



MEMORANDUM

TO: Bob Klein, Chair,
and Members of the Board

DATE: June 12, 2018

FROM: Erika McConnell, Director

RE: 360 Training – Learn2Serve
AK Server Education Course

Requested Action: New server education course

Statutory Authority: AS 04.21.025(a): “As a condition of issuance or renewal of a license and selling alcoholic beverages under a license, the board shall require a licensee who sells or serves alcoholic beverages and a licensee's agents and employees who sell or serve alcoholic beverages or check the identification of a patron to complete an alcohol server education course approved by the board, if the license is for a

- (1) beverage dispensary;
- (2) restaurant or eating place;
- (3) club;
- (4) package store;
- (5) recreational site;
- (6) pub;
- (7) distillery;
- (8) conditional contractor.”

Staff Recommendation: Deny the course

Background: At some point in the past, the board delegated the review of server education courses to the staff. Investigator Hamilton worked extensively with this course applicant but the applicant was unable to submit a course that, in Mr. Hamilton's judgment, met the requirements of AS 04.21.025 and 3 AAC 304.465.

Attachments: Memo from Investigator Hamilton
360 Training – Learn2Serve AK Course Application



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD
MARIJUANA CONTROL BOARD

550 W 7th Ave, STE 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

Date: 3-29-18

From: Joe Hamilton
Special Investigator 1

To: James Hoelscher
Enforcement Supervisor

After reviewing 360 Training alcohol server education on-line course multiple times and with multiple feedbacks to the proprietors; I do not recommend at this time it be forwarded to the board for review.

There are several areas of the course that go into great depth such as licenses and caterer's permits which would confuse the basic first time person obtaining server education.

There are also several statutes in the course that are not referenced properly. One being the penalties for a minor on a licensed premises in violation of Title IV. The course states it's a violation with a \$500.00 fine which could be mitigated if you take courses described in the minor consuming statute. There is also a place within the course that confuses a licensee providing alcoholic beverages to a person under 21 versus a "man on the street" giving alcohol to a person under 21.

As discussed in previous e-mails with the course provider, the penalties or consequences for violations of Title IV are not specific for Alaska, they are only referenced in general terms.

Pictures of signage are not shown nor are there examples of the form to fill out for questionable identification cards or restricted alcohol purchasers.

When taking the tests at the end of each segment, there is no opportunity to view missed questions. If you fail the end of segment test, you do take the test over but are not afforded the opportunity to check your answers if you miss one or two questions.

There are also segments of the course that don't apply to the first time attendee such as the formulas for determining how many licenses can be issued, or the details on filling out a restaurant

designation permit application. Regarding the later, the issue should be focused on what the permit actually does for the establishment rather than how to fill it out.

The course references overserved persons but it doesn't let the server know that they can not allow a drunken person to remain on the licensed premises.

It is primarily for these reasons that I do not recommend this application be presented to the Alcoholic Beverage Control Board for further review and that they deny this alcohol course.

cc Erika McConnell, AMCO Director
Jason Davies, Criminal Justice Tech



Learn2Serve: Alaska On-Premises Alcohol Seller/Server

Course Description

This course provides you with the necessary knowledge and techniques needed to be a responsible seller of alcohol. Specifically, you will learn how to protect yourself and your establishment from liability; how alcohol affects your customers; how to recognize the effects of alcohol on your customers; how to prevent customers from becoming intoxicated; how to intervene when you need to refuse a sale to someone; how to prevent and deal with disturbances; how to accurately check IDs and recognize minors; how to prevent third-party sales; and how to refuse a sale.

Course Learning Objectives

After completing this course, the student will be able to:

- Describe alcohol use.
- Recognize the effects of alcohol.
- Identify the seller's role in the enhancement of public safety.
- Discuss the seller's responsibilities and obligations under the law.
- Define blood alcohol concentration and how it is calculated.
- Describe the effects of mixing alcohol with other drugs.
- Recognize intoxicated individuals.
- Refuse a sale to someone with little conflict.
- Prevent disturbances in the establishment and handle difficult situations.
- Check IDs accurately, and recognize a fake ID.
- Prevent third-party sales.
- Know liquor laws and rules.



Key Terms

Absorption Rate: The rate at which alcohol penetrates the membranes of the mouth, stomach, and intestines when processed by the body.

Alcohol Poisoning: The state in which one's alcohol consumption has surpassed the time needed for the body to processing it. The body becomes saturated with alcohol. Depending on the degree of intoxication, if treated, a person will often survive alcohol poisoning. However, if the person is left unattended, they can die.

Behavioral Cues: Signs that are indicative of a person's level of intoxication. Examples include: speaking loudly, slurring words, stumbling, and aggression.

Blood Alcohol Concentration (BAC): The amount of alcohol in the bloodstream, measured in percentages. For instance, having a BAC of 0.10 percent means that a person has one-part alcohol per one thousand parts of blood in the body. BAC is affected by weight, sex, and rate of consumption.

Breathalyzer: A device that is used to determine the alcohol content of a breath sample.

Compliance Check: Checks done by law enforcement to ensure stores do not sell alcohol to minors. A minor, working with the police, will enter businesses and try to buy alcohol.

Cutting someone off: When you determine someone has had enough to drink and you refuse to give them any more alcohol.

Dram Shop Laws: Liability laws that hold licensed premises and their employees civilly liable for harm that intoxicated or underage patrons cause to other people. These laws are meant to discourage licensees and their employees from serving alcohol to people who are already drunk or people they know are under 21 years of age. So called because liquor was traditionally sold by a unit of measure called a dram.

Incident Log: A log where all alcohol-related incidents that occur are recorded including time, date, description of event, witnesses, and steps taken.

Intoxicated: To lose control of one's behavior or faculties due to drinking alcohol. To be drunk.

Liability: Being responsible for something, especially by law.

Negligence: Failure to act as an ordinary, prudent, or responsible person would in a similar situation. Servers and establishments could be held liable if found guilty of negligence.



“One drink”: When calculating the number of drinks a person has had, the following should be counted as “one drink” = one 12-oz beer; one 5-oz glass of wine; one 1½ oz serving of liquor. So, a drink containing 3 ounces of rum would count as TWO drinks, not one.

Third-Party Sales: A method used by minors to obtain alcohol, when minors ask an adult to buy alcohol for them.

SET Technique: S-E-T stands for Sober – Enough – Too Much. Servers use the SET Technique to decide whether they should serve individuals (sober), attempt to slow down their drinking (enough), or cut them off (too much).

Social Host Liability: Some states have adopted laws that expect people to make reasonable efforts to prevent problems when supplying alcohol in private residences, or anywhere other than licensed premises.

Zero Tolerance: Many states enforce a zero tolerance law for minors under the age of 21. In these states, it is illegal for any amount of alcohol to be in a minor’s bloodstream.



Pre- Assessment QUIZ

1. Valid forms of ID include all of the following EXCEPT:

- Valid driver's license
- Valid state-issued ID card
- **Student ID cards ***
- Passport

2. Which of the following is NOT a step that should be taken when cutting someone off?

- Verify your observations
- **Be judgmental and threatening ***
- Remove alcohol from the table
- Communicate your actions

3. Which of the following is NOT a sign of intoxication?

- Clumsiness
- Slurred speech
- Aggression
- **Coherent statements ***

4. Mimicking others in their social group best represents which of the following characteristics of minors?

- The need to gather in groups
- **The need to conform ***
- A preoccupation with how the individual appears to others
- Easily embarrassed or humiliated

5. When is it safe for a pregnant person to drink?

- **Never ***
- Throughout their pregnancy
- During their first trimester
- During their second trimester

You have scored _____ percent. Let's see if we can increase your knowledge in the subject matter.



Lesson 1: Introduction

This lesson focuses on:

- Alcohol Use in the United States
- Server's Responsibility and Liability

Alcohol Use in the United States

People choose to drink for many reasons for example, because they like the taste, because they like the effect it has on their mood, as part of a social event. In fact, the 2015 National Survey on Drug Use and Health indicates that 70 percent of the U. S. population over age 18 had drunk alcohol in the past year. Alcohol consumption can enhance social situations and create a festive atmosphere, but only when alcohol is consumed responsibly.

Server's Responsibility and Liability

As a seller of alcohol, your job is to:

- Protect the public by serving alcohol legally.
- Protect yourself and your establishment from liability.

Just like police and fire fighters, servers of alcohol have a responsibility to protect public safety. It is your responsibility to protect the public by not allowing people to become intoxicated, and by refusing service to minors.



Local Licensing and Enforcement

Throughout this course we will learn about liquor laws and rules pertaining to sales and services of alcohol in Alaska, but your local community might also have laws impacting alcohol sales. One way to be sure you are following the letter of the law is to build good professional relationships with local law enforcement and alcohol control agencies. These people not only help you understand state provisions impacting alcohol sales, they are also knowledgeable about specialized local regulations that might affect your work.

Aside from public safety, being a responsible seller is also very important because if you don't follow the liquor laws in your state, you, or your establishment could be held liable. It is your responsibility to:

1. Not sell alcohol to minors (individuals under age 21)
2. Not sell alcohol to someone who is identifiably intoxicated
3. Intervene when there is a drunken person around

While the law varies from state to state, there are two types of laws that apply to liability no matter where you live. In the state of Alaska, the sale of alcoholic beverages is regulated under Alaska Statute Title 4 and Chapter 304, both of which will be referenced throughout this course.

Civil Liability: Negligence is the failure to behave as an ordinary, responsible, and prudent person would behave in a similar situation. Negligence laws essentially set a standard for what a reasonable person should do to prevent harm. In Alaska, statute AS04.21.080(1) describes criminal negligence as failing “to perceive a substantial and unjustifiable risk”, with that failure being a “gross deviation from the standard of care that a reasonable person would observe in the situation.” In other words, a server of alcohol could be held criminally negligent in a court of law if they know that serving someone alcohol is dangerous (for example, if they are already observably impaired due to alcohol consumption) or illegal (for example, if the server knows they are under 21 years of age) and someone is harmed as a result.

Criminal Liability: Laws that hold alcohol sellers responsible for harm that intoxicated or underage patrons cause to other people (or, in some cases, to themselves). These laws are established at the state level through common law, legislation, or both. States' dram shop laws form a continuum, with alcohol sellers in different states exposed to varying degrees of liability. In Alaska, dram shop laws hold licensed premises and their employees civilly liable for harm caused as a result of serving alcohol to patrons who are already intoxicated or underage. They do not apply to private parties serving alcohol, like someone hosting a party at home.

Liquor Liability:

The person who actually violates the law may not be the only person liable. With respect to dram shop laws that are held at state level through common law and legislation a liquor



licensee or business manager also may be held liable for the actions of an employee. Liability for illegal alcohol sales can be civil, criminal, administrative, etc. Civil liabilities usually involve fines or other monetary penalties. Criminal liabilities usually include jail time and/or probation, while administrative liabilities might include losing one's license to serve alcohol, in addition to any fines levied.

Licensees and their employees may not:

1. sell, give, or barter alcoholic beverages to a drunken person;
2. allow another person to sell, give, or barter an alcoholic beverage to a drunken person within licensed premises;
3. allow a drunken person to enter and remain within licensed premises or to consume an alcoholic beverage within licensed premises;
4. permit a drunken person to sell or serve alcoholic beverages.

AS04.21.080(b)(9) defines a "drunken person" as a person whose physical or mental conduct is substantially impaired as a result of consuming alcohol and whose impaired conduct is easily observed. It is not illegal to be intoxicated in a bar in Alaska, but it *is* illegal to be a drunken person, as described here, on licensed premises.

Servers have a responsibility to prevent a drunken person from consuming more alcohol.

Person receiving compensation for transporting alcoholic beverages

Unless you're a delivery person working for a distributor, you can't transport alcohol for someone for a fee. Also, any person receiving compensation for transporting alcoholic beverages may not knowingly deliver alcoholic beverages to a drunken person.

A person who provides alcoholic beverages to another person may not be held civilly liable for injuries resulting from the intoxication of that person *unless* the person who provides the alcoholic beverages is licensed and

- the alcoholic beverages are given to a person under the age of 21 years, unless the licensee secures in good faith from the person a signed statement, identification card, or driver's license that indicates that the person is 21 years of age or older; or
 - the alcoholic beverages are provided to a drunken person.
-
- Sec. 04.11.080. Types of licenses and permits.
 - Sec. 04.11.090. Beverage dispensary license.
 - Sec. 04.11.100. Restaurant or eating place license.
 - Sec. 04.11.110. Club license.
 - Sec. 04.11.115. Golf course license.



- Sec. 04.11.120. Bottling works license.
- Sec. 04.11.130. Brewery license.
- Sec. 04.11.135. Brewpub license.
- Sec. 04.11.140. Winery license.
- Sec. 04.11.150. Package store license; permit for delivery to social events.
- Sec. 04.11.160. Wholesale licenses.
- Sec. 04.11.170. Distillery license.
- Sec. 04.11.180. Common carrier dispensary license.
- Sec. 04.11.190. Community liquor license. [Repealed, Sec. 69 ch 101 SLA 1995].
- Sec. 04.11.200. Retail stock sale license.
- Sec. 04.11.210. Recreational site license.
- Sec. 04.11.220. Pub license

If you are a licensed server of alcohol, or you work for one, you may be held liable if you knowingly deliver alcohol to a drunken person or to a person under age 21 and that person injures someone as a result.

Person who sells or barter an alcoholic beverage to another person

A licensed establishment or its employee who sells or barter an alcoholic beverage is strictly liable to the recipient or another person for civil damages caused by the recipient as a result of drunkenness.

It is not a defense that the person receiving the alcoholic beverage voluntarily consumed it or was voluntarily under the influence of it.

Person who knowingly furnishes or delivers an alcoholic beverage to an underage person

A person who knowingly provides alcohol to a person under 21 is civilly liable to the recipient or another person for damages caused by the recipient as a result of drunkenness due to drinking the alcohol.

In this section, "civil damages" includes damages for personal injury, death, or injury to property of a person, including the state or a political subdivision of the state.

In order to protect the public and to protect yourself and the establishment for which you are employed from being held liable, you need to be careful about how you do your job. Throughout this course, you will learn techniques for accomplishing this, including:

- Understanding how alcohol affects your customers
- Being able to effectively recognize intoxicated individuals
- How to refuse a sale



- How to prevent disturbances
- How to check IDs and recognize underage patrons
- How to recognize third-party sales

Lesson 1 – Quiz

1. As a seller, your job is to protect all of the following EXCEPT:

- The public
- **The government ***
- Yourself from liability
- The establishment from liability

2. The failure to behave as an ordinary, responsible, and prudent person would in the same situation is known as in _____.

- **Civil Liability ***
- Criminal Liability
- Ill behavior
- Local enforcement

3. When selling alcohol, most states consider your establishment responsible for all of the following EXCEPT:

- Not selling alcohol to minors (those under age 21)
- Not selling alcohol to someone who is identifiably intoxicated
- Intervening when there is a drunken person around
- **Knowing your customers' alcohol tolerance ***

4. Liability for illegal alcohol sales can be any of the following EXCEPT:

- Civil
- **Private ***
- Criminal
- Administrative

5. Dram shop laws are established:

- **At the state level through common law, legislation, or both ***
- By the federal government
- By local jurisdictions, where the alcohol is distributed



- By local businesses and law firms in the area

Lesson 2: How Alcohol Affects the Body

This lesson focuses on:

- The Passage of Alcohol through the Body
- Alcohol's Effects on the Brain and Behavior
- Blood Alcohol Concentration (BAC)
- Absorption Rate
- Other Factors in Intoxication
- Alcohol and Drug Interactions
- Fetal Alcohol Syndrome and Fetal Alcohol Effects
- Recognizing Alcohol Poisoning

The Passage of Alcohol Through the Body

Alcohol passes through your body the same way every time you drink. Once alcohol enters the mouth, five percent of it is immediately absorbed into the bloodstream. Then alcohol travels into the stomach where 20 percent of it is absorbed into the bloodstream. The large majority of alcohol (75 percent) is absorbed through the walls of the small intestine. So, from the moment alcohol touches a person's tongue, it begins to take effect.

When alcohol moves from the stomach and enters the small intestine, most of it goes through the walls of the intestine and into the bloodstream. This is a process called absorption. Unlike the other beverages we consume, which must be digested before entering the bloodstream, alcohol can pass rapidly and directly into the bloodstream. Most of the alcohol from one drink will be absorbed into the bloodstream within 20 to 40 minutes of drinking.

Once alcohol enters the bloodstream, it is carried to all parts of the body, including the brain. Even small doses of alcohol can affect the body. Alcohol affects the cardiovascular system by increasing the heart rate and opening up the blood vessels near the skin, which gives the drinker a feeling of warmth or a "glow." Alcohol may irritate the stomach and increase the production of stomach acids, causing an upset stomach. It is also a mild diuretic, increasing the frequency of urination.

As the bloodstream carries alcohol around the body, it carries it through the liver. Ninety percent of the alcohol is oxidized by the liver (a process whereby alcohol is changed to water, carbon dioxide, and energy). About two percent of the alcohol is eliminated by sweat and another eight percent is lost through the breath.



The liver can oxidize only about one-half ounce of alcohol (about one drink) per hour. This means that until the liver has time to oxidize all of the alcohol, it keeps passing through all parts of the body, causing the drinker to become more and more intoxicated.

When a person is pulled over by a police officer for drinking and driving, most people think waiting to take the breathalyzer test back at the station will give them the lowest blood alcohol content (BAC) reading of the evening. Depending on when the person had their last drink, this may or may not be true. The level of intoxication rises on a curve for an hour or more depending on how much the person drank and then begins to drop. So, waiting to take a breathalyzer test may result in the highest BAC of the whole night.

Alcohol's Effects on the Brain and Behavior

Alcohol is a central nervous system depressant. This means alcohol is an anesthetic, a tranquilizer, and a depressant. It may seem at times that alcohol is a stimulant because it can start conversation and activity in a social setting, but in fact, such mood changes occur because alcohol depresses the part of the brain that controls impulse behavior, judgment, and memory. Alcohol's depression of the brain occurs in a very predictable pattern:

- Judgment becomes impaired.
- Inhibitions become relaxed.
- Reactions and coordination slow down.
- Vital functions slow or possibly cease.

Here is how alcohol affects various brain centers.

Cerebral Cortex

The cerebral cortex is responsible for processing information from your senses and processes your thoughts in combination with a structure called the basal ganglia. It regulates your consciousness, initiates most voluntary muscle movements, and influences lower-order brain centers. In the cortex, alcohol does the following:

- **Depresses the behavioral inhibitory centers:** The person becomes more talkative, more self-confident, and less socially inhibited.
- **Slows down the processing of information from the senses:** The person has trouble seeing, hearing, smelling, touching, and tasting; also, the threshold for pain is raised.
- **Inhibits thought processes:** The person does not use good judgment or think clearly.



These effects become more pronounced as the BAC increases.

Limbic System

The **limbic system** consists of areas of the brain called the **hippocampus** and **septal area**. The limbic system controls emotions and memory. As alcohol affects this system, the person is subject to exaggerated states of emotion (anger, aggressiveness, withdrawal) and memory loss.

Cerebellum

The *cerebellum* coordinates the movement of muscles. The brain impulses that begin muscle movement originate in the motor centers of the cerebral cortex, and travel through the medulla and spinal cord to the muscles. As the nerve signals pass through the medulla, they are influenced by nerve impulses from the cerebellum. The cerebellum controls **fine movements**. For example, you can normally touch your finger to your nose in one smooth motion with your eyes closed; if your cerebellum were not functioning, the motion would be extremely shaky or jerky. As alcohol affects the cerebellum, muscle movements become uncoordinated.

In addition to coordinating voluntary muscle movements, the cerebellum also coordinates the fine muscle movements involved in maintaining your **balance**. So, as alcohol affects the cerebellum, a person loses their balance frequently. At this stage, this person might be described as "falling down" intoxicated.

Hypothalamus and Pituitary Gland

The **hypothalamus** is an area of the brain that controls and influences many automatic functions of the brain through actions on the medulla, and coordinates many chemical or endocrine functions (secretions of sex, thyroid, and growth hormones) through chemical and nerve impulse actions on the **pituitary gland**. Alcohol has two noticeable effects on the hypothalamus and pituitary gland, which influence sexual behavior and urinary excretion. Alcohol depresses the nerve centers in the hypothalamus that control **sexual arousal and performance**. As BAC increases, sexual behavior increases, but sexual performance declines.

Alcohol inhibits the pituitary secretion of **anti-diuretic hormone (ADH)**, which acts on the kidney to reabsorb water. Alcohol acts on the hypothalamus/pituitary to reduce the circulating levels of ADH. When ADH levels drop, the kidneys do not reabsorb as much water; consequently, the kidneys produce more urine.

Medulla

The **medulla**, or brain stem, controls or influences all of the bodily functions that you do not have to think about, like breathing, heart rate, temperature, and consciousness. As alcohol starts to influence upper centers in the medulla, such as the **reticular formation**, a person will



start to feel sleepy and eventually may become unconscious as BAC increases. If the BAC gets high enough to influence the breathing, heart rate, and temperature centers, a person will breathe slowly or stop breathing altogether and both blood pressure and body temperature will fall. It is easy to see with this top-down approach that alcohol slowly shuts down the body, and in many cases can cause death.

Have you ever heard of beer goggles? Even though many people use the term to be funny, it has real meaning. Alcohol impairs your vision as well as your judgment, causing you to do things, you normally wouldn't do.



Blood Alcohol Concentration (BAC)

Blood alcohol concentration, or BAC, is a measurement of the percentage of alcohol in relation to blood in the bloodstream. It is measured in milligrams of alcohol per 100 milliliters of blood. So, a BAC of .20 percent means that there are two drops of alcohol per 1,000 drops of blood.

As mentioned earlier, a certain amount of alcohol is exhaled. BAC can, thus, be determined by measuring the amount of alcohol in the breath. BAC is measured using a device called a breathalyzer in which the individual blows into a tube which then takes a measurement of the amount of alcohol in the breath.

There are three main factors that affect a person's BAC. They are:

1. Weight.
2. Sex.
3. Rate of Consumption.

What happens at each BAC level?

.60 Upper Limit for Death

100 percent of people die from alcohol poisoning at this BAC.

.50 Mid-point for Death

50 percent of people will die from alcohol poisoning at this BAC.

.40 Lower Limit for Death and Alcohol Poisoning

A person can die from reaching this level.

.30 Level at Which Loss of Consciousness Can Occur

People at this level often experience loss of consciousness or possible death. This level BAC is the equivalent of surgical anesthesia. To find out whether a drinker who appears to be asleep is actually unconscious, try to arouse that person by shaking them hard and calling the person's name. If they do not wake up or if the person wakes up for a few minutes only to pass out again, Call 911 immediately!

.15 Level at Which Judgment Is Seriously Impaired

At this level, decision-making skills lack logical analysis because judgment is seriously impaired. Also, blackouts can occur at any level BAC, but they are especially common at this BAC and above. Blackouts are when a drinker is conscious but has no memory of their actions or conversations.

.08 Legal Driving Limit in All States

At this BAC, motor coordination skills, judgment, and self-control are impaired.



The table below lists approximate ounces of alcohol in various beverage products:

Beverage	% alcohol by volume	Serving (oz.)	Alcohol volume (oz.)
Spirits	40	1.5	.60
Beer	5	12	.60
Light Beer	4.2	12	.50
Malt Liquor	7	12	.84
Table Wine	12	5	.60
Grain Alcohol	60	1.5	.90
Wine Cooler	5	12	.60
Long Island Iced Tea	40	2*	.80

This wallet card gives you a good idea of how much alcohol a person can consume and provides you with an approximation of that average BAC. Notice that a 120-pound woman has a much higher BAC than a 160-pound man.

Absorption Rate

A host of factors come into play in a person's BAC. If all these factors are known, it is possible to estimate an individual's blood alcohol level. They include:

Alcohol Content of the Drink

All alcoholic beverages contain ethyl alcohol; however, different drinks contain different amounts. So, beer, wine, and hard liquor all contain the same type of alcohol, just in different amounts. "One drink" is defined as the amount of ethyl alcohol the average human body can metabolize in one hour.

Food

The rate at which alcohol is absorbed into the bloodstream is significantly affected by what is put in the stomach prior to, and during, drinking. When people drink on an empty stomach, such as during happy hour, there is usually nothing in the stomach to slow down the absorption process. On the other hand, when alcohol is consumed following a large meal, it will be absorbed much more slowly.

Generally, fatty foods are the hardest for the body to digest, and therefore, remain in the stomach for a longer time, slowing the absorption of alcohol. It is important to note that carbonated or sugary drinks such as sodas that are frequently mixed with liquor or wine coolers will speed up the absorption of alcohol.



Time Spent Drinking

The faster a person drinks, the more quickly the alcohol will enter the bloodstream. A “shot” of whisky can be downed in an instant, but even a veteran drinker will take at least a few minutes to consume the equivalent amount of alcohol in a 12-ounce can of beer.

Individual Metabolism

Metabolic rate (the rate at which the body breaks down food and drink) can vary widely from one person to another. People with higher metabolic rates break down food and drink faster than people with lower metabolic rates. Therefore, a person’s metabolic rate can affect intoxication.

Other Factors in Intoxication

There are a host of other factors that affect intoxication, including
Psychology,
Tolerance,
illness, and
experience

- **Psychological factors:** The drinker’s mood and emotional state at the time of drinking may influence their reaction to the alcohol consumed. Alcohol usually enhances whatever feelings the person is having prior to drinking, for instance, if a person is depressed before they start drinking, that person might feel even more depressed when intoxicated. A good rule of thumb to follow is to never drink when you feel H-A-L-T (Hungry, Angry, Lonely, or Tired).
- **Tolerance:** The human body will slowly build up a resistance to alcohol, requiring that more alcohol be used to have the same effect as it had initially. So tolerance to alcohol develops when an individual has consumed alcohol before. The problem with tolerance is that no matter how high tolerance becomes, BAC will always remain the same with the same amount of alcohol. So, a drinker may have several drinks and feel fine to drive home, however, if that drinker is pulled over by a police officer, they will probably blow a BAC over the legal limit and get a DUI.
- **Illness:** Many people seem more susceptible to alcohol’s effects when they are ill or recovering from a recent illness. Additionally, certain medical conditions (diabetes, liver disease) may affect an individual’s ability to tolerate and/or breakdown alcohol.
- **Experience:** Another factor that appears to influence the effect of alcohol on an individual is their prior experience with drinking. When all other factors are kept constant, the individual who is not experienced with alcohol is more likely to display more variable and less pleasant responses than the experienced drinker. As people



become experienced drinkers, they often learn to compensate for some of the alcohol induced behaviors. These differences are psychological adaptations to the experience of drinking—they do not mean that experienced drinkers do not become intoxicated.

Alcohol and Drug Interactions

As a server, you also need to be aware that serious complications can occur when people drink alcohol at the same time they are taking other types of drugs. When alcohol is combined with other drugs, it often produces an effect that is different from that which either produces alone. In fact, in some cases, the combined effect is often more powerful than what might be expected from adding the independent effects.

Analgesics (aspirin, Tylenol, etc.) – Aspirin may increase the absorption rate of alcohol, heightening the effects of a given dose of alcohol. Even when used alone, some non-prescription pain relievers can cause bleeding in the stomach and intestines. Alcohol also irritates the stomach and can exacerbate the bleeding, especially in ulcer patients. Alcohol can increase susceptibility to liver damage from acetaminophen, the main ingredient in some aspirin-free pain relievers.

Antibiotics (penicillin, amoxicillin, etc.): This combination can cause nausea, vomiting, migraine headache, possibility of convulsions, and reduced effectiveness of the medication, especially if the medication is regurgitated.

Antihistamines (most cold remedies, Actifed, etc.): This combination increases the calming effect of the medication and the person can feel quite drowsy, making driving and other activities that require concentration more hazardous.

Oral contraceptives: Oral contraceptives slow down the rate at which alcohol is eliminated from the body. A woman who is on birth control pills can, therefore, expect to feel the sedating effects of alcohol for a longer period of time than a woman who is not taking birth control pills. A woman who vomits her daily pill soon after taking it may not absorb it adequately, consequently increasing her risk for an unplanned pregnancy.

Stimulants (Cocaine, amphetamine, crystal meth, Ritalin®): These could mask the depressant action of alcohol, which can give a person a false sense of security. The combination can cause heart attack, stroke, and respiratory failure. The user may experience confusion, anxiety, depression, a loss of appetite, and sexual dysfunction. Both blood pressure and physiological tension may increase, as could the risk for brain seizures. There is a reduction of the body's ability to resist and combat infection. This combination produces a serious risk for a high overdose or death.

Diabetic medications (insulin): This combination may produce nausea, migraine headaches, or severe and unpredictable reactions. An increased hypoglycemic effect may cause abnormally



low blood sugar when glucose is used up too rapidly. This can lead to insulin shock with extensive hypoglycemia, which results in unconsciousness.

Depressants (Valium®, Xanax®, Rohypnol®, Gama Hydroxybutyric Acid aka GHB): Together, these can severely depress the central nervous system, causing slowed breathing and heart rate, possibly leading to respiratory arrest and heart failure. The combination of alcohol and these drugs also produces loss of coordination, making the operation of vehicles or mechanical equipment extremely dangerous. Mixing alcohol with depressants poses a high risk for overdose, which could result in coma or death.

Marijuana: Produces slowed thinking and reaction time with impaired balance and coordination. This may compromise the user's ability to drive and operate machinery. Marijuana also reduces the vomit reflex. If a person has too much to drink, the body's natural reaction would be to get rid of the toxic substance by inducing the vomit reflex. Since marijuana impairs the vomit reflex, the person is more likely to run the risk of alcohol poisoning, coma, or death.

Energy Drinks: Many people think that mixing "energy drinks" with a distilled spirit such as vodka will give them a boost or compensate the drowsiness that alcohol can sometimes cause. The bottom line is mixing alcohol with stimulants such as caffeine or "energy drinks" together does not balance out the effects.

It has been noticed that many server and consumers do not know some energy drinks contain alcohol. It may be assumed that many parents probably don't know this either, but many minors do. Many of these new energy drink products have bright colors or a fruity flavor, so you don't realize that they contain alcohol. They look similar to the non-alcoholic energy drinks, making it easy to confuse them.

Knowledge Check: Video 6

Question1:

Which of the following would NOT be a proper basis upon which Morgan might determine that Chuck is visibly intoxicated?

- He is holding his head in his hands, and when he stands, he appears dizzy, almost falling, then after sitting, he lays his head back as if dozing.
- In addition to the drinks Chuck has had, Casey mentions they are on top of nothing but medication.
- When he speaks, he slurs his words, and his speech pattern goes from quiet to loud.
- **He has been dumped by his girlfriend and is drinking tonight to drown his sorrows.**



Question 2:

Ample evidence that Chuck should not be served any more alcohol is provided to the server by all these verbal clues EXCEPT:

- "I'll let you know when the world stops spinning."
- "I think you need some food in your belly, man."
- **"I've only had three drinks so far."**
- "On top of nothing but medication today?"

Question 3:

Which one of these behavior clues is the strongest indicator to the server that Chuck should be cut off?

- Impaired judgment
- Relaxed inhibitions
- Sluggish reactions
- **Affected coordination**

Fetal Alcohol Syndrome and Fetal Alcohol Effects

One social consequence of alcohol consumption is alcohol-related birth defects. These birth defects are commonly referred to as FAS (Fetal Alcohol Syndrome). FAS may be seen in babies whose mothers drink during pregnancy, especially those who drank heavily. FAS is the leading known cause of preventable birth defects.

Persons suffering from FAS often experience mental health problems, disrupted school experience, inappropriate sexual behavior, trouble with the law, alcohol and drug problems, difficulty caring for themselves and their children, and homelessness. FAS is characterized by a number of congenital birth defects that include prenatal and postnatal growth deficiency, facial deformations, and varying degrees of major organ system malfunctions affecting, among others, the heart, liver, and lungs.

The harmful effects of prenatal exposure to alcohol exist on a continuum, ranging from full-blown FAS to mild Fetal Alcohol Effects (FAE). FAE is characterized by milder or less frequent signs of FAS and is believed to be caused by mild to moderate drinking during pregnancy.

Key points to remember regarding FAS:

- There is no known safe amount or safe time in pregnancy to drink.
- Birth defects associated with prenatal alcohol exposure can occur in the first three to eight weeks of pregnancy, before a woman knows she is pregnant.



- Frequent drinking by the mother increases her unborn baby's exposure to alcohol, thus increasing the child's chances for having alcohol-related problems.
- Higher BAC of the mother leads to dangerous BAC levels in the fetus and increased chances for developmental problems.
- FAS and other alcohol-related birth defects are permanent. Some aspects can be treated, but they cannot be cured and children do not outgrow them.
- FAS and alcohol-related birth defects are 100 percent preventable by a woman's abstaining from drinking alcohol if she is pregnant or thinks she may be pregnant.
- These conditions have great costs to the individual, the individual's family, and to society.

Recognizing Alcohol Poisoning

It is important to notice if someone is experiencing alcohol poisoning. Some signs to look for include:

- Irregular breathing, breaths less than every eight seconds
- Vomiting
- Cold, clammy, pale, or bluish skin
- Passing out and not responding to being pinched or called into wakefulness
- Seizures

If someone is experiencing one or all of these indicators, call an ambulance immediately. While waiting for an ambulance, have the person lay on their side to prevent vomit from going back down the person's throat. If this occurs, the person may suffocate and die. Do not offer the person coffee, food, etc. At this point, none of this will help. Only time will heal intoxication. Do not criticize the person for the incident, instead, talk to the person at another time when they are not drunk.

Alcohol poisoning is a serious concern. In this challenge you will be given a series of possible indicators from which you will determine whether alcohol poisoning is evident or not and what your response should be.

Knowledge Check: Scenario 1

Knowledge Check: Scenario 2

Knowledge Check: Scenario 3



Lesson 2 – Quiz

1. In the average person, what percentage of alcohol is absorbed through the small intestine?

- 65 percent
- 70 percent
- 75 percent *
- 82 percent

2. How is “one drink” of alcohol defined?

- The amount of ethyl alcohol the average human body can metabolize in one hour *
- The amount of ethyl alcohol that a person ingests in one hour
- The amount of ethyl alcohol the liver can oxidize in one hour
- The percent increase of alcohol in the blood over a period of several hours

3. Which of the following is NOT a main factor affecting a person’s BAC?

- Weight
- Sex
- Ethnicity *
- Rate of consumption

4. A person should not drink alcohol when they are feeling all of the following EXCEPT:

- Hungry
- Angry
- Tired
- Thirsty *

5. Which of the following is the legal driving limit in all states?

- .08 *
- .15
- .30
- .60



Lesson 3: Recognizing Intoxicated Customers

This lesson focuses on:

- Observing Customers
- Communicating with Customers
- Obvious Behavioral Clues
- How to Know When to Refuse Service to Someone

Introduction

The law requires you to make a diligent effort to avoid making illegal sales of alcohol. Because you will be required to observe and interpret information concerning your customer. This section will provide you with information and training to help you perform this task.

You only have a few minutes with each customer, but there are certain clues that you can look for. Some of these are obvious and common indicators of possible intoxication. Some intoxicated persons, however, may not display clues at all, so you must learn to recognize possible warning signs.

Recall that AS04.21.080(b)(9) defines a “drunken person” as a person whose physical or mental conduct is substantially impaired as a result of consuming alcohol and whose impaired conduct is easily observed. It is not illegal to be intoxicated in a bar in Alaska, but it *is* illegal to be a drunken person, as described here, on licensed premises.

Observing and Communicating with Customers

Your observations will be based upon what you see, hear, and elicit from your customers during normal contact, conversations you initiate, and observations of the customer's interactions with other people. Careful observation can provide a great deal of the information needed to responsibly sell alcohol. As a seller of alcoholic beverages, your ability to maintain good and responsible customer service involves two major factors:

- 1) Observation
- 2) Communication

Observation

Take note of your customers from the minute they walk through the door. Look for signs of intoxication such as:

- Did they have any trouble opening or walking through the door?



- As they walk around, are they off-balance or teetering at all?
- Are there signs of illness or fatigue (sniffles, nausea, drowsiness, coughing)?
- Are there indications the customer is using medicine or drugs?
- Are there signs your customer already has consumed alcohol (alcohol on breath, glazed or bloodshot eyes)?
- Does the customer have trouble retrieving their money?

Communication

Even though customers may only be at the bar for a few moments, it is a good idea to communicate with them, as well as observe them. By doing this, you'll give yourself even more resources to determine if a customer is intoxicated. Try asking your customers questions about the weather, or about the local sports team. When they speak to you, ask yourself:

- Are they losing their train of thought easily?
- Is their speech slurred or irregular?
- Are they responding inappropriately to your questions?

Observing your customer is essential to your ability to responsibly sell to others. However, you must also communicate your observations to other employees and managers. If there is a change of shift or you go on a break, another employee needs to be made aware of your observations or of your decision to refuse a sale.



Obvious Behavioral Clues

Alcohol affects the brain in a predictable pattern. This helps us recognize the signs of intoxication. There are four main areas that a server should consider.

Judgment

Generally, the first brain function affected by alcohol is judgment. As more alcohol is consumed, the brain becomes increasingly more depressed and the individual may display impaired judgment. The abilities to think clearly, make decisions, and behave rationally are all impaired.

Some cues that judgment may be impaired include:

- Aggression (provoking violence).
- Boasting behavior (statements concerning ability to "hold one's liquor" or superior physical or mental abilities).
- Purchasing excessive amounts of alcohol.
- Making irrational statements or behaving irrationally.

Inhibitions

Alcohol depresses the part of the brain that controls impulsive behavior. People begin to relax and loosen up. The customer may say or do unexpected things. Some common signs that inhibitions have become relaxed include:

- Overly friendly behavior.
- Change in speech pattern (quiet to loud).
- Inappropriate or unexpected flirting or suggestive behavior.
- Crude language or behavior.
- Annoying other patrons or employees.

Reactions

When the depressant alcohol reaches the brain, physical skills become affected. Slowed reactions are demonstrated by the following clues:

- Dazed or glassy look.
- Loss of train of thought.
- Inability to light a cigarette.
- Slurred or irregular speech.
- Bloodshot eyes.



Coordination

Progressively higher doses of alcohol lead to full physical impairment.

Examples of loss of coordination include:

- Stumbling or walking into objects.
- Falling down.
- Inability to stand up straight.
- Clumsiness.
- Inability to pick up change from counter.

How to Know When to Refuse Service to Someone

If, after completing all of the observations and communications, you find someone sober, you can feel comfortable with your decision to serve that person. If you find that person to have had enough, you will need to slow down their drinking, and if the person has had too much, you'll want to cut the person off. We will discuss how to proceed in the next lesson.

Alcoholism is a chronic, progressive disease. However, treatment is available through a number of clinics and peer support groups. A quick Internet search can direct you to many support groups and rehabilitation clinics in your area. Telephone books often list contact numbers for groups such as Alcoholics Anonymous and others. While it is very important not to antagonize a customer when refusing a sale, if a customer asks for help you might direct them to one of these resources.

Lesson 3 – Quiz

1. Careful _____ can provide a great deal of the information needed to sell alcohol responsibly.

- Communication
- **Observation ***
- Coordination
- Questioning

2. The law requires that you make a _____ effort to avoid making illegal sales of alcohol.

- **Diligent ***
- Decent
- Reasonable
- Modest



3. Which of the following is NOT a sign of intoxication?

- Trouble opening the door
- Difficulty getting money out
- Alcohol on the breath
- **Balanced walking gait ***

4. _____ is a chronic, progressive disease.

- **Alcoholism ***
- Addiction
- Alcohol poisoning
- Viral hepatitis

5. An inability to stand up straight demonstrates the behavioral clue of _____.

- **Coordination ***
- Reaction
- Judgment
- Inhibition



Lesson 4: Preventing Disturbances

This lesson focuses on:

- Maintaining a Safe Environment
- Handling the Intoxicated
- Handling the Aggressive

Maintaining a Safe Environment

The first step in preventing disturbances is to create a safe and comfortable environment for your patrons. To begin with, your establishment's parking lot and exterior should be clean and most importantly, well-lit. The interior of the establishment should also be clean and comfortable. Policies regarding non-service to minors and "refusing service" should be clearly displayed. Moreover, all staff should have professional appearances and demeanor.

Maintaining a safe environment can help prevent disturbances, but occasionally people will get out of hand, and therefore, you should know how to deal with these situations when they arise.



Handling the Intoxicated

Sometimes a patron who has been denied a sale does not cooperate. At this point, removal of the guest from the premises is necessary, keeping in mind that their safety is still your responsibility. If a patron is so intoxicated that they are sick or unable to walk home, DON'T LEAVE THAT PATRON ALONE.

If removal of an intoxicated patron has become necessary, it should be done as quickly as possible and with the least amount of force. Using unreasonable force may result in injury and subsequent criminal or civil action. If there is a chance of a violent reaction from a patron, call the police.

The following tips may come in handy when dealing with an intoxicated patron:

- Stay calm and don't overreact. Always speak in a clear, firm, and calm manner.
- Keep the other patrons away, unless the individual's friends are helping in their removal.
- Avoid letting others get involved in the matter. Whatever you do, do not enter into a debate on the issue—it is non-negotiable.
- Don't give an intoxicated person anything to eat or drink. This includes water.
- Do not attempt to move a patron who has fallen. Someone who is intoxicated may be severely injured but unable to feel the pain. Keep the patron still and comfortable while waiting for help to arrive. If the person is vomiting, turn their head to the side to prevent the swallowing or inhaling of vomit. Make sure someone sober stays with the patron and watches their breathing.

Handling the Aggressive

Whether we like it or not, alcohol providers/sellers should anticipate having to deal with aggressive and abusive behavior from some patrons. Hopefully, we can provide you with some suggestions for managing these situations in a detached and professional manner. The intent of this section is to provide you with information about how abusive behavior develops and illustrate how your responses can help de-escalate that behavior and avoid an explosive situation.

There are four identifiable behavioral levels in the development of an abusive situation. These levels are not necessarily exclusive but may overlap. All four may occur in each situation.

Level 1—Anxiety

Anxiety is usually characterized by misdirected or non-directed energy such as jingling coins, tapping feet, or drumming fingers. In the case of someone who is considered "high energy" withdrawal may indicate anxiety. Anxiety is a state in which an individual's energy level is building, but towards what is not always easy to determine. It is at this point that many potentially abusive situations might be defused.



Approach—Use a supportive response. Actively pay attention to the source of anxiety and use empathy in framing your reactions.

Level 2—Defensive Reactions

If a supportive response comes too late or is ignored, the patron's behavior may escalate to the second level and become defensive. This is characterized by a loss of rationality, which may be demonstrated through verbal belligerence and hostility. The individual may attempt to challenge or intimidate you, your authority, and/or the institution you represent, or to goad you by making references to your race, color, religion, sex, weight, intelligence, etc. If the patron succeeds in getting a reaction from you, there is often little chance of defusing the situation.

Approach— Use a directive approach and set behavioral limits for the person who is acting out. Make sure the limits are clear, understandable, and simple. Make sure they are enforceable (be assured that they will be tested). State the limits in a non-threatening way. The objective is to make the person realize that the consequences of their behavior are simply the person's sole responsibility. Try to emphasize the positive rather than the negative consequences of complying with these limits. Try to avoid ultimatums as they may seem confrontational. Probably the hardest thing of all to do in this situation is to remove yourself (more important, your ego) from the altercation. Remember, this is not personal.

Level 3—Physical Aggression

Physical aggression is often characterized by someone who is no longer listening to reason and may present a danger to themselves, staff members, or other patrons.

Approach—When all attempts at verbal management have failed, it may be necessary to use physical intervention. This should be done by someone specially trained. Most likely, you will need to call the police.

Level 4—Coming Down

Following a release of energy or tension, people experience a physical and emotional "coming down" and may appear to be confused, withdrawn, or even apologetic. They begin to regain control, their thinking becomes more rational, and they may be showing signs of embarrassment or regret for their actions. Staff can assist in this "coming down" process.

Approach—Acknowledge their emotions as real. Do not attempt to punish them for their loss of control, only ask that they accept responsibility for the consequences of their actions.



Lesson 4 – Quiz

1. To maintain a safe environment, an establishment should do all of the following EXCEPT:

- The parking lot and exterior should be clean and well-lit.
- Policies regarding non-service to minors should be clearly displayed.
- Most importantly, all staff should have a professional appearance and demeanor.
- **The establishment should be large and accommodating to all customers. ***

2. When handling an intoxicated person, you should do which of the following?

- Be a pushover
- **Avoid letting other patrons get involved in the matter ***
- Enter a debate on the issue to explain your thoughts
- Grab a patron who has fallen down and help steady the person

3. The first step in preventing disturbances is to create a _____ environment for your patrons.

- Relaxed and inviting
- Relaxed and structured
- **Safe and comfortable ***
- Safe and secure

4. “Coming down” can be defined as which of the following?

- **When the drinker realizes how intoxicated they are and apologizes ***
- When the drinker feels sober and should be served again
- When someone passes out, intoxicated on the floor
- When the customer quits being belligerent and leaves the premises

5. Which of the following is NOT an identifiable behavioral level in the development of an abusive situation?

- Anxiety
- Defensiveness
- **Verbal aggression ***
- Coming down



Lesson 5: Minors and Liability

This lesson focuses on:

- Checking IDs
- Recognizing Fake IDs
- Compliance Checks
- Forms of Alternative Transportation
- Incident Log

Introduction

Sometimes it can be difficult to tell how old someone is by how they look. In this section of the course, we will teach you many ways to tell how old someone is not just by looking at them, but also by recognizing fake forms of identification.

Checking Ids

The most important step for preventing alcohol service to minors is to check IDs. Most states recommend that you check the ID of anyone who appears to be under 35. Appearance and mannerisms give good clues about a customer's age.

Ask yourself questions like:

1. How old does the customer appear to be?
2. How is the customer dressed?
3. Does the customer appear unsure, nervous, or afraid of eye contact?

Clothing and Adornments

You must keep in mind that most minors are physically developed before their 21st birthdays, so signs of physical maturity are not a reliable guide. Be aware of choices in clothing and adornments, which may indicate that the person is underage. These include:

- Clothes or accessories favored by young people (school jackets or sweatshirts and class rings)
- Grooming styles such as extreme fashions favored by some young people ("punk," "gangsta," or "rave" look, etc.)

Behavioral Clues

In addition to physical characteristics and grooming/fashion styles, minors tend to display common behavioral patterns that may give clues to an individual's true age. Rapidly changing



physical, emotional, and social characteristics can leave the individual searching for a sense of self. In response to these conflicts, adolescents frequently display the various behavior patterns.

Gathering in groups

Due to a lack of a personal sense of identity, minors tend to gather in groups and derive a sense of identity from the group as opposed to self.

Need to conform

Not only is this need demonstrated by the minor dressing and grooming in identical fashion to their peer group, it can also be seen in behavioral patterns. If the minor is with a loud, boisterous group, they will tend to act in a similar manner. If members of the group are acting out or behaving in socially unacceptable ways the minor tends to mimic this behavior.

Preoccupation with how the individual appears to others

Minors tend to spend a great deal of time "checking" their appearance, combing hair, applying makeup, etc.

Easily embarrassed or humiliated

If confronted about certain behavioral or physical characteristics, minors tend to become embarrassed, nervous, or hostile. You may note this if you ask for identification or question the person's age.



Scams to Purchase Alcohol

Finally, you must look for any suspicious behavior that may "tip you off" that a minor is attempting to purchase alcohol. Some possible indicators include:

- A group of young people pooling their money and giving it to the oldest-looking member to purchase alcohol.
- A minor waiting in the background, away from the point of purchase or service, while an adult obtains more than one serving of alcohol.
- Prior observation that an adult has purchased alcohol for a young-looking person.

If there is any doubt about the person's age, demand to see valid identification. The most reliable forms of identification are the driver's licenses and identification cards (for non-drivers) issued by the state.



Recognizing Fake IDs

Various forms of ID are accepted as proof of age and identity when someone attempts to purchase alcohol. These forms of ID are:

- Valid driver's license (not expired)
- Valid state-issued ID card
- U.S. active duty military ID and dependents
- Passport

Invalid forms include:

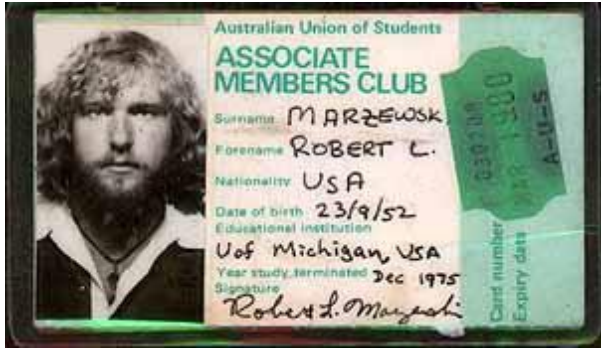
- Altered IDs
- Counterfeit IDs
- Forged IDs
- Student IDs

It is the licensee's responsibility to obtain a statement of proof-of-age form. For example, if the person looks 21 and they correctly answered your questions, but the ID doesn't look right, you may ask them to sign a proof-of-age form. Licensees must retain completed forms for 90 days and make them available upon request for inspection by the board and peace officers. If a licensee or an agent or employee of a licensee has reason to believe that the identification card presented by a person is fraudulent, the licensee, agent, or employee shall refuse entrance to licensed premises and shall refuse service or sale to that person.



Driver's License



	  <p>Passport outside (Canada) Passport inside (France)</p>  <p>ID</p>
Drivers License	This is a valid ID.
Student ID	This is an invalid ID—a student ID, even if it has a photo, is not a form of acceptable standalone ID.
French Passport	This could be an invalid ID—a French passport is acceptable only if the server can read and understand it.
Canadian Passport	This is a valid ID.



How to Tell If an ID Is Fake

Consider the following when identifying if an ID is fake or real.

Altered Identification

An altered ID was once valid, but some information on the document has been altered after the ID was issued. Usually, it is the birth date that has been changed.

Some signs that may indicate an ID has been altered include:

- a) Erasure marks on paper ID (shining a light behind the paper usually will reveal this)
- b) Improper alignment of letters or numerals (this occurs when a number or letter has been erased or cut out and a new number is pasted or typed over the erasure)
- c) Improper type style (this occurs when a number or letter has been erased and a new number or letter is typed over the original)
- d) Signs that a new number has been pasted over the existing number on the ID
- e) Unusual bumps or air pockets especially on laminated IDs, indicating the lamination has been redone

Counterfeit Identification

A counterfeit ID is intended to look identical to an official document, but, the entire document is not authentic. Driver's licenses and personal identification cards are the most common counterfeited IDs. These may be very well-produced and difficult to detect. Some of these may contain photos that are digitally created and can sometimes be detected due to the poor photographic quality on licenses and ID cards (photo may appear dark or off color). Look at your own driver's license or identification card. Is the picture sharp and clear? What is the background color in the photograph? Some other signs that an ID may be counterfeit include:

- a) Substandard or too-perfect graphics
- b) The format of the ID is not identical to the official document that is being reproduced
- c) Substandard lamination

Forged Identification

A fabricated ID is also valid but the information or signature has been forged. This is usually more of a problem with bank cards, credit cards, etc. since these cards can be so easily stolen and replicated. It is strongly recommended that you do not accept these documents as valid ID.

Stolen Identification

When accepting an ID from your customer, carefully examine the document and be prepared to ask questions to verify your observations. For example, check the photo on the ID to make sure it matches the person presenting the ID. Also, carefully examine physical descriptions (height, weight, hair, and eye color; are glasses required?). If you are in doubt, ask the person to present other forms of ID. Ask questions of the individual to ascertain the document's validity.



For Example, you might ask:

- "What year did you graduate from high school?"
- "What is your zip code?"

Make these inquiries while you are holding the ID such that the individual cannot see the information you are seeking. You also can ask the individual to sign their name so that you can compare signatures.

Out-of-State or Other Forms of Identification

Not all of your customers will present IDs that you are familiar with. You may be presented with out-of-state licenses or military IDs. Unless you are familiar with such documents, do not assume they are valid. There are several guidebooks that give examples of licenses and ID cards issued by state, which can be used to help you to recognize valid IDs. However, if you are unsure of the validity of your customer's identification, you have the right and responsibility to ask for familiar documentation and you should refuse service if that documentation cannot be produced.

Knowledge Check

Video 7

Knowledge Check

Video 12

Compliance Checks

Many states and local jurisdictions use compliance checks to identify establishments that are selling alcohol to minors. Compliance checks are conducted by law enforcement agencies. When a check is conducted, a minor will enter an establishment and attempt to purchase alcohol. If the minor is successful, both the business and the seller can be issued citations.

You should be aware of compliance checks so you can avoid breaking the law. You also should know that often the results of compliance checks will be reported in the local news—which could be quite embarrassing!

Forms of Alternative Transportation

To avoid getting in trouble with compliance checks and third-party liability, options for alternate forms of transportation should be made available to customers. These can include:

- Designated Driver Programs: Many communities have programs that offer rides to those who are intoxicated and should not drive.
- Cab service.



- Suggest that the patron leave their car keys with the manager, who will ensure that the car is not towed away.
- Offer to call a friend or relative who will agree to drive the customer home.

If the patron refuses all of these suggestions and still insists that they are not too intoxicated to drive, you may need to inform the patron that the police may have to be called. This can be done anonymously, but this threat must be made with the full intention of following through, if necessary.

Incident Log

Your establishment should keep a log for everyday use. If any event, such as a fight, refusing service to a minor or intoxicated person, confiscating an ID, or calling the police occurs, it should be specifically documented in the log. You will want to include:

- Description of the event
- Date
- Time
- Witnesses
- Steps taken to prevent or deal with the problem

A log is extremely valuable because it can protect you in a legal defense case.

Lesson 5 – Quiz

1. Compliance checks are conducted by _____.

- Parent organizations
- [Law enforcement agencies](#) *
- Alcohol regulators
- Local news affiliates

2. Which of the following is NOT a behavioral clue that someone may be underage?

- Gathering in a group
- Needing to conform
- Easily embarrassed or humiliated
- [Not caring about appearances](#) *



3. Which of the following is NOT a valid form of ID?

- Student ID *
- Passport
- Valid driver's license
- U.S. active duty military ID

4. Which of the following is a sign that an ID may have been altered?

Alignment of letters or numerals

Watermarks on paper ID

Unusual bumps or air pockets *

Unfamiliar type style

5. An incident log should contain all of the following EXCEPT:

Date

Time

Description of the establishment *

Steps taken to deal with the problem



Lesson 6: How to Refuse a Sale

This lesson focuses on:

- Refusing a Sale
- Tips for Slowing Down
- Cutting Someone Off
- Refusing Sales to Minors
- Refusing Third-Party Sales

Refusing a Sale

Even though most people manage their drinking responsibly, sometimes it is necessary to manage someone's drinking for them. Telling a patron that they have had too much to drink, and that you can't sell anymore can be uncomfortable, if not difficult. After all, most sellers have been taught to give the customers whatever they want. However, because alcohol can cause impairment, telling a customer you cannot sell anymore is sometimes necessary. Remember, selling to someone who is intoxicated or who is underage could be a liability to the business and a threat to public safety. When selling alcohol, it is your responsibility to sell responsibly.

When you observe customers, what you are really doing is rating them. Use the SET technique to identify where a person is in a night of drinking:

S = Sober

E = Enough

T = Too much

In order to rate your customers as S (sober), E (enough), or T (too much), your observations should include answering:

- 1) Is the customer rational, lucid, and able to make reasonable judgments and decisions?
- 2) Does the customer respond appropriately to questions and conversation?
- 3) How does the customer relate to other people?
- 4) Is the customer withdrawn and uninvolved with others at their table or are they actively involved in conversation?
- 5) Does the customer respond appropriately to others?
- 6) Is the customer cooperative, demure, flirtatious, or subdued when responding to others?



Tips for Slowing Down

If you feel someone has had enough to drink, sometimes slowing someone down is easier than cutting them off. However, if someone needs to be cut off, do not hesitate to do so. Use the SET technique (Sober, Enough, Too Much) to determine what course of action is appropriate in each situation.

- Serve drinks with water on the side.
- Remove empty glasses before replacing them with fresh drinks.
- Avoid pitcher service when serving a group.
- Slow down service—do not go past the table as often.
- Do not bring a drink for one person at another's request.
- Serve a large glass of water before bringing the next round.
- Divert attention away from drinking to dancing, pool, etc.



Cutting Someone Off

After determining with the SET technique that someone has had too much to drink, there are seven steps you should take in cutting someone off.

Verify your observations.

Ask another employee (another server, bartender, or manager) to observe the customer's behavior. If you both agree the person needs to be cut-off, you can proceed knowing you have a "back-up" should it become necessary.

Be non-judgmental and non-threatening.

The customer is more likely to respond with anger and defensiveness if your statements are perceived as "putdowns". Some examples of non-judgmental statements include:

- a) "I'm sorry. I've served you as much as I am allowed."
- b) "I'm sorry. I'm not allowed to serve persons under the age of 21."
- c) "I'm sorry, but if I serve you another drink, we might lose our license (or I might lose my job)."

Remove alcohol from the table.

As you inform your customer you can no longer serve them, remove any remaining drinks from the table. This prevents further consumption of alcohol.

Offer solutions.

By offering your customer solutions, they will realize you are concerned about their. Furthermore, it is your obligation to arrange safe, alternative transportation for the customer. You may fulfill this obligation by using one of these suggestions:

- If the customer is with friends, and you have determined that someone else can safely drive the individual home, suggest that the friend take this responsibility.
- If the customer is alone, offer to call a cab, friend, or relative to pick the person up.
- If you work in a hotel/motel facility, offer to arrange for a room for the individual.

Be firm.

Do not allow the customer to bargain, intimidate, or argue with you. You have made your decision to refuse further service for good reason and you must stick with your decision. It is best to leave the table after you have made your statement. This prevents being drawn into explanation, defenses, and arguments.



Communicate your actions.

You must inform your co-workers when a customer has been cut off. This prevents the customer from ordering alcohol from other unsuspecting co-workers.

Record the incident.

It is important to record the facts concerning the incident. Should any questions concerning the incident arise at a later date, you will have a factual record of it.

Refusing Sales to Minors

If you have any doubt about whether or not the customer is of legal drinking age, it is better to play it safe and ask for an ID. Many places have different house rules in regard to who should be carded based on appearance. Often such rules go as follows: if patrons look to be 25 years of age or less, card them; or if they appear to be 30 years or less, card them. In any case, carding the customer is the wise choice.

If the customer refuses to show identification:

- Decline the sale and state that the law prohibits alcohol sales to minors.
- Refer to display signage to help educate your customer.
- Be courteous.
- Remove the alcohol from the counter to further discourage the sale. A customer may try to grab the product and leave money on the counter. If that happens, do not ring up the sale. Employees should notify their supervisor immediately for further instructions.

If a customer becomes abusive:

- Stay calm and do not provoke the customer.
- Refer the customer to your supervisor.
- If a criminal act occurs, do not intervene.
- Notify management and the authorities if necessary.
- Observe what is happening; take note of descriptive details, in case you are needed later as a witness. Put this information in your incident log.
- If you feel like you are physically in danger, it is better to give in and make the sale. Check your store policy.



Refusing Third-Party Sales

Sometimes an adult will try to purchase alcohol for minors. State law prohibits these “third-party sales.” If you suspect that this is happening, explain that you are required by law to ask if this is a “third-party” purchase for a minor.

- If you suspect a third-party purchase is being attempted, explain that it’s illegal for you to make the sale. Be polite and informative.
- It is also illegal for a minor to purchase alcohol products for a parent.

Knowledge Check

Video 1

Lesson 6 – Quiz

1. Which is the best statement to use when refusing a sale?

- I’m sorry, I can’t legally sell to you this evening; I could lose my job. *
- Sorry, can’t sell to drunks.
- Why don’t you sober up and leave?
- I can’t sell to you tonight, but go across the street, they probably will.

2. When refusing service to someone, you should do which of the following?

- Give them more to drink
- Communicate your actions to other staff members *
- Let the customer hold on to the alcohol until it is safe
- Be judgmental and threatening

3. If a customer who you refused a sale to is uncooperative, you should:

- Raise your voice so they know you are serious
- Call law enforcement authorities *
- Physically threaten the customer
- Ask another customer to help you physically remove the customer

4. Which of the following is NOT a step you should take when refusing a sale?

- Remove the alcohol from the table
- Verify your observations
- Record the incident
- Give ultimatums *



5. Recording an incident is important to do for which of the following reasons?

- Should any questions arise at a later date, you will have a factual record *
- Should you ever need legal leverage over a customer you have it written down
- To make sure that every employee on premises is equally to blame
- To keep track of first aid supplies



Lesson 7: Alaska Alcohol Laws

This lesson focuses on:

- The Alcoholic Beverage Control Board
- Licenses and Permits
- Local Options
- Hours of Service
- Happy Hours
- Warning Signs
- Gambling, Drugs, and Prostitution
- Adulteration
- Minors and Penalties
- Written Order Sales



The Alcoholic Beverage Control Board

Alaska's Alcoholic Beverage Control (ABC) Board is a regulatory and quasi-judicial agency in the Department of Commerce, Community, and Economic Development. The Board consists of five members who are appointed by the governor and confirmed by a majority of the members of the legislature in joint session. A member of the Board may not hold any other state or federal office, either elective or appointive.

- One member of the board works in public safety
- One member of the board represents the general public
- One member of the board represents rural areas, having lived in a rural area in the last five years
- Two members of the board work in the alcoholic beverage industry

A member of the Board may *not* hold a wholesale alcoholic beverage license or be an officer, agent, or employee of a wholesale alcoholic beverage enterprise. Not more than two members may be engaged in the same business, occupation, or profession. The public safety, rural area, and general public members may not have, or have an immediate family member who has, a financial interest in a licensed alcoholic beverage business. The general public member also may not be employed in public safety or public health.

The Board reviews all applications for licenses made under Title 4 and may order the director to issue, renew, revoke, transfer, or suspend licenses and permits authorized under this title. They keep licensees and municipalities up-to-date on major changes to this title and related regulations. However, if changes only affect specific classifications of licenses and permits, the Board need only notify those licensees and municipalities directly affected by the changes.

Licenses and Permits

Application for a New License or Permit

Apply for a new license or permit, in writing, to the ABC.

Notice of Application

Before a new license is issued or a license transfer is approved, the applicant must post a copy of the application for 10 days at the location of the proposed licensed premises and at any additional locations designated by the Board. The Board may also require the applicant to send a copy of the application to newspapers, radio, and television stations for public service announcement or as a paid notice. The Board may also require notice in more than one language.



If the application is for a location within one-half mile of the boundary of a community council, the Board will provide written notice of the application and of the related licensing hearing to the community council and any nonprofit community organization that has requested notice of such application.

Population Limitations

Licenses are issued based on population quota. Restaurant or eating place licenses are issued at a rate of one license per 1500 people within a political subdivision of the state. All other licenses are issued at a rate of one license per 3,000 people.

Types of Licenses and Permits

Types of licenses and permits include:

Beverage dispensary license:

allows sale of all types of alcoholic beverages for consumption on the licensed premises only (for example, a bar would hold this type of license).

Restaurant or eating place license:

allows a restaurant to sell beer and wine for consumption on the licensed premises only. The business must derive 50 percent of its sales from food.

Package store license:

This license allows the holder to sell any kind of alcoholic beverages for consumption off the licensed premises (for example, a liquor store holds this license).

Common carrier dispensary license:

allows the sale of alcoholic beverages aboard a boat, aircraft, or railroad buffet car licensed for passenger travel for consumption on the licensed premises only.



Recreational site license:

allows the sale of beer and wine at a recreational site during and one hour before and after a recreational event for consumption on designated areas of the site only (for example, a hockey rink may hold this license).

Pub license:

allows the sale of beer and wine at a premise on the campus of a college or university for consumption on the licensed premises only.

Brewpub license:

only issued in conjunction with either a Beverage Dispensary License or a Restaurant/Eating Place License. These allow you to serve beer made by the licensee, as well as beer produced by other manufacturers. With this license, you can serve beer by the pitcher, with or without meals. A brewpub licensee may only sell beer that *they* produce for off-premises consumption.

Golf Course License: authorizes the licensee to sell beer and wine on licensed premises located on a golf course.

Outdoor Recreation Lodge License: authorizes the holder to sell and serve alcoholic beverages to a registered overnight guest or off-duty staff of the lodge for consumption on the licensed premises or in conjunction with purchased outdoor recreation activities provided by the licensee.



Destination resort license: issued to sites of at least 20 acres that are used principally as a destination for cruise ships and other vessels, but does not provide overnight lodging on its premises for visitors. It allows the sale of alcoholic beverages for consumption on the premises while a cruise ship is in port at the resort.

Brewery license: issued for breweries where beer is manufactured and packaged for sale. Licensees may sell up to five gallons of beer per day per person for off premises consumption. The purchaser must be present on the premises at the time of the purchase. Small samples may be provided free of charge, and people may consume up to 36 ounces of the brewery's product on premises.

Note: The only license types that allow for the opportunity to sell growlers of beer to customers for off-premises consumption are package store, brewpub, or brewery licenses. Brewpubs and breweries are also limited to selling only beer that they produce for off-premises consumption.

Other licenses include:

Duplicate beverage dispensary license for additional rooms;

Club license;

Bottling works license;

General wholesale license;

Wholesale malt beverage and wine license;

Distillery license;

Retail stock sale license;

Winery license;

Caterer's permit;

Special events permit; and

Conditional contractor's permit.



Restaurant Designation Permits

A licensee seeking designation as a bona fide restaurant, hotel, or eating place must apply to the Board, along with a \$50 fee. Restaurant designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if particular requirements are met.

The application must include:

- a statement of the type of designation requested, whether for employment under AS 04.16.049(c), for dining under AS 04.16.010 after standard closing hours, for dining under AS 04.16.049(a)(2), for dining under AS 04.16.049(a)(3), or for any combination of those designations;
- a description of the location for which the designation is desired;
- a listing of meals (existing or planned) to be offered;
- a detailed floor plan of the proposed designated and undesignated areas of the licensed business;
- a description of any entertainment offered within business, and on the proposed designated portions of the premises;
- a description of the manner of service offered or anticipated, whether table service, buffet service, counter service, or other;
- a statement of whether an owner, manager, or assistant manager is always present on the premises during business hours; and
- any other information required by the board.

The Board can reduce the size of the requested designated area. A restaurant designation granted to the holder of a golf course license is limited to the clubhouse.

Other Types of Permits

Alaska allows for other types of permits, including the following.

- A **designation permit** allows the holder of a beverage dispensary or restaurant or eating place license to temporarily use the licensed premises for an event at which persons 17 years of age or older will be present (i.e. a banquet, ball, graduation celebration, entertainment). However, alcoholic beverages may not be sold, served, or consumed at the licensed premises during the period beginning two hours before and ending one hour after the times identified in the permit during which under-age persons will be on the premises.
- A **restaurant caterer's permit** allows the holder of a golf course license or a restaurant or eating place license to sell or dispense beer or wine before and during service of food provided by the licensee at a designated location for a banquet or dinner event held away from the holder's licensed premises.



- A **caterer's permit** states that the caterer, or its specified employee or agent, must be on the catered premises when alcoholic beverages are possessed, served, or consumed there under the permit.
- A **club license caterer's permit** authorizes a licensed organization to sell or dispense alcoholic beverages at events held off of the organization's licensed premises. The permit may only be issued for designated premises for a specific event and for a limited period of time.
- A **theatre license** authorizes a beverage dispensary licensee or a restaurant or eating place licensee to sell alcoholic beverages for consumption on licensed premises at a specified theatre site. A restaurant or eating place licensee with a theatre license may only sell beer and wine. Sale and consumption is allowed only during intermissions and one hour before an event, only in designated areas, and not in the audience viewing area of the theatre. A theatre license may not be exercised during events that are expected to attract audiences under 21 years of age.
- An **art exhibit permit** authorizes the holder of a beverage dispensary license or a restaurant or eating place license to serve beer and wine for consumption for an art exhibit event, during designated times, at one or more sites. Food must also be provided. An art exhibit permit may not be exercised during events that are expected to attract audiences under 21 years of age.
- A **wine auction permit** authorizes the holder to sell wine by auction in a specific place, for a specific occasion, and for a limited period of time. Only special events permit-eligible organizations may apply and the profits from the auction of wine must be paid to the organization.



Local Options

The State of Alaska has passed laws that provide a way for communities to control and impose certain limits on the availability of alcohol in a community. These “local options” laws are found in Sec. 04.11.491. A majority of voters can vote to prohibit any of the following:

- the sale of alcoholic beverages;
- the sale of alcoholic beverages except by one or more of the following types of licensee:
 - a restaurant or eating place licensee;
 - a beverage dispensary licensee;
 - a package store licensee;
 - a caterer holding a permit to sell alcoholic beverages at a site within the municipality who is also licensed under a beverage dispensary license for premises outside of the municipality;
 - a winery licensee (including limiting sales only to licensed persons or to sales in another state or country);
 -
- the sale of alcoholic beverages except on premises operated by the municipality and under a type of licensed premises listed on the ballot, that may include:
 - a restaurant or eating place license;
 - a beverage dispensary license; or
 - a package store license;
- the sale and importation of alcoholic beverages; or
- the sale, importation, and possession of alcoholic beverages.

Unlike a municipality where local options are conducted by local government, an established village relies on the State of Alaska Division of Elections to conduct local option elections. The perimeter of an established village is a circle around the village that includes an area within a five-mile radius of the post office.

If a majority of voters approve the measure or option, an established village may exercise a local option to prohibit the sale of alcohol except for the following license types:

- a restaurant or eating place licensee;
- a beverage dispensary licensee;
- a package store licensee;
- a caterer holding a permit to sell alcoholic beverages at a site within the established village who is also licensed under a beverage dispensary license for premises outside of the established village;
- a winery licensee, including limiting sales only to licensed persons or to sales in another state or country;
- The sale and importation of alcoholic beverages; or
- The sale, importation, and possession of alcoholic beverages.



For a municipality or established village that has adopted a local option, they may designate a site for the delivery of alcoholic beverages to individuals in the area or arrange for a person to bring alcoholic beverages if those beverages are imported into the area. This does not include or apply to:

- one liter or less of distilled spirits, two liters or less of wine, or one gallon or less of malt beverages; or
- Alcoholic beverages to a premises licensed under AS 04.11.491.

A municipality or established village may vote to establish lower limits on the amounts of alcoholic beverages that may be imported or possessed, as part of the local option question. In addition, a majority vote can also remove an option in a municipality or established village with a yes or no ballot question.

Hours of Service

Between the hours of 5:00 a.m. and 8:00 a.m., licensees or employees may not:

- Sell, offer for sale, give, furnish, deliver, or consume an alcoholic beverage on licensed premises.
- Permit a person to consume alcoholic beverages on the licensed premises
- Permit a person to enter, other than common carriers or an employee of the licensee who is on the premises to prepare for the next day's business.

However, a person may enter or remain on the premises of a bona fide restaurant or eating place licensed under this title to consume food or nonalcoholic beverages.

Be sure to always check with your municipality or established village since they may provide for additional hours of closure.

Election Day Sales

A person may not sell, barter, give, consume, or dispose of alcoholic beverages within licensed premises on an election day, until the polls are closed. The rule applies statewide when an election is statewide, and in a municipality or established village when the election is local to the municipality, unless the municipality has an ordinance that is counter to these provisions.

Happy Hours

“Happy hour” is a period of the day when alcoholic beverages are sold at reduced prices on premises where alcoholic beverages are sold by the drink. In Alaska, happy hour is banned. Specifically, a licensee or its employee **may not**:

- Offer free alcoholic beverages;



- Give an alcoholic beverage to a person who already has two or more in their possession;
- Sell alcoholic beverages at a lower price than on other days in the same week, except at private functions;
- Offer “all you can drink” pricing, where a fixed price is paid for an unlimited number of alcoholic beverages;
- Sell alcoholic beverages to anyone at a discount compared to the prices charged to the general public on that day, except at private functions;
- Encourage or permit an organized game or contest on the licensed premises that involves drinking alcohol or offers alcohol as a prize.

These rules do not prohibit offering free food or entertainment, serving wine by the bottle or carafe or beer by the pitcher with or without meals, or including an alcoholic beverage as part of a meal package.

A licensee or its employee may not offer an alcoholic drink or a brand of alcoholic beverage during limited hours only.

Warning Signs

Licensed sellers or servers must post three separate warning signs on the licensed or designated premises.

The signs must be at least 11 inches by 14 inches, with lettering at least one-half inch high and in contrasting colors.

Post the following two signs so that a person purchasing or consuming alcohol or smoking cigarettes on the premises can easily see them:

1. "WARNING: Drinking alcoholic beverages such as beer, wine, wine coolers, and distilled spirits or smoking cigarettes during pregnancy can cause birth defects."
2. "WARNING: A person who provides alcoholic beverages to a person under 21 years of age, if convicted under AS 04.16.051, could be imprisoned for up to five years and fined up to \$50,000."

Post the third sign at each entrance used by customers.

1. "WARNING: An unaccompanied person under 21 years of age who enters these premises in violation of law may, under AS 04.16.049(e), be civilly liable for damages of \$1,500."



Upon request, the Board will provide the signs for display.

Violations

A seller who does not properly post warning signs can be punished with a fine of \$100 a day plus a \$10 surcharge. Additional violations accumulate each day after the citation has been issued.

Gambling, Drugs, and Prostitution

Gambling

Alcohol and Gambling

An agent or employee of a gambling enterprise may not give an alcoholic beverage to a player.

Drugs

As a seller of alcohol, providing controlled substances to anyone is illegal, and generally is punishable as a felony. Title 4, Section 11.71.010 discusses controlled substances.

Prostitution

Prostitution is a crime in Alaska, defined as offering a fee in return for sexual conduct; or engaging in, agreeing to, or offering to engage in sexual conduct in return for a fee.

Under Sec. 04.11.370, a license or permit shall be suspended or revoked if the board finds the licensed premises is being used for

- illegal possessors or users of narcotics, prostitutes, or sex traffickers (the general reputation of the premises in the community may be used as evidence);
- illegal gambling;
- a public offense involving moral turpitude (which includes crimes from bribery to homicide);

Adulteration

Licensees and their employees may not adulterate, misbrand, or mislabel any alcoholic beverage it sell or serves. For example, an alcoholic beverage made with a wine product rather than a distilled beverage should be described as "wine based" in all advertising, labeling, or descriptions of it.



Minors and Penalties

A person may not furnish or deliver an alcoholic beverage to a person under the age of 21 years. What follows are the responsibilities and consequences for people who are not licensees or their employees who are working.

Access of persons under the age of 21 to licensed premises

A person under 21 years of age may not knowingly enter or remain in licensed premises unless

- accompanied by a parent, guardian, or spouse who is at least 21 years of age;
- the person is at least 16 years of age, *or* is under 16 but is accompanied by a person over 21 and the underaged person's parent or guardian consents, the premises are designated as a restaurant, and the person is only dining; or
- the person is permitted on the premises under a club license

A licensee or employee may refuse entry, refuse service, or require a person under 21 years of age to leave the portion of the licensed premises in which alcoholic beverages are sold, served, or consumed.

A person 16 or 17 year of age may enter and remain within the licensed premises of a hotel, golf course, or restaurant or eating place as an employee if

1. their employment does not involve serving, mixing, delivering, or dispensing alcoholic beverages;
2. they have the written consent of a parent or guardian; and
3. an exemption is granted by the Department of Labor and Workforce Development.

Additionally, a person 18, 19, or 20 years of age may be employed within the licensed premises of a hotel, golf course, or restaurant or eating place, but may not sell, serve, deliver, or dispense alcoholic beverages as part of their job.

Violations in this area may result in civil damages in the amount of \$1,500 plus reasonable costs and reasonable attorney fees.

A person under 21 years of age does not violate this section if the person enters or remains on licensed premises at the request of a peace officer, if the peace officer accompanies, supervises, or otherwise observes the person's entry or remaining on premises, and the purpose for the entry or remaining on premises is to assist in the enforcement of the rules regarding minors.

A person under 21 years of age may be present on licensed premises on a golf course to play golf or attend golf-related activities if the person

- is at least 16 years of age; or
- is under 16 years of age and



- accompanied by a person who is at least 21 years of age; and
- a parent or guardian of the underaged person consents.

Penalties

Unauthorized presence by a person under 21 years of age on licensed premises is a violation, punishable by a fine of \$500. Reduced fines may be offered if within six months, the person completes

- a Department of Health and Social Services alcohol safety action program or juvenile alcohol safety action program; or
- a community diversion panel.

Allowing a minor on a licensed premise is a misdemeanor offense punishable by up to a \$10,000 fine and/or up to a year in jail.



Possession, control, or consumption by persons under 21 years of age

A person under 21 years of age may not knowingly consume, possess, or control alcoholic beverages except those furnished to persons under AS 04.16.051(b).

Penalties

This violation is punishable by a fine of \$500, reducible with completion within six months of

- a Department of Health and Social Services alcohol safety action program or a juvenile alcohol safety action program; or
- a community diversion panel.



Written Order Sales

According to AAC 304.645; written orders may be used for alcoholic beverages. A package store license authorizes the licensee to sell alcoholic beverages to a person present on the licensed premises or to a person known to the licensee who makes a written order or request to that licensee for shipment. A licensee, agent, or employee may only ship alcoholic beverages to the purchaser. Prior to the practice of shipping alcoholic beverages, a licensee is required to notify the board in writing of the licensee's intention to ship alcoholic beverages in response to a written order or request.

The package store licensee, agent, or employee must include written information on fetal alcohol syndrome and fetal alcohol effects resulting from a woman consuming alcohol during pregnancy in a shipment of alcoholic beverages sold in response to a written solicitation, order, or request.

The written order must include:

- Name, address, and signature of purchaser;
- Description of the type and quantity of product ordered;
- Date, time of purchase
- Date, time, and address of delivery;
- Name and address of adult 21 years or older to receive order
- Receiver must show proof of age with:
 - Government issued ID or passport as defined in AS 04.21.050 and;
 - Acknowledge receipt of the alcoholic beverages in writing.

A person may not purchase alcohol by written order on behalf of another person who resides in a municipality or established village that has adopted a local option under AS 04.11.491. All documents pertaining to each written order should be kept on file with purchaser's proof of age document for at least one year after deliver of the order. In addition, license must maintain a log of written orders in numeric order to cross-reference data for each order.

A written order:

1. May be changed by the licensee within five business days after receipt of the order. If the change is confirmed verbally or in writing with the purchaser, changes must be logged. Orders must be shipped within five working days after the order is received.
2. Entered into the written order database AS 04.06.095 and may not be modified once it is entered into the database to calculate whether the beverages may be shipped based on calendar month limitations.
3. If the amount ordered exceeds the authorized amount the licensee may hold the order for up to 72 hours and reenter it into the database for the next month as a new order. Otherwise, licensee should return the order to the purchaser unfilled.



In response to a written order, a licensee

1. May not package or deliver alcoholic beverages, or enter a written order into the database, until full payment is received;
2. When payment is received, they may
 - a. personally, deliver the alcoholic beverages on the licensed premises to the purchaser or an authorized receiver of legal age, upon verifying the purchaser or receiver's identity; or
 - b. ship the alcoholic beverages by common or regulated carrier to the purchaser; if the community has specified a delivery site, the order must be shipped to the purchaser at that address; and
3. Package the order as follows:
 - a. Use shipping container that bears a non-removable label that identifies the licensee, shows the written order number, and contains the words "alcoholic beverages" in letters at least two inches high and drawn in lines one-quarter inch wide;
 - b. Include a copy of the sales invoice. It must be enclosed in a non-removable, sealed envelope securely attached to the shipping container; invoices must be legible and show the description, quantity, unit price, extended price, and total value of the alcoholic beverages in the container.

The community delivery site must be secure, reasonably located, clean and heated, open for purchasers at least once a week for three hours between 8 a.m. and 8 p.m., and controlled by the local governing body to assure protection of orders for purchasers. Alcoholic beverages may be claimed from the site only by the purchaser named on the container. The purchaser shall sign for the order on a form stating that the beverages are not for resale. The local governing body may impose reasonable storage and handling fees chargeable to the purchaser, and may label or mark alcoholic beverage containers processed through the community delivery site.

The Board may issue a list of people who may not purchase alcohol by written order, which licensees must follow.

Written orders must be kept on file, along with purchaser's proof-of-age document for at least one year after delivery of the order and the log of written orders must allow easy cross-referencing.

A package store licensee who fills written orders:

1. Must promptly notify the board of any person who orders more than 36 gallons of malt beverages, more than 12 cases of wine, or more than 36 liters of distilled spirits in a week, and of any customer who regularly order alcoholic beverages in similarly large quantities;
2. If the alcoholic beverages are to be shipped to an area that has restricted the sale of alcoholic beverages,



- a. enter a written order, within 24 hours after receiving full payment, into the written order database; and
- b. notify the board within 24 hours if the amount ordered, when added to the amount already shipped in a calendar month to the purchaser, exceeds the amount authorized.

If alcoholic beverages are not delivered to the purchaser personally on the licensed premises, title to the alcoholic beverages passes from the licensee to the purchaser at the time the alcoholic beverages are packed and addressed to the purchaser and payment is received, and these actions constitute a sale on the licensed premises.

A package store licensee may not ship alcoholic beverages:

- to a person other than the purchaser;
- in response to a telephone order; or
- by taxi cab.

If your local option municipality or established village imposes a tax on alcohol, a package store licensee that sells alcoholic beverages by written order may not ship or deliver alcoholic beverages into that municipality or established village until payment for the taxes is collected at the licensed premises. The licensee shall remit the payments of taxes to the municipality or established village for which the tax was collected.

Quiz: Lesson 7

1. Restaurant or eating place licenses are issued on the formula of one license for each _____ of population within a political subdivision of the state.

- 1000
- **1500***
- 3000
- 4500

2. Which of the following is NOT one of the license types that allow for the opportunity to sell growlers of beer to customers for off-premises consumption?

- Package store
- Brewpub
- Brewery
- **Bottling works***



3. Alcohol may not be sold between the hours of _____.

- 12 a.m. and 8 a.m.
- **5 a.m. and 8 a.m.***
- 2 a.m. and 11 a.m.
- 3 a.m. and 7 a.m.

4. A minor consuming or in possession or control of alcohol is a violation that is punishable by a fine of _____.

- \$1500
- \$1000
- **\$500***
- \$100

5. Which of the following is NOT one of the license types that must post the three separate warning signs on the licensed or designated premises?

- Restaurant or eating place
- Club
- Package store
- **Destination resort***



Final Exam

1. Sellers of alcohol have a responsibility to protect _____.

- Public safety *
- Their establishments
- Their jobs
- The right to drink

2. Once alcohol enters the mouth, _____ of it is immediately absorbed into the bloodstream.

- 20 percent
- 15 percent
- 10 percent
- 5 percent *

3. Alcohol is a central nervous system _____.

- Stimulant
- Depressant *
- Hallucinogen
- Antihistamine

4. Which of the following is NOT a factor that affects absorption rate?

- Alcohol content of the drink
- Speed of drinking
- Individual metabolism
- Personal tolerance *

5. How many ounces is one serving of hard alcohol?

- 12 ounces
- 5 ounces
- 1-1/2 ounces *
- 1/2 ounce

6. Which of the following is NOT a sign that someone is experiencing alcohol poisoning?

- Rapid breathing *
- Vomiting



- Cold, clammy skin
- Seizures

7. Your observations will be based upon all of the following EXCEPT:

- What you see, hear, and illicit from your customers during normal contact
- Conversations you initiate
- Observations of the customer's interactions with other people
- **Prior experience with the customer outside of work ***

8. When communicating with a customer, which of the following is NOT a question you should consider while your customer is speaking?

- Is the person losing their train of thought easily?
- Is the person's speech slurred or irregular?
- **Does my job require me to serve this person? ***
- Is the person responding inappropriately to questions?

9. Which of the following is NOT an obvious behavior clue?

- Inhibitions become relaxed.
- **Judgment becomes sound. ***
- Reactions slow down.
- Coordination is affected.

10. When should you leave intoxicated patrons alone?

- When they are sick
- When they can't walk home
- Always leave them alone
- **Never leave them alone ***

11. When handling an intoxicated person, which of the following is NOT a manner in which you should speak?

- Clear
- Firm
- **Abrupt ***
- Calm



12. Which of the following is NOT a characteristic of anxiety?

- Jingling coins
- Verbal fights *
- Tapping feet
- Drumming fingers

13. When checking IDs, which of the following is NOT a question to ask yourself?

- How old does the customer appear to be?
- How is the customer dressed?
- Does the customer appear confident?
- Why does this customer look familiar? *

14. Why do minors tend to gather in groups?

- For safety in numbers
- For a sense of identity *
- For a sense of self
- For a feeling of power

15. A counterfeit ID is intended to look identical to an official document, but _____ is not authentic.

- The document itself *
- The personal information
- The date of birth
- The signature

16. SET stands for _____.

- Strong, Enough, Tolerance
- Some, Equal, Too many
- Sober, Enough, Too much *
- Subdue, Enforce, Turn in

17. Which of the following is NOT a tip for slowing someone down?

- Serve straight drinks with water on the side.



- Use pitcher service when serving a group. *
- Do not bring a drink for one person at another's request.
- Divert attention away from drinking to dancing, pool, etc.

18. If the customer insists on driving and refuses all offers for alternative transportation, it is your obligation to notify _____.

- The manager
- The police *
- The customer's family
- The customer's friends

19. Which of the following is NOT something you should do if the customer becomes abusive?

- Stay calm and do not provoke the customer.
- Refer the customer to your supervisor.
- If a criminal act occurs, intervene. *
- Notify management and the authorities, if needed.

20. What is it called when an adult tries to purchase alcohol for a minor?

- Switch out
- Felony
- Alcohol swapping
- Third-party sale *

21. On the warning sign for unaccompanied persons under 21 years of age who enter the premises, what is the civil liability damages amount posted on the sign?

- \$1000
- **\$1500**
- \$30,000
- \$50,000

22. Which type of permit does a holder need if they are holding a temporary graduation celebration event for the local high school graduation?

- **DE designation**
- Restaurant caterer's
- Club license caterer's
- Art exhibit



23. How long must proof-of-age forms be retained?

- 30 days
- 45 days
- **90 days**
- 120 days

24. Which license allows the holder to sell beer and wine at a premises located on the campus of a college or university for consumption on the licensed premises only?

Club

Pub

Restaurant or eating place

Recreational site

25. Arcade-style games, pinball machines, and pool tables are all types of _____.

Amusement devices

Contests of chance

Gambling devices

Devices of chance