

# Environmental Scans

TECHNICAL MEMORANDUM



## BACKGROUND

Hemp is legally defined as “the cannabis sativa L plant with delta-9 tetrahydrocannabinol concentration not more than 0.3% by dry weight.”<sup>1</sup> The Agricultural Improvement Act of 2018 removed hemp from the Schedule I Controlled Substance list and allowed for the farming of hemp plants for the production of agricultural commodities.<sup>1</sup> Since the passage of the act, Texas has seen a proliferation of intoxicating cannabis products containing tetrahydrocannabinol (THC) flood the marketplace. Meanwhile, the public has received little to no education on the effects of these hemp-derived psychoactive substances being sold at retailers such as smoke shops.

A report from the Governor’s Highway Safety Administration (GHSA) titled *Cannabis Consumers and Safe Driving: Responsible Use Messaging* provided guidance on how states with legal cannabis markets should educate the public with safe driving messaging. The report noted that “several state leaders strongly recommended working with cannabis industry groups, advocates and retailers to craft, co-brand and disseminate cannabis and safe driving messages.”<sup>2</sup> As part of the Essential Education on Marijuana and Driving project, funded by the Texas Department of Transportation, staff from the Texas A&M Transportation Institute (TTI) piloted an environmental scan program focused on understanding if the smoke shop industry would be willing to collaborate with traffic safety professionals to help educate their consumers about driving under the influence of THC. The project involved visiting smoke shops in the Bryan/College Station area to determine current practices and identify potential opportunities for collaboration. This technical memorandum documents the methods and findings of the project.

## METHODS

The TTI project director visited eight locations in Bryan/College Station, Texas. These retail outlets were chosen based on the number of locations in the area. The cities of Bryan and College Station have an approximate combined population of 221,274 in 2025.<sup>3,4</sup>

The retail outlets were identified in an online search using the search phrase “smoke shops in Bryan College Station.” The search results yielded 34 locations of interest. These locations were cross referenced with the Texas Department of State Health Services permit database.<sup>5</sup> Three types of permits were found for businesses carrying psychoactive substances: Retail Hemp Registration, Consumable Hemp Product, and Abusable Volatile Chemical Sales.

Of the 34 locations identified:

- Thirteen locations did not have any of the listed permits.
- Six businesses were listed with a Retail Hemp Registration.
- Two locations (same business) had both Retail Hemp Registration and Consumable Hemp Product permits.
- Ten businesses held Abusable Volatile Chemical Sales permits (one was expired).
- Three had both Retail Hemp Registration and Abusable Volatile Chemical Sales permits.

*Abusable Volatile Chemical:  
“The product may (has the potential to) affect a person’s central nervous system; create or induce in a person a condition of intoxication, hallucination, or elation; or change, distort, or disturb a person’s eyesight, thinking process, balance, or coordination when inhaled, ingested, or otherwise introduced into a person’s body.”<sup>6</sup>*

## FINDINGS

The following observations were documented during the environmental scans of smoke shops in Bryan/College Station, highlighting practices that fall outside of best practices established in other states with regulated adult-use cannabis markets. These practices pose potential risks to public safety since the unrestricted availability of psychoactive products may lead individuals to underestimate their impairing effects and choose to drive while under the influence of cannabis.

### Age Restrictions and Signage

In the United States, regulated impairing substances can only be sold legally to adults 21 and older. This regulation includes alcohol and cannabis products sold in adult-use states.

The Centers for Disease Control and Prevention states that this policy has helped protect public health by reducing motor vehicle crashes, reducing underage drinking, and improving individual and community health.<sup>7</sup>

In this project, seven of the locations visited had signage on the door indicating that a person must be 21 years of age or older to complete a purchase. Of the seven locations that posted this notice, one was identified as using an electronic age identification scanner to confirm visual inspection of an ID. One business had posted that a person must be 18 or older to purchase any products other than tobacco, which requires a purchase age of 21 or older. Figure 1 shows examples of the signage.



**Figure 1. Example age restriction signage.**

### Proximity to Sensitive Locations

In states with regulated adult-use cannabis markets, there are regulatory restrictions related to a cannabis dispensary's proximity to schools. All state statutes that address this issue require dispensaries to be located at least 500–1,000 feet from schools.<sup>8</sup> Smoke shops are like dispensaries because they sell comparable products containing high concentrations of THC. Of the retail outlets that were visited in the Bryan/College Station area, all the shops were farther than 1,000 feet from a high school, middle school, or elementary school.

Proximity to bars or liquor stores was another metric of concern in this project due to the increased potential for polysubstance consumption paired with driving. Two locations shared a parking lot with a bar, and one shared a parking lot with a liquor store. One of the

retail outlets allowed customers to consume THC beverages inside its store, offering a bar top with stools and a separate lounge area with a couch.

### Store Composition

The store composition varied by the products carried. Most stores visited (five) sold a variety of impairing substances. One store sold mostly nicotine products, with one-third of the store's inventory being intoxicating products. Another store was what would be considered a head shop, with two-thirds of the store's products consisting of novelty items and glass pipes and the other one-third being intoxicating products. One location mainly focused on THC products and thus would be considered a dispensary in an adult-use state. This breakdown provides an understanding that not all smoke shops are the same. As policymakers debate regulations based on the availability of THC products, it is important to understand that even if they remove these products from the shelves, other impairing substances will remain.

### Retailers and Consumer Education

Upon entering the stores, the project director identified herself as working for TTI and then engaged in conversations with the clerks on topics related to the intoxicating effects of the products being sold and the risks to the driving task. Clerks were asked whether they inform customers about the dangers of driving after consuming hemp-derived products. Additional questions were posed regarding other psychoactive substances sold in the stores. Each visit concluded with a discussion about the potential consumer education and types of resources, such as signage, brochures, or training materials, that might be helpful in supporting retail staff.

In terms of informing customers about the intoxicating effects of these products and the risk to the driving task:

- Five clerks said that they verbally inform customers of legal issues, including not driving after consuming these products. Three also educate customers about not opening the package until the customer returns home and not using the product outside of the home.
- Two clerks felt that adults should be responsible for understanding they should not drive a car if they are intoxicated.
- One clerk said they are not currently educating consumers unless asked.

Two clerks pulled products from the shelves to show that packaging contains warning labels about the risk to the driving task. Figure 2 shows examples of the products, with the warnings highlighted.





Figure 2. Examples of product packages with warning labels.

Additionally, one clerk who mentioned that he does inform customers about the risk of receiving a citation for driving while intoxicated (DWI) said, “Customers feel that is stupid.” He was asked why he thinks they feel that way, and he replied, “I think they feel like they drive better high.” This conversation was held at the location that requires customers to be 18 years old to purchase impairing substances. When asked about this policy, the clerk noted that there is no age restriction required by state statute, so the company’s attorneys felt 18 was an appropriate age limitation to set for their business.

When asked if it would be helpful to have materials or resources to help educate consumers, each clerk agreed that they would be willing to utilize any materials provided. The most common resources requested were point-of-sale signs that would provide this warning next to the cash register, a brochure or card to put inside the bag with the

products, and an employee training curriculum. Two clerks suggested a counter sign would be easy to point to, three clerks felt like it would be a good solution to place a brochure or card inside the bag after purchase, and three clerks said it would be really helpful to have a retail education course like is offered to alcohol servers.

A conversation with an owner of one of the retail establishments revealed a potential opportunity for collaboration. After reviewing the options previously suggested by the clerks, he identified the employee training curriculum as the most valuable. He expressed interest in co-developing the content and offered to pilot the curriculum with staff at his two locations. Their feedback would allow us to refine the material before distributing it more broadly across the industry.

### Misinformation and Medical Claims

During many conversations, the clerks provided misinformation about products. For example, one clerk said that hemp-derived THC stays in the body for 2 months, while marijuana eliminates from the system within a month. Another clerk mentioned that the mushroom gummies contain psilocybin, which is a Schedule I Controlled Substance.

Additionally, some clerks felt comfortable providing medical advice, indicating that certain products were beneficial for specific medical ailments, despite the fact that the U.S. Food and Drug Administration has repeatedly sent manufacturers and companies selling cannabis products and cannabis-derived compounds violation warning letters that include the following statement: “It is illegal to sell unapproved products that claimed to diagnose, cure, mitigate, treat or prevent various diseases.”<sup>9</sup>

### Additional Considerations

#### *Other Psychoactive Substances*

During the visits, the project director identified several psychoactive products, other than THC, being sold in smoke shops. These products contain psychoactive substances with known effects on the body that may greatly compromise the driving task, as follows:

- *Mushroom Candies*—hallucinations, anxiety, nausea, and potential seizures.<sup>10</sup>
- *Kratom*—dizziness, drowsiness, hallucinations, confusion, and potential seizures.<sup>11</sup>
- *7-hydroxymitragynine (7-OH)*—euphoria, sedation or relaxation, nausea, dizziness.<sup>12</sup>
- *Tianeptine*—agitation, confusion, drowsiness, and nausea.<sup>13</sup>
- *Mad Honey*—neurological symptoms including dizziness, diaphoresis, light-headedness, impaired consciousness or mental confusion, perioral paresthesia, and blurred vision.<sup>14</sup>

- *Nitrous Oxide* (Abusable Volatile Chemical)—neurological damage, neuropathy, and paralysis.<sup>15</sup>

Figure 3 shows an example of one of the Mad Honey products.



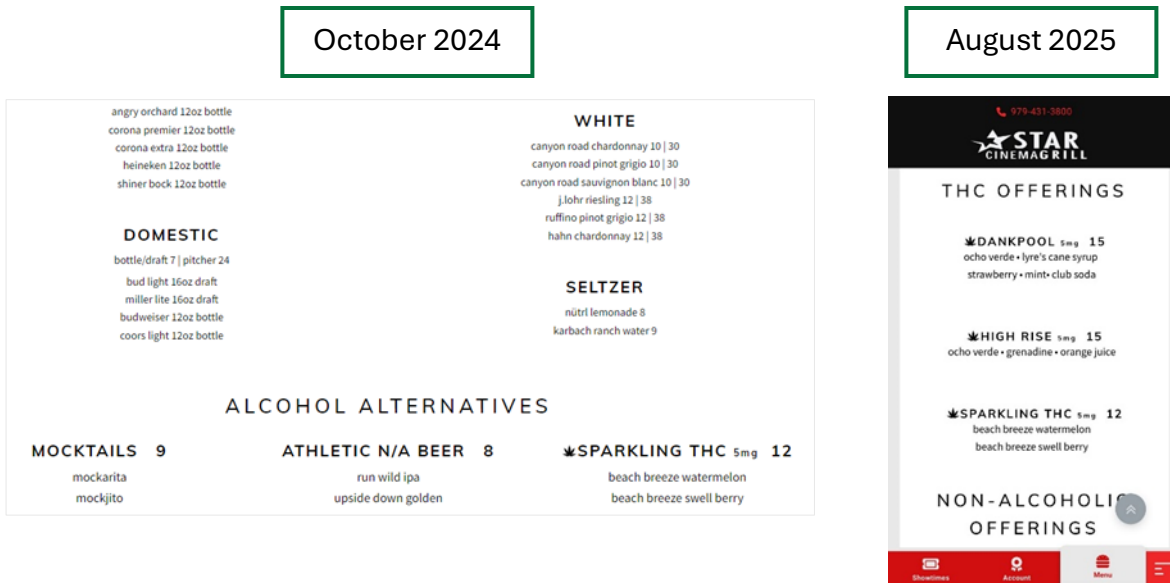
**Figure 3. Example of a psychoactive product sold in smoke shops.**

### *Onsite Consumption*

The Texas Alcoholic Beverage Commission provides on- and off-premise licenses for alcohol sales.<sup>16</sup> The emerging trend of THC beverages requires some consideration of these distinctions. Off-premise locations allow consumers to purchase products and take them away from the business location for consumption. On-premise locations allow customers to consume beverages at the business location.

During the environmental scans, it was noted that one smoke shop allowed customers to purchase THC beverages and consume them at the store. No regulation currently provides guidance or restrictions on this practice. This gap in regulation should be addressed since consumers will need to leave the location, potentially while under the influence of intoxicants.

As a bonus stop to the environmental scans, the project director visited Star Cinema Grill, located across from Texas A&M University. In October of 2024, the beverage menu for the cinema listed THC beverages, billed as an alcohol alternative, next to mocktails and non-alcoholic beer. This practice is problematic if uneducated consumers are not expecting impairing effects. As of August 2025, the menu now lists THC offerings as a separate category above the non-alcoholic options, which is an improvement for consumer education. Figure 4 displays images of the menus from 2024 and 2025.



*Figure 4. Star Cinema Grill THC menus from 2024 and 2025.*

The project director spoke with the bar manager, who provided the policies surrounding THC beverage services. First, the staff are trained to treat these beverages like alcohol and ask for identification showing that the customer is at least 21 years of age. Second, a customer can order only one beverage at a time, so they are not allowed to mix alcohol with THC. The manager did mention that there is nothing to prevent a customer from alternating substances by ordering a THC beverage and then an alcoholic beverage, but they are not allowed to have both at the same time.

Note that the movie theater is directly across the street from a major university, which has a high-risk demographic for both substance use and impaired driving.<sup>17</sup> The bar manager pointed out that policies were not set due to the proximity to the university but instead by the corporate office in Houston. This statement indicates education near universities and college campuses may be warranted.

## RECOMMENDATIONS

The objective of the pilot study was to understand if this industry would be willing to collaborate with traffic safety professionals to help educate their consumers about driving under the influence of THC. The advice provided by GHSA, to collaborate with retailers to disseminate cannabis and safe driving messaging, originated from states with regulated adult-use cannabis markets. It is unclear whether the guidance is applicable to the smoke shop industry. While smoke shops are selling THC products, similar to dispensaries in adult-use states, their product line is not exclusive to cannabis products.



The retail visits conducted as part of this pilot study revealed that clerks in smoke shops were generally open to receiving educational materials and training related to the risks of driving under the influence of cannabis. These interactions provide preliminary insight into the potential for collaboration with the retail sector to promote public safety messaging.

To build on this opportunity, the following recommendations are proposed:

- 1. Retail Collaboration**

Engage Texas smoke shop retailers in helping bridge the current gap in public awareness regarding cannabis-impaired driving. Although GHSA guidance is based on regulated adult-use cannabis markets, Texas smoke shops—despite their broader product offerings—may still serve as viable partners in consumer education efforts.

- 2. Educational Material Development**

Develop and distribute point-of-sale signage, brochures, and information cards that can be placed near registers or inside shopping bags. These materials should clearly communicate the risks of driving under the influence of THC and other psychoactive substances.

- 3. Retail Employee Training**

Create a professional training curriculum for retail employees that can be incorporated into future regulatory frameworks. The curriculum should cover the psychoactive properties of all substances sold, specifically their effects on the body, potential for harm, and specific risks to the driving task.

- 4. Public Education about Onsite Consumption**

Educate the public about the risks associated with onsite consumption of THC products, particularly in settings where consumers may leave the premises while impaired. This is a critical regulatory gap that could be addressed through targeted messaging.

- 5. University and Campus Outreach**

Prioritize outreach efforts near college campuses and universities, where high-risk demographics for substance use and impaired driving are concentrated.

Partnerships with nearby businesses and campus organizations could amplify the reach and effectiveness of educational campaigns.

## CONCLUSION

This pilot project provided valuable insights into the current landscape of hemp-derived product retail in Bryan/College Station, revealing significant gaps in retailer education and retailer engagement. While the smoke shop industry in Texas operates outside the framework of regulated adult-use cannabis markets, the availability of psychoactive substances—including THC—poses real risks to public safety, particularly in relation to impaired driving. The willingness of retail clerks to engage in dialogue and express interest in educational materials suggests a potential avenue for collaboration. These collaborative efforts could be in the form of structured retailer training aimed at increasing awareness, clear traffic-safety-centered guidance, and targeted retailer outreach. Addressing these issues through education and stakeholder engagement is critical to mitigating the risks associated with cannabis-impaired driving.

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