

# Travel Tips for Medical Cannabis Patients

The winter months are when many people want to get away in search of warmer climates; however, for those who hold their medical cannabis certification, traveling outside their state may bring a sense of anxiety. How will they ensure they have access to medicine while away, especially when the laws vary across states and countries?

This article is intended to be a helpful overview of traveling as a medical cannabis patient. We will cover almost any travel scenario, ensuring medical cannabis patients understand where they are and are not covered under their state law to obtain medical cannabis. Note that this is only a guide. Before you travel, we strongly advise you understand your destination's laws and regulations.

## Traveling to Another State

A state may permit you to use their medical marijuana program as a visitor if you qualify as a medical marijuana patient and your use of marijuana has been approved. However, not all states recognize the medical marijuana programs of other states.

Remember, there are differences between how residents and visitors of a state can possess marijuana. In Illinois, for instance, a resident holding a valid medical marijuana card can legally possess up to 500 milligrams of THC contained in a marijuana-infused product. For visitors from other states, the limit is only up to 250 milligrams.

## State vs. Federal Law

Medical cannabis laws vary by state. Most states allow you to travel with cannabis, as long as you are using it for medicinal purposes. However, the federal government still classifies cannabis as a [Schedule I Narcotic Drug](#), which means they have labeled it as having a high potential for abuse and lacking accepted medical use.

Confused? Don't be.

The most important thing to remember is that federal law trumps state law. When you're in a state with legalized medical and/or recreational cannabis, you're welcome to use cannabis in accordance with that state's laws. But when you travel outside of that area (by crossing state lines), you fall under the purview of federal law, meaning cannabis is no longer allowed. It is a felony to cross state lines with cannabis, even if you are a medical cannabis patient. While traveling, patients are encouraged to:

- Maintain a current medical cannabis certification;



- Keep their medical cannabis ID card and/or a copy of their current medical cannabis certification on their person at all times;
- Keep another copy of their current medical cannabis certification and/or medical cannabis ID card in their luggage;
- Memorize their physician's and lawyer's phone numbers or write them down and keep them with their current medical cannabis ID card and/or doctor's recommendation;

To ensure that you are never without the medicine that you know works for you, we recommend you contact dispensaries in the destination state(s) prior to travel to determine where appropriate cultivars and products can be obtained.

## Shopping at an Adult Use Retail Dispensary

Reciprocity refers to state laws providing some measure of legal protection for non-resident medical cannabis patients related to possession, use, and access. Some states may have adult-use retailers but do not have a cannabis reciprocity program for patients. In these cases, some patients may have to obtain cannabis from an adult-use dispensary.

While some adult-use dispensaries will cater more to cannabis patients than others, patients who are unsure about the suitability of specific options of products offered by a dispensary should inform staff of their patient status to ensure that suitable cultivars and products are obtained.

Product safety testing and labeling requirements vary from state to state for both adult-use and medical cannabis products.

## Cannabis Reciprocity

To date, ten states, Washington, D.C., and two U.S. territories have organized dedicated cannabis reciprocity programs. Another seven states have reformed their laws to permit adults who are 21 years of age or older to purchase, possess, and use cannabis while visiting their state.

However, not all reciprocity programs are created equal, with some states providing only basic protections and others granting visiting patients the same rights as resident patients. It is important for patients to know where and how they can legally access cannabis while traveling.

Please refer to CCOA's full [Travel Guide](#) for a full list of reciprocity laws by state.

## Encountering Law Enforcement and Safeguarding Rights While Driving

Medical cannabis patients must know how to safeguard their rights. In the event of being stopped by the police, a medical cannabis patient should never give permission to conduct a search. If officers try to search a patient's car or belongings, the patient should loudly and clearly state: "I do not consent to a search."

This may not stop the police from conducting a search, but if the search is illegal, any evidence resulting from it may be inadmissible in court. If the search is consented to, any evidence it uncovers would be admissible in court.

While patients should not consent to a search, they also should not physically resist officers in any way, even if the search is illegal. If the police conduct a search over a patient's objections, the patient should continue to state, "I do not consent to this search," loudly enough for the officers and all witnesses to hear.

## Planes, Trains, and Automobiles

Patients should check the policies of any planned transportation providers before traveling.

### Flying with Cannabis

The Transportation Security Administration (TSA) allows the transport of prescribed, FDA-approved cannabis products (e.g. Epidiolex) as well as the transport of CBD products manufactured pursuant to the *Agriculture Improvement Act* of 2018, also known as the *2018 Farm Bill*. Those products must be made from industrial hemp and cannot contain more than 0.3% THC.

While TSA agents do not actively search for cannabis or other drugs, they are required to report the discovery of such substances to law enforcement. Some airports have cannabis "amnesty boxes" where patients can dispose of any cannabis remaining in their possession before boarding their flights. Some airlines, including Delta and American, have created specific policies prohibiting the transport of cannabis on their aircraft.

Other transportation companies have also created restrictive policies regarding cannabis:

### Riding the Train with Cannabis

Amtrak bans "the use or transportation of marijuana in any form for any purpose... even in states or countries where recreational use is legal or permitted medically."

### Riding the Bus with Cannabis

Greyhound's policy prohibits "alcohol, drugs, or weapons anywhere on the bus (including in your checked baggage)."



### Riding the Subway with Cannabis

Subways and commuter trains also have their own restrictions and regulations that you must follow when traveling with your medical marijuana. The [MTA in New York](#), the country's main transit hub, outlawed all smoking in 1988, and sometimes has cops searching suspicious bags in stations.

### Cannabis on the Seas

The US Coast Guard advises you to leave your marijuana at home. You might not know that traveling on water is crossing another jurisdiction, and one should adhere to the rule of the state or country you are sailing through.

### Ridesharing Companies & Cannabis

Popular ridesharing companies have adopted different and at times self-contradictory approaches to cannabis. Uber states that using its app "to commit any crime - such as transporting drugs... or to violate any other law is strictly prohibited". Lyft, on the other hand, has a zero-tolerance drug and alcohol policy for its drivers but only prohibits passengers from transporting open containers of alcohol. It is important to recall, however, that rideshare drivers are using their personal vehicles and that some may object to the smell of cannabis in their cars. To be respectful of the driver and their vehicle, patients are encouraged to explore scent-reducing or -eliminating storage and transportation solutions.

### Driving with Cannabis

Patients should never drive under the influence of any substance that may negatively impact their driving ability, including cannabis. Patients who intend to drive while in possession of cannabis should make sure their vehicle registration, driver's license, and license plates are unexpired and that all lights are operational. When driving, patients should keep cannabis locked in the trunk.

In some states where cannabis is legal, driving with cannabis that is stored anywhere other than in the trunk - including in a locked glove compartment - is illegal.

### Can I Visit Other Countries With Medical Cannabis?

While flying with some FDA-approved medical marijuana products and CBD products across the states is permitted in most cases, it can under no circumstances be carried across country borders, even if you're traveling to a country like Canada where cannabis is legal.

Cannabis is highly illegal in some countries like Cuba or Saudi Arabia. Also, while there might not be laws against using medical marijuana in many countries, the culture and attitude toward marijuana may differ.



Most legal systems in the Middle East and Asia still regard cannabis possession as a serious crime. In certain countries, such as Singapore and Japan, it is illegal to even touch cannabis. These are areas of the world you'd likely want to avoid if you are not able to go without cannabis for the duration of your time away because the plant is still illegal for both medical and recreational purposes.

Bear in mind that visitors should not expect better treatment than locals. If you travel to other countries, be sure to research the particular cannabis status of the countries you will visit and follow their restrictions.

## Storing Medical Cannabis

If you are traveling across your own state with your medical cannabis or have obtained medical cannabis at your destination and are doing a lot of touring around, you'll want to take precautions to maintain the quality of your cannabis medicine during travel.

Light, heat, and oxygen can degrade cannabinoids and terpenes. Excessive moisture in a product can promote spoilage and fungal growth. Generally, cannabis floral material and derived products should be kept in a container that minimizes exposure to these factors and stored in a climate-controlled setting to avoid elevated temperatures and humidity.

To protect the contents and minimize the release of odor, containers should be rigid, airtight, and made from a non-absorptive material like glass or stainless steel. We always recommend that you store your cannabis in a smell-proof bag or container when traveling.

## Know Before You Go

With Americans for Safe Access' help, Congress has passed a temporary measure to stop the U.S. Department of Justice from spending federal funds to interfere with state medical cannabis laws. However, because cannabis is still federally classified as a Schedule I controlled substance, medical cannabis patients are always violating federal law when in possession of cannabis, even in states where medical cannabis laws have been passed.

Because of this, traveling across state lines with any amount of cannabis is a federal crime, even if the patient is transporting cannabis between two states that have organized medical cannabis programs. It should also be noted that several of the states in which adult-use cannabis is legal have explicitly outlawed the importation and/or exportation of cannabis across their borders.

## Stay Protected with Your Medical Cannabis Certification

However, as mentioned above, ten medical cannabis states offer visiting patients some form of cannabis reciprocity and will recognize medical cannabis cards granted by other



states. Before traveling, it is important for patients to review the most up-to-date information for the state(s) they will be visiting, as laws and regulations are often subject to change.

If you are traveling as a medical cannabis patient, always ensure your medical cannabis certification is up to date. Be sure to connect with Compassionate Clinics of America before you go if your card may expire while you're away. Remember to always check cannabis laws of your destination and plan as best you can to ensure access, and protection, as a traveling medical cannabis patient.