia requires

Effective dates (statute)

- Before July 1, 2027, no licensee may engage in retail sale of marijuana, products, immature plants or seeds, except a pharmaceutical processor or cannabis dispensing facility dispensing to patients, registered agents, or the parent or legal guardian of a minor or vulnerable-adult patient under Chapter 16 (HB 30, 2026 Sp. Sess. I, c. 1, enactment 17).
- Sections 4.1-1102 through 4.1-1105, including § 4.1-1104 (persons to whom marijuana may not be sold; proof of legal age), take effect July 1, 2027 (HB 30, enactment 10).

Who may buy (statute)

- A person must be 21 or older to make a purchase in a retail marijuana store (Code of Virginia § 4.1-802 B 1).
- A retail store may not sell to any person when it "knows or has reason to believe" the person is intoxicated or is attempting to purchase marijuana for someone younger than 21 (§ 4.1-802 B 5 b).
- Effective July 1, 2027: no person may sell, give or distribute marijuana to an individual the person knows or has reason to believe is (i) younger than 21 or (ii) intoxicated, except as permitted under Chapter 16 (medical cannabis); a violation is a Class 1 misdemeanor, and on conviction of a licensee, employee or agent the Authority initiates proceedings to consider revoking the license (§ 4.1-1104 A).
- Effective July 1, 2027: selling to an individual younger than 21 without requiring bona fide evidence of legal age showing the individual is 21 or older is a Class 3 misdemeanor; no person may be convicted under both subsections for the same sale (§ 4.1-1104 B and C).
- No licensee, agent or employee may sell marijuana to any person other than a person the license or the Act authorizes; a violation is a Class 1 misdemeanor (§ 4.1-1200 A 2 and B).

Acceptable identification (statute, effective July 1, 2027)

Bona fide evidence of legal age "is limited to" any evidence that is or reasonably appears to be (§ 4.1-1104 B):

- An unexpired driver's license issued by any U.S. state or the District of Columbia;
- A military identification card;
- A United States passport or foreign government visa;
- An unexpired special identification card issued by the Department of Motor Vehicles; or
- Any other valid government-issued identification card bearing the individual's photograph, signature, height, weight and date of birth, or bearing a photograph that reasonably appears to match the purchaser.

"A student identification card shall not constitute bona fide evidence of legal age" (§ 4.1-1104 B).

Board regulations on ID checks (statute)

- The Board's regulations must require licensees, employees and agents to require all individuals to present bona fide evidence of legal age, as described in § 4.1-1104 B, to make a purchase in a retail store, with escalating civil penalties for repeated noncompliance (§ 4.1-606 B 21).
- The Board must establish escalating civil penalties, up to and including license revocation, for repeated sales to persons younger than 21 or intoxicated (§ 4.1-606 B 22).

How the CCA weighs age (draft)

- Under §§ 4.1-606 and 4.1-1104, no regulated establishment or facility may sell a THC product to a person its employees or agents know or have reason to believe is younger than 21 (except as provided in §§ 4.1-1601 and 4.1-1603) or intoxicated (3VAC10-50-85 B, draft).

- In deciding whether an employee had reason to believe a purchaser was underage, the CCA considers (1) whether an ordinary and prudent person would have reason to doubt the purchaser's age based on general appearance, facial characteristics, behavior and manner; and (2) whether the seller demanded, was shown, and acted in good faith on bona fide evidence of legal age containing a photograph and physical description consistent with the purchaser's appearance (3VAC10-50-85 C, draft).
- Bona fide evidence of legal age must meet § 4.1-1104; it is the employee's responsibility to verify the authenticity and validity of any identification presented; identification that has been visibly altered or has expired is not valid (3VAC10-50-85 D, draft).
- A "consumer" is a person 21 or older without non-age-related legal restrictions barring purchase or use of retail marijuana in Virginia (3VAC10-40-10, draft).

Transaction limits (statute and draft)

- A retail store may not sell more than two ounces of marijuana, or an equivalent amount of marijuana products as determined by Board regulation, in a single transaction to one person (§ 4.1-802 B 3).
- The draft sets two ounces of botanical marijuana as equivalent to (1) eight grams of marijuana concentrate or (2) 800 milligrams of THC in an edible product, and applies the limit "except when dispensing an amount authorized by law to a qualifying patient" (3VAC10-50-30, draft).
- The CPHAC review version states the limits apply only to retail sales, not to medical dispensing by a dual-use facility, and adds that a retail establishment "shall deny service to a consumer if an employee or agent knows or should reasonably know that the consumer is attempting to purchase more than two ounces of marijuana or an equivalent amount … within the same business day" and refuses service until the next business day (CCA draft provisions for CPHAC review, Nov. 2026: 3VAC10-50-30 A and C).

How sales may happen (statute and draft)

- Sales to consumers only (i) in a direct, face-to-face exchange; (ii) through a licensed delivery operator; or (iii) by the store's in-person delivery to a residence or business, never by automated dispensing or vending machine or drive-through window (§ 4.1-802 B 2).
- No sales through, or fulfillment of orders referred by, a third-party internet-based sales platform (§ 4.1-802 B 4).
- No giveaways of marijuana, products, immature plants or seeds except as the Act permits (§ 4.1-802 B 5 a).
- No retail sales by drive-through window, curbside pickup, or automated dispensing or vending machine (3VAC10-40-30 J 1 and 2, draft).
- No consumption of any marijuana product or regulated hemp product on the licensed premises (3VAC10-50-85 A, draft).

Access to the sales floor (draft)

- Retail and dispensing establishments limit access to the dispensing area or sales floor to customers at least 21, qualified patients, registered agents, or the parent or legal guardian of a minor or vulnerable-adult patient (3VAC10-40-140 L, draft).
- Customers are not permitted behind the service counter or in secured areas where product is stored (3VAC10-40-20 B 2, draft).

Delivery (statute and draft)

- Delivery operators deliver only in person to consumers at a residence or business, and never to a military base, child day center, school, correctional facility, the State Capitol, a hospital, a Virginia Port Authority marine terminal, or a public gathering place (§ 4.1-805 A).
- The Board's delivery regulations must include "requirements for age verification" (§ 4.1-606 B 2).
- An establishment offering delivery collects each customer's full legal name, date of birth, address, email and telephone, and, if applicable, those details for the parent, legal guardian or registered agent (3VAC10-40-275 A, draft).
- The delivery manifest includes identifying information for each recipient, including name and day and month of birth (3VAC10-40-255 B 2, draft).

- For each delivery, the driver confirms from a valid driver's license or other valid government-issued photo ID that the person accepting is the person who ordered, and if applicable confirms the patient's registration number (3VAC10-40-275 B, draft).
- If identity, age or registration remains in question, the driver immediately alerts the originating facility and returns the product directly after the last scheduled delivery (3VAC10-40-275 C, draft).
- Deliveries only between 6 a.m. and midnight (3VAC10-40-275 D, draft).

Medical dispensing at dual-use facilities (draft)

- Before the first dispensing under each written certification, the pharmacist or pharmacy technician views in person or by audiovisual means a current photo ID of the patient, parent, legal guardian or registered agent, and verifies in the Prescription Monitoring Program or another Board-recognized program that the certification is valid and the date and quantity of the last dispensing (3VAC10-50-80 A 1 b and c, draft).
- Before any later dispensing, the pharmacist or technician verifies the certification has not expired, and an employee or delivery operator views a current photo ID and current registration and keeps a record of that viewing under the facility's policies (3VAC10-50-80 A 3, draft).
- A pharmacist, technician or employee with routine access to confidential patient data who has signed a confidentiality agreement may verify through a Board-recognized source that a registration is current (3VAC10-40-25 B, draft).

Training and error review (draft)

- Initial employee training includes "procedures for verifying the identity and age of qualifying patients, parents, legal guardians, registered agents, or consumers, as applicable to the license type" (3VAC10-40-100 A 8, draft).
- Each establishment implements a written quality assurance program to detect, identify and prevent retail transaction errors, distributes it to all employees and keeps it available on the premises (3VAC10-50-95 A and B, draft).

- The policies include directions for promptly communicating the details of a transaction error and a process to document and assess each error, recording the date and time, product involved, employee involved, description of error, and corrective action taken (3VAC10-50-95 C, draft).
- Errors are relayed immediately to the responsible party or designated supervisor; the responsible party performs a quality assurance review as soon as reasonably possible and no later than two business days after discovery (3VAC10-50-95 D 2 and 3, draft).
- Each review record contains the date and the names and titles of the reviewers; pertinent data on the error; documentation of contact or reasonable attempts to contact the consumer; findings and determinations; and recommended changes to policy, procedure, systems or processes, if any (3VAC10-50-95 D 4, draft).
- The program and all error and review records are kept three years, orderly and filed by date (3VAC10-50-95 E, draft).

Records and forms the rules name

Retail transaction error record (fields listed in 3VAC10-50-95 C 2, draft)

Date and time	Product involved	Employee involved	Description of error	Corrective action taken

Quality assurance review record (fields listed in 3VAC10-50-95 D 4, draft; review within two business days under D 3)

Review date	Names and titles of reviewers	Pertinent data on the error	Consumer contact or attempts	Findings and determinations	Recommended changes, if any

Acceptable ID list for the point of sale (§ 4.1-1104 B, effective July 1, 2027)

ID type	Condition in the statute
Driver's license from any U.S. state or D.C.	Unexpired
Military identification card	
U.S. passport or foreign government visa	
DMV special identification card	Unexpired
Other government-issued ID	Valid, with photo, signature, height, weight and date of birth, or a photo that reasonably appears to match the purchaser
Student ID	Not acceptable

What the law does not say

- Neither § 4.1-1104 nor the draft rules require electronic ID scanning for marijuana sales.
- The draft rules do not set an age (such as "appears under 30") below which ID must be checked; § 4.1-606 B 21 directs regulations requiring all individuals to present bona fide evidence of legal age to make a purchase.
- The draft rules do not require a store to record the ID details of each adult-use purchaser.

What other states required or scored

Not required in Virginia. Shown so applicants can see what other regulators asked for.

New Jersey (N.J.A.C. 17:30-14.3)

- New Jersey requires retailer staff to examine photo identification before allowing entrance and again before each sale (N.J.A.C. 17:30-14.3(a)).
- Accepted IDs are a U.S. or foreign passport, a photo driver's license from any U.S. jurisdiction, a New Jersey MVC ID card, or another government photo ID showing name, date of birth and physical description (N.J.A.C. 17:30-14.3(a)1-4).
- The retailer "shall not keep a copy of the consumer's photographic identification" and may not require personal information beyond the ID (N.J.A.C. 17:30-14.3(b)).
- Staff log in a record that the ID examination and age confirmation occurred, and the record is available for Commission inspection (N.J.A.C. 17:30-14.3(c)).

New York (9 NYCRR 123.10)

- New York bars sales to anyone "actually or seemingly under the age of twenty-one" or visibly intoxicated (9 NYCRR 123.10(d)(1)).
- Accepted IDs include a government driver's license or non-driver ID (including Canadian provincial), IDNYC or other government photo ID showing age, any passport, a consular ID, or a U.S. armed forces ID (9 NYCRR 123.10(d)(2)).
- Staff may perform a transaction scan of the ID before a sale (9 NYCRR 123.10(d)(3)).
- Remote orders include an age attestation, ID is checked at delivery, and when the recipient differs from the orderer both identities are recorded in the point-of-sale system (9 NYCRR 123.10(d)(4)).
- Personal information beyond what a sales transaction typically captures may not be recorded without consent (9 NYCRR 123.10(d)(5)).

Ohio (OAC 1301:18-8-08)

- Ohio requires a registered employee, before any sale or transfer, to review government photo ID with date of birth and confirm age 21 or older, that the ID matches the person, and that it matches any order (OAC 1301:18-8-08(A)(1)).
- Daily adult-use limits are 2.5 ounces of plant material and products totaling no more than fifteen thousand milligrams of THC (OAC 1301:18-8-08(A)(2)).
- Each sale is recorded in the state tracking system and the customer receives a receipt with the dispensary name, license number, address, phone, and time and date of sale (OAC 1301:18-8-08(A)(5), (7)).

Massachusetts (935 CMR 500)

- Massachusetts security rules require "positively identifying individuals" seeking access to the premises or receiving deliveries, to limit access to people 21 or older (935 CMR 500.110(1)(a)).
- Retailers with delivery agreements run a pre-verification process in which the consumer presents valid, unexpired government photo ID in person or through Commission-approved electronic means (935 CMR 500.140(2)(d)).
- Information kept for delivery is limited to listed items such as the consumer's name and date of birth (935 CMR 500.140(2)(e)).
- A licensee website must verify that the visitor is 21 or older (935 CMR 500.105(4)(b)13.).

Maryland (COMAR 14.17.12.02)

- Maryland limits dispensary access to qualifying patients, registered caregivers, and individuals 21 or older (COMAR 14.17.12.02E).
- Children younger than 8 may enter only if accompanied throughout by a qualifying patient or registered caregiver (COMAR 14.17.12.02F).
- The Administration may require conspicuous display of minimum purchase age and identification requirements (COMAR 14.17.12.02C).

Sources checked 2026-11-22.

- NJ Cannabis Regulatory Commission, N.J.A.C. 17:30 Personal Use Cannabis Rules

- Office of Cannabis Management, Express Terms adopting Parts 118-125 and 131 (9 NYCRR)
- OAC 1301:18-8-08, Dispensing Adult-Use Cannabis
- Cannabis Control Commission, 935 CMR 500.000 (effective 09-11-26)
- COMAR 14.17.12.02, Standard Cannabis Dispensary

Sources

- Code of Virginia § 4.1-606 (Regulations of the Board)
- Code of Virginia § 4.1-802 (Retail marijuana store license)
- Code of Virginia § 4.1-805 (Marijuana delivery operator license)
- Code of Virginia § 4.1-1104 (Persons to whom marijuana may not be sold; proof of legal age)
- Code of Virginia § 4.1-1200 (Illegal cultivation, etc., by licensees)
- HB 30 (2026 Sp. Sess. I, c. 1), Item 4-14 enactment clauses (enactments 10 and 17)
- CCA draft adult-use regulations, Sept. 9, 2026 (proposed, not final): 3VAC10-40, 3VAC10-50
- CCA, Draft Regulation Provisions for CPHAC Review (Nov. 2026)

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