



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

July 12th, 2019

Alcoholic Beverage Control Board
1600 W. 7th Ave, Suite 1600
Anchorage, AK 99501

I have reviewed the TIPS classroom training course. After making minor corrections to the course, it does meet the requirements of 3AAC 304.465(c).

Sincerely,

A handwritten signature in black ink that reads "Joe Hamilton".

Joe Hamilton
Special Investigator

Cc: Erika McConnell
AMCO Director

James Hoelscher
Enforcement Supervisor



Alaska Alcoholic Beverage Control Board

Alcohol Server Education Course

Form AB-10: New Education Course Provider Application

Alcohol and Marijuana Control Office

550 W 7th Avenue, Suite 1600

Anchorage, AK 99501

alcohol.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

What is this form?

This alcohol server education course provider application is required for all persons and entities seeking to have an alcohol server education course approved by the Alcoholic Beverage Control (ABC) Board. Prospective applicants should review and understand **AS 04.21.025** and **3 AAC 304.465** before applying. The course curriculum must cover the topics listed under 3 AAC 304.465(c).

This application must be completed and submitted with the following documents and items before any alcohol server education course provider application will be considered by the ABC Board, as required by 3 AAC 304.465(b):

- The course book to be provided to students
- Any video or audio presentations that will be used
- A copy of a written test that demonstrates that the student understands the course subjects
- Detailed lesson plans
- A sample alcohol server education course card that is issued to students who complete the course and pass the written test

Applicant Information

Enter information for the business seeking to be an approved alcohol server education course provider.

Applicant:	Nicole Blasse'				
Course Name:	TIPS				
Mailing Address:	1501 Wilson Blvd, Suite 500, AK				
City:	Arlington	State:	VA	ZIP:	22209
Email Address:	nblasse@gettips.com	Phone:	800 438 8477 x 390		

Identify the communities where the course will be presented and the frequency of the presentation:

As requested



Alaska Alcoholic Beverage Control Board

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Describe the qualifications of and training provided to course instructors:

Two day TIPS train-the-trainer workshop



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Explain how rural premises will be served, as required by 3 AAC 304.465(e):

Online training

I declare under penalty of perjury that this form, including all accompanying schedules and statements, is true, correct, and complete.

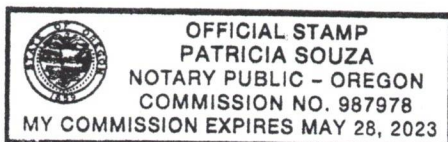
Nicole Blossa

Signature of applicant

Nicole Blossa

Printed name of applicant

Subscribed and sworn to before me this 28 day of JUNE, 2019.



[Signature]
Notary Public in and for the State of Oregon
My commission expires: May 28, 2023

OFFICE USE ONLY				
Board Meeting Date:		Approved Y/N?:	Course #:	



TIPS[®]

Off Premise

Participant Manual

Sell Responsibly.

TIPS for Off Premise

The TIPS (Training for Intervention ProcedureS) program was developed by the Health Education Foundation of Washington, DC, under the direction of Morris E. Chafetz, M.D., with the assistance of:

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Adam Chafetz
Nancy J. Lark, M.A.

The TIPS for Off Premise program is designed to empower participants to follow acceptable standards of practice for selling alcohol.

Certification Information

Upon successful completion of the program, you will become TIPS certified. You will receive a certification card stating that you have been trained in these acceptable standards of practice. Generally, your certification is good for three years, but the certification period may vary across jurisdictions due to regulations. Contact Health Communications, Inc. if you have any questions about the duration of your certification.

It is important that your certification information remains current. You can ensure that your information is up-to-date through our website. Visit us at **www.gettips.com** to:

- Update the name and/or address on your certification card.
- Order a replacement card.
- Request another training class upon expiration.
- Explore our product offerings.

Health Communications, Inc. (HCI) hereby disclaims any and all responsibility or liability for any policies or practices of any establishment or individual who sells alcohol subsequent to such establishment or individual's having been trained by HCI. HCI's TIPS program is intended solely as educational material. There is no guarantee that TIPS training can prevent intoxication and/or its consequences. Any liability that may accrue to establishments or individuals who become TIPS-certified cannot and will not be a liability that can or will accrue to HCI. HCI neither assumes nor authorizes any person or entity to assume or accept any liability or responsibility in connection with the TIPS program. If any liability accrues to HCI as a result of any actions by a TIPS-certified trainer or participant, HCI will be indemnified by such individual.

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The audiovisual materials of this program are fully protected by copyright. They may not be reproduced, or televised, in whole or in part, in any manner without written permission from Health Communications, Inc., Arlington, VA.

All TIPS trainers acknowledge that they are required to use TIPS materials in the approved manner. Each trainer agrees neither to participate in the development of any program similar to TIPS nor to use for similar purposes a program other than TIPS for a two-year period.

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Agenda

Program Introduction	<i>10 minutes</i>
Section I - Information	<i>30 minutes</i>
Part A - Alcohol and Its Effects	
Part B - Effective Seller Responses	
Section II - Skills Training	<i>30 minutes</i>
Part 1 - Evaluating Cues	
Section II - Skills Training	<i>30 minutes</i>
Part 2 - Evaluating Responses	
Section III - Practice	<i>30 minutes</i>
Wrap-Up	<i>20 minutes</i>

Introducing TIPS for Off Premise

TIPS for Off Premise was specially designed for people who sell alcohol and work in the retail liquor, convenience store, wholesale club or grocery industry. The program is based on ideas from people just like you. Through your role in the sale of alcohol, you face a unique set of problems. TIPS for Off Premise has a special focus that takes into account the setting and demands of your job and the seller-customer and seller-manager relations within your industry.

As a seller of alcohol, you fulfill a special social function in society. **About 70% of adults in the United States drink alcohol and, according to the World Health Organization (WHO), alcohol is regularly consumed by nearly 50% of the world's population.** Social drinking is a prevailing custom in society and generates its own special considerations that sellers of alcohol are called upon to handle.

Your job is an important one that involves much more than just selling alcohol. You have only a few minutes to communicate and establish some kind of rapport with your customers. The skills that allow you to use those minutes to build good customer relations are what we call people skills. Everyday you use your people skills to deal politely with a wide variety of customers having all kinds of personalities. Your people skills help you to:

- work quickly to keep your store orderly and attractive, and to keep customers satisfied as they move through the store to make their purchases
- shape management's image to the public by giving consistently good service
- ensure responsible alcohol sales, thereby contributing to community safety.

Today's TIPS program is designed to help you use your people skills to sell alcohol safely and legally. The information and techniques you learn through TIPS training will also help you identify and handle unpleasant situations involving people who are underage or those who have had too much to drink.

In your job you have dealt many times with problem situations involving alcohol, and you probably have a way of sizing up your customers. TIPS for Off Premise will help you:

- sharpen the skills you already have
- feel confident about how you address problem situations on the job
- try new techniques used by other people in your business
- share your techniques with colleagues.

You are a crucial part of the success of today's program. Anything you can add to the discussions will make the experience better for all. Feel free throughout the day to ask questions, make comments, and share experiences.

Understanding the TIPS Program Format

The TIPS program includes video presentations, participant manuals, and interactive discussion. These components work together to create a relaxed, informative atmosphere in which you can learn and practice new skills.

The TIPS manual is yours to keep. Make notes in it, answer the questions, fill out the rating charts, and jot down important questions. The manual will become your own instruction booklet and reference manual, a handy reminder anytime you need a refresher.



Key Ideas

Remember, your people skills help to make you successful at your job.

The Goal of TIPS for Off Premise

The TIPS program goal is to empower participants to follow acceptable standards of practice for selling alcohol beverages.

With your management's cooperation and your own people skills, you can:

- help create and sustain a relaxed and comfortable atmosphere
- exercise a degree of control within your store or establishment
- avoid illegal sales and promote safer communities
- confidently intervene in and resolve troublesome situations
- incorporate skills and expertise in a positive, meaningful, and profitable way.

Today's program will help fine tune your people skills and provide additional skills or new ways of using them. Let the TIPS program work for you!

Notes

Alcohol and Its Effects

Following is the script for the video portion of the Information section. We have included the script so that you can follow along and mark anything you have questions about. After the video presentation, be sure to ask your trainer for clarification of any questions you may have.

1. You have an important job. As a seller of alcohol, your customers count on you to help them enjoy themselves and have a good time.
2. Your managers rely on you to make money for the store. Your community depends on you to prevent underage sales and alcohol-related incidents.
3. Some people may think these priorities conflict, but they don't have to. You can meet the needs of your customers, managers and community by using the knowledge and skills you'll learn in this program.
4. What tools do you need to assess your customers? How can you provide great customer service and still ensure responsible alcohol sales?
5. What techniques can you use to intervene effectively with problem customers?
6. These are just some of the questions we'll address through this program. TIPS is designed to help you build on the people skills you already have. You'll add knowledge and skills geared specifically toward preventing alcohol-related problems and taking care of your customers.
7. Building on those skills, you'll learn how to spot the four behavioral cues that can tell you whether or not a customer is intoxicated.
8. You'll learn about six intoxication rate factors that affect how quickly a person may be affected by alcohol.
9. You'll also learn about Blood Alcohol Content, or BAC, and, finally, how tolerance may make it harder to assess your customers.
10. But being able to spot behavioral cues and intoxication rate factors isn't enough to handle problem situations.
11. That's why we'll also review some of the legal responsibilities that go with selling alcohol. You'll learn strategies for identifying underage customers and preventing underage sales.
12. We'll also give you some guidelines for dealing with almost any alcohol-sale situation that comes up.
13. Many people drink alcohol socially with friends or over dinner. Most people use alcohol responsibly, but some don't. Their drinking gets out of control, and so do they.
14. You have to know how to size up your customers. This will help you decide whether or not to sell to them.
15. One way to size people up is through behavioral cues they display. Four basic cues can tell you when a person is or is becoming intoxicated.
16. When people drink even small amounts, they tend to lose their inhibitions. At first, they're relaxed and talkative. They may also display mood swings.
17. As they drink more, they shed more inhibitions. This leads to the second cue, impaired judgment. Behavior becomes socially unacceptable.
18. A customer experiencing impaired judgment may tell inappropriate jokes, get too personal or try to cut in line.
19. Because their judgment is impaired, they tend to overrate themselves. Poor judgment can also cause intoxicated customers to think that they are okay to drive when they're not.
20. The third cue, slowed reactions, means that the thinking process has been affected.
21. People with slowed reactions may lose their train of thought. They may forget what they came in to buy, or begin to walk out without their change.
22. The customer may also have glassy, unfocused eyes or slurred speech.
23. The final behavioral cue, loss of coordination, can be seen when customers stagger, stumble or knock things over.

24. Customers may drop their belongings, or have trouble opening the door.

25. Alcohol has progressive effects on the drinker. The more a person drinks, the more cues you are likely to see.

26. Intoxication rate factors affect how quickly a person becomes intoxicated and displays behavioral cues.

27. There are six intoxication rate factors. Although some of these factors can be known only to those who are present while the person is drinking, others are readily apparent, and you should have a general understanding of them.

28. The first is a person's size. Larger people may be able to handle more alcohol than smaller people. However if the larger person's size is due mostly to body fat, the reverse can be true since body fat does not absorb alcohol.

29. The second intoxication rate factor is gender. Women tend to be smaller and have a higher percentage of body fat. Since body fat does not absorb alcohol, women tend to be affected more quickly by alcohol than men.

30. The third factor is the rate of consumption. People who consume alcohol very quickly will become intoxicated faster than people who drink alcohol at a relaxed pace.

31. The fourth intoxication rate factor is the strength of the drink.

32. It's important to understand that each of these drinks has approximately the same amount of pure alcohol: 12 oz. (355 ml) of 5% ABV beer, 5 oz. (148 ml) of 12% ABV wine and 1 oz. (30 ml) of 100-proof liquor. ABV is defined by Alcohol By Volume.

33. Just remember that any kind of alcohol beverage can cause intoxication because they all contain pure alcohol.

34. The fifth factor is drug use. There is no way to predict how a drug will react with alcohol.

35. The last intoxication rate factor is food. Food in the stomach delays the absorption of alcohol into the body. People with full stomachs will not become intoxicated as quickly as people who are drinking on an empty stomach.

36. Alcohol is unique because the body does not have to digest it before absorbing it. It can be absorbed directly into the bloodstream.

37. So, how do you determine someone's intoxication level? Behavioral cues are your best way to assess visible intoxication, which can be grounds for arrest regardless of the amount of alcohol actually consumed.

38. But laws rely on what is called Blood Alcohol Content, or BAC, to determine intoxication. BAC is a measurement of the amount of alcohol in a person's blood.

39. Every jurisdiction has a legal BAC limit, at or above which it is illegal to operate a motor vehicle.

40. BAC levels can be accurately measured only by a blood test or by breathalyzers. As a seller of alcohol, you'll want to note some key points about Blood Alcohol Content.

41. As individuals drink alcohol their BAC levels rise and they begin showing behavioral cues. Customers who have consumed a lot of alcohol will have high BAC levels and you will probably be able to pick up on several behavioral cues.

42. But remember that a person's BAC level can be different each time he or she drinks.

43. Intoxication rate factors affect how quickly the BAC level rises. Time is the only thing that can lower a customer's BAC level.

44. By relying on behavioral cues, intoxication rate factors, and your understanding of BAC, you should be able to assess each customer who comes into your store.

45. However, tolerance can make assessing your customers a little harder.

46. People who drink alcohol frequently tend to have a high tolerance. They have learned how to mask some of the behavioral cues.

47. Having a high tolerance has no effect on a person's BAC level or level of intoxication. Just because they aren't showing the typical cues doesn't mean they are not impaired.

48. People who drink less frequently tend to have a low tolerance. They may show signs of intoxication after consuming only a small amount of alcohol.

49. So far, we've talked about the cues that indicate when someone's had too much to drink, and about the intoxication rate factors that affect how quickly a person becomes intoxicated.

50. We've also touched on Blood Alcohol Content and the idea that tolerance can make it harder to accurately assess your customers' levels of intoxication.

51. That knowledge is helpful, of course, but you also need to understand the legal responsibilities that go along with selling alcohol.

52. And you'll need guidelines for steps you can take when faced with an incident that would constitute an illegal sale.
53. It only takes a second or two to size up your customers. If you're ever tempted to think, "Why not sell the guy some alcohol, I can't be responsible for what he does when he leaves," think again.
54. Remember, you may be breaking the law in many areas if you sell alcohol to someone who has already had too much to drink. In every area, you will be breaking the law if you sell to an underage customer.
55. You already know you could lose your job but did you know you could cost the store its liquor license or that you could personally be sued for any accident the customer might have?
56. It's just not worth it! If you have any doubts about selling alcohol to a customer, don't sell.
57. So, if you think a customer is intoxicated, what do you do? What if the customer gives you a hard time while there is a line of impatient people waiting?
58. You may want to use the following guidelines to help you decide whether or not to sell and to feel comfortable carrying that decision out.
59. Selling alcohol responsibly begins with using the ID guidelines and sizing up your customer. Ask yourself, "Should I sell alcohol to this person?"
60. First of all, make sure your customer is old enough to buy alcohol. You can't sell alcohol to underage customers or to those who you suspect are attempting to buy for underage people.
61. To keep alcohol from falling into the wrong hands, be sure to ask for valid identification if there is any question in your mind about the customer's age.
62. In most areas, valid identification requires both a photo and a date of birth. A current driver's license is the most common, but a few other government issued documents may also be acceptable.
63. Whenever a person gives you an ID, check it carefully. Fake IDs can be quite convincing.
64. If you're unsure about one ID, ask for others. If you still have doubts, call your supervisor or security.
65. You also have to try to prevent adults from buying alcohol for underage people. Although these types of transactions are often hard to spot, you may notice suspicious signs, like money exchanging hands in a remote part of the store.
66. If you're in doubt as to where the alcohol is going - ask. Explain that you might lose your job if the alcohol is given to an underage person.
67. Customers who have had too much to drink are tougher to deal with. And you may feel that you'll be an easy target for abuse if you refuse to sell them alcohol. Using the cut-off guidelines can help you through a tough situation.
68. Never hesitate to say "No" and move on when necessary. If you pick up on cues that a customer is intoxicated, be firm but friendly. And refuse the sale.
69. Say, "I'm sorry; I can't sell you any alcohol." Then make eye contact with the next customer in line, greet him or her and start ringing up the order. The line will move forward on its own, and the customer you've refused will usually choose to leave rather than create a scene.
70. If the customer insists, just say, "I am not legally allowed to sell you any alcohol," and explain that you'd be risking your job if you did.
71. You might offer to sell them soda or coffee instead. Above all, avoid provoking the customer. A comeback like "I won't sell to you because you're drunk!" is sure to make a bad situation worse.
72. If the customer does create a scene, call for your supervisor or security personnel to back you up.
73. Another way you can keep your customers returning while ensuring only legal alcohol sales is by applying safe-selling guidelines.
74. For example, suggest food to go along with alcohol purchases.
75. Always remember that making an illegal sale is never worth the consequences. If you have doubts, don't sell!
76. Finally, but perhaps most important, use your personal touch... your people skills.
77. Even customers who have had one too many will usually respond to a polite but friendly request, a little eye contact and a smile. This personal touch will often defuse anger or deflect an argument and it may also keep any people waiting in line from losing their tempers.
78. The law requires you to make a reasonable effort to ensure that you do not sell alcohol to customers who are not legally allowed to purchase it. Using these guidelines will help you with that responsibility while ensuring good customer service even when you need to decline a sale.

Information Review

Remember, as a seller of alcohol, you have a responsibility to avoid selling alcohol to people who are intoxicated or underage. Your experience, coupled with your people skills, will help you better identify whether you need to refuse a sale or even intervene to prevent an intoxicated customer from driving.

Key Ideas

Behavioral Cues are the signs that show how much a person has been affected by alcohol. Attention to these cues will help you spot a potentially intoxicated customer.

Behavioral Cues

The changes in people's behavior after a few drinks are called behavioral cues. Usually, the more alcohol in the bloodstream, the more obvious the cues. Watch for cues in four areas.

Inhibitions	Becoming talkative, displaying loud behavior or mood swings, or exhibiting a notable change in behavior can all indicate <i>lowered inhibitions</i> .
Judgment	Behaving inappropriately, using foul language, telling off-color jokes, annoying others, or becoming overly friendly are signs of <i>impaired judgment</i> .
Reactions	Glassy, unfocused eyes, talking and moving very slowly, forgetting things, losing one's train of thought, and slurred speech result from <i>slowed reactions</i> .
Coordination	Stumbling or swaying, dropping belongings, and having trouble picking up keys, change, or other items can indicate a <i>loss of coordination</i> .

Intoxication Rate Factors

Certain physical traits can help you assess how quickly a person will become intoxicated and can give you an idea of how rapidly that person's BAC will rise. These factors are:

Size	Smaller people are typically affected more quickly by alcohol than larger people. However, larger people with a high percentage of body fat can become intoxicated faster.
Gender	Women are generally smaller, have more body fat, and tend to reach higher BACs more quickly than men.
Rate of Consumption	Gulping drinks and multiple drinks in quick succession will increase the amount of alcohol taken into the system.
Strength of Drink	Drinks of different types (e.g., straight, carbonated, or juice mixer) have varied effects based on their content.
Drug Use	Legal or illegal drugs can speed up the effects of alcohol and have an unpredictable outcome.
Food Intake	A full stomach before or during drinking slows the absorption of alcohol into the bloodstream.

Key Ideas

Alcohol is a **depressant** and may interact unpredictably with any other drug.

Blood Alcohol Content (BAC)

Blood Alcohol Content is the legal measurement of the amount of alcohol in a person's blood. Here are some key points to remember:

- The more alcohol a person consumes the higher the BAC level will be.
- A person's BAC level can be different each time he or she drinks.
- Intoxication rate factors affect how quickly the BAC level rises.
- The higher the BAC level, the more behavioral cues you are likely to see.
- Time is the only thing that can lower a person's BAC level.

Below are some guidelines for BAC as measured in the United States.

A 150-pound (68-kilogram) male drinking for one hour on an empty stomach would likely have the following BAC levels:

2 drinks = .05 BAC	8 drinks = .20 BAC
4 drinks = .10 BAC	12 drinks = .30 BAC

Many areas have a set legal limit for Driving While Intoxicated. Some areas also have penalties for driving under the influence at lower BAC levels. As a seller, you are not expected to know a customer's BAC level. However, you do need to be concerned with watching for signs of visible intoxication in your customers.

Tolerance

People who drink frequently tend to have a high tolerance. This means they may be able to **hide the behavioral cues** that would otherwise tell you they are intoxicated. Having a high tolerance has **no impact** on a person's BAC level.

This works in both directions. People who do not frequently drink alcohol may have low tolerance. Even with low BAC levels, such people may show signs of intoxication after consuming even a small amount of alcohol.

Key Ideas

Use the BAC example as a guideline. Remember that the Intoxication Rate Factors can skew the results for each person.

Legal Information

Key Ideas

You must make a reasonable effort to prevent illegal alcohol sales.

Reasonable Efforts

The law requires that you, as a seller of alcohol, make a reasonable effort to prevent alcohol sales to minors and those who are visibly intoxicated. This can include calling the police if necessary. Some examples of reasonable efforts include:

- checking IDs
- enlisting help from the customer's friend
- providing alternate transportation
- becoming trained in responsible alcohol sales
- refusing a sale
- contacting a manager for help
- calling the police.

Understanding Liability

Whether you are a seller, manager, or owner of a licensed store, you could be held legally responsible for illegal sales to an underage or intoxicated customer. Two primary types of law apply to licensed establishments - Common Negligence and Dram Shop Liability. If you have any questions about liability issues specific to your area, you should contact an attorney.

Common Negligence

Based on prior court cases, these laws set a minimum standard for the actions a reasonable person should take to prevent problems. Negligence laws can cover a broad range of situations and are relied on in many cases where alcohol is alleged to be a factor in an incident.

Dram Shop Liability

Dram Shop Acts make sellers of alcohol beverages responsible for sales to persons under the legal drinking age or those who are visibly intoxicated. For the purpose of these laws, "sale" refers not only to the sale of bottled liquor, but also to the serving of individual drinks at an establishment. These laws are designed to make sellers and servers of alcohol beverages liable for any harm caused to a third party by a person to whom they have sold alcohol.

ID Checking Process

As a seller of alcohol you must make certain that all your customers are of legal age. Check for valid ID from anyone who looks to be under 30 years old. Determining if an ID is valid can be one of the toughest yet most important responsibilities you face. When checking IDs you must be aware of the acceptable forms of ID in your area. Contact your local liquor authority for requirements specific to your area.



Key Ideas

In most areas, legal forms of identification must have both a photo and a date of birth.

Commonly Acceptable Forms of ID

1. Valid photo driver's license
2. Valid photo state-issued ID card
3. U.S. active-duty military ID
4. Valid Passport
5. Alien registration card.

Unacceptable Forms of ID

1. Counterfeit IDs
2. Student IDs
3. Altered IDs
4. Borrowed or Stolen IDs
5. Expired IDs
6. Order-by-mail IDs.

Steps to Follow to Check IDs

- Step 1: **Ask the customer to remove the ID from his or her wallet.** You may want to compare the ID to the ID Guidebook, which shows all valid IDs from every state and province in the U.S. and Canada.
- Step 2: **Determine whether or not the ID is valid:**
- a. Check the birth date.
 - b. Check the expiration date.
 - c. Examine the lamination. (Is it torn, frayed or damaged?)
 - d. Look at the composition of the ID. (Does it correspond with the ID book?)
 - e. Compare the customer's signature with the one on the ID.
 - f. Compare the photograph to the person in front of you.
 - g. Shine a flashlight to the back of the ID to expose any cuts or abrasions.
- Step 3: **Communicate with the person by asking questions, such as:**
- a. What is your astrological sign?
 - b. When did you graduate from high school?
- You do not need to know the answers. You are simply looking for **hesitation** in the person's response that might suggest this is not the person's valid ID.
- Step 4: **If you have any reservations, ask the customer for a second form of ID or tell him or her that you will have to get the ID approved.** (See Underage Warning Signs.)
- Step 5: **Know where the alcohol is going.** If you suspect that a customer is purchasing for an underage person, you cannot make the sale.
- Step 6: **If you still have doubts -- don't make the sale!**



Key Ideas

The only way to be sure your customer is of age is to check ID! Many illegal sales occur because sellers either do not check at all or do not check carefully.

Cut-Off Guidelines

There are times when you must refuse to sell alcohol to a customer. Remember that customer service is key. Your people skills can help in resolving situations.

1. Clearly tell the customer, "I can't sell you this alcohol." Then, remove the alcohol from the counter and move to the next customer. Be brief and firm and keep the line moving.
2. Give clear reasons and don't judge the customer. Never say, "You're drunk."
3. Do not back down. Call for backup if the customer makes trouble.

Safe-Selling Guidelines

These quick guidelines will help you maintain good customer service and sell alcohol legally.

1. If in doubt, don't sell. It's not worth a lawsuit or your job. Encourage the customer to purchase food or a soda.
2. Prevent an intoxicated customer from driving -- check your policy on providing alternate transportation for a customer or ask for help by contacting a co-worker, your manager, or, if necessary, the police.
3. Use the personal touch. Make eye contact and friendly conversation with each customer as often as you can.

Underage Warning Signs

A few signs may alert you to a potentially underage person. A person may:

- hand money to someone else who is obviously of age
- hide one's face or look away while you are studying the ID
- seem nervous and move around frequently
- state that he or she is a regular or a friend of an employee
- stand away from the line as a friend attempts to purchase alcohol
- get upset when asked for ID.

Jurisdiction-Specific Information

This exercise highlights specific information related to your jurisdiction's liquor laws. Your trainer will help you complete the statements or provide an information sheet you can use to find the answers yourself.

1. The minimum legal age to consume alcohol in my area is _____.
2. The minimum legal age to sell alcohol in my area is _____.
3. In my area, the legal Blood Alcohol Content limit for intoxication while driving is _____.
4. My jurisdiction (does/does not) _____ have Dram Shop Liability Laws.
5. Three acceptable forms of identification in my area are:
 - _____
 - _____
 - _____
6. My jurisdiction (does/does not) _____ have a recommended age for carding. If it does, that age is _____.
7. In my area, I (can/cannot) _____ sell alcohol to a parent or legal guardian purchasing for their underage child.
8. My jurisdiction (does/does not) _____ regulate seller training. If it does, here are some important points about those regulations:

9. Some common penalties for violation of the liquor laws in my jurisdiction include the following: _____

10. Some common policies regarding the confiscation of IDs in my jurisdiction are: _____

11. If I have more questions about liquor laws in my area, I can call the Alcohol Beverage Commission or Liquor Control Board at _____.

Note: Jurisdiction or area can be a country, state, province, city, or county.

Documentation



Key Ideas

Good documentation can be the best way to prove you acted responsibly.

Accurate records are important in demonstrating that reasonable efforts have been made to avoid selling alcohol to intoxicated or underage customers. Stores and establishments should document all alcohol-related incidents in a daily log book.

The Incident Report Form can be a valuable line of defense for stores and establishments facing civil or criminal liability lawsuits. Use a bound Incident Report Log Book to record all reasonable efforts made to prevent illegal alcohol sales.

INCIDENT REPORT FORM

001

Date: _____ Time of Day: _____

Manager: _____ Primary Staff Person: _____

Other Staff Involved: _____

Name/Description of Patron: _____

☐ ID Confiscated

☐ Refused Sale/Service

☐ Police Contacted

☐ Non-Alcohol Beverage Served

☐ Transportation Offered

Description of Incident: _____

Intervention Strategies Used: _____

Witnesses: _____

Form Completed By: _____

Signature: _____ Date: _____

Information

January _____

01/01

☐ No Incident ☐ See IRF No.: _____

Signature: _____

01/09

☐ No Incident ☐ See IRF No.: _____

Signature: _____

Stores and establishments may create their own bound Daily Log/Incident Report Log Books for use in documenting incidents. Incident Report Log Books are also available for purchase from TIPS by calling 800-438-8477.

Note: Management may wish to consult with an attorney prior to implementing any documentation policies.

Review Questions

This review is designed to let you know how well you have understood the material presented in the Information section. Complete the statements below. Review any questions with your trainer.

1. Your skills in observing how people act, hearing what they say, judging their needs, and responding appropriately are your _____.
2. Behavioral _____ provide information that shows you how much your customers are being affected by alcohol.
3. Under the Cut-Off Guidelines, your first statement should clearly express to the customer: _____.
4. Alcohol affects behavior progressively in four basic areas: Inhibitions, Judgment, Reactions, and Coordination. Complete the following statements with one of these areas:
 - a) Lowered _____ are noticeable as customers become especially talkative and relaxed.
 - b) A gap between how people think they are behaving and how they actually behave indicates impaired _____. People may become overly friendly, annoy others, or overrate themselves.
 - c) Slowed _____ can be observed physically, when speech becomes slurred and routine motions become difficult, or mentally, when there is a loss of concentration.
 - d) Losing one's balance, swaying, and dropping items are cues that indicate loss of _____.
5. Alcohol, unlike other foods, is absorbed rapidly into the _____, circulating throughout the body and affecting the brain.
6. A measurement of the level of alcohol in the bloodstream is called _____.
7. The strength of a drink, the rate of drinking, whether food is eaten or medication is taken, and the gender, height, and weight of the person are all _____.
8. In most areas legal identification must have both a _____ and the _____ to be considered valid.
9. People who drink frequently may have developed a high _____, which allows them to hide the behavioral cues they would otherwise exhibit.
10. To effectively refuse a sale, sellers should do these three things:
 - 1) _____
 - 2) _____
 - 3) _____
11. In many areas, if a drinker becomes intoxicated and goes on to incur damages, the seller/server, manager, and owner can all be held responsible under _____.
12. To protect yourself against liability, the law requires that you make _____ to prevent illegal alcohol sales.

Skills Training, Part I - Evaluating Cues

Evaluating Behavioral Cues

In this section, we will review video clips, allowing you to assess a customer's level of intoxication using all the information you have learned so far. Remember to watch for the behavioral cues and consider the intoxication rate factors to help you determine the level of intoxication.

Behavioral Cues

- Lowered Inhibitions
- Impaired Judgment
- Slowed Reactions
- Loss of Coordination.

Intoxication Rate Factors

- Size
- Gender
- Rate of Consumption
- Strength of Drink
- Drug Use
- Food Intake.



Key Ideas

Cues reflect behavioral characteristics that may indicate intoxication.

Remember that different people will show different sets of behavioral cues. Also, it is important to distinguish between personality traits and signs of impairment -- particularly since you have only a short time to interact with your customers.

Rating Chart

Use the rating chart to evaluate the video scenes on the following page.

- | | |
|----------------|--|
| Level 1 | No Problem. This person is not a concern. |
| Level 2 | Potential or Borderline Intoxication. This person is not definitely intoxicated but represents a concern. Level 2 also applies when you think the customer is underage or attempting to buy for underage people. |
| Level 3 | Definitely Intoxicated. This person is demonstrating many cues and intoxication rate factors. The customer should not be sold any alcohol. |

Rating Chart

Level 1 No Problem

Level 2 Potential or Borderline Intoxication

(Includes customers you believe may be underage or attempting to buy for underage people)

Level 3 Definitely Intoxicated

Now, rate the **Customer**.

Scene / Situation		Rating	Reasons / Cues
I-A	Woman is asked to show her ID.	1	She is surprised to be asked for ID but is willing to show it. She has trouble finding it, but her coordination is not impaired.
I-B	A man approaches checkout counter with a case of beer.	2	The man offers ID too eagerly, looks very young, and is probably underage.
I-C	Man walks to counter carrying two bottles of spirits.	3	His coordination is greatly impaired and he drops his change. He appears unfocused and unsteady on his feet. Speech is slurred.
I-1	Customer attempts to purchase beer.		
I-2	Man stands at checkout counter reading tabloid.		
I-3	Customer approaches counter with a bottle of liquor.		

Scene / Situation	Rating	Reasons / Cues
I-4 Customer tries to buy beer in a grocery store.		
I-5 Customer offers seller alternative IDs.		
I-6 Customer purchases beer and spirits.		
I-7 An older and younger customer approach the checkout counter in a convenience store.		

Self-Test

This self-test is designed to highlight how well you have understood the material presented in this section. Rate the following three scenes the same way you did the preceding ones. Check your answers on the following page.

Level 1 No Problem

Level 2 Potential or Borderline Intoxication

(Includes customers you believe may be underage or attempting to buy for underage people)

Level 3 Definitely Intoxicated

Now, rate the **Customer**.

Situation	Rating	Reasons / Cues
I-8 Man in convenience store attempts to purchase alcohol.		
I-9 Woman gets help with wine selection.		
I-10 Man singing in store asks other customer to help him celebrate.		

Self-Test Answers

Situation		Rating	Reasons / Cues
I-8	Man in convenience store attempts to purchase alcohol.	3	The man is obviously intoxicated. His speech is slurred and he is stumbling and bumping into things. He seems to have lost all coordination.
I-9	Woman gets help with wine selection.	2	The woman has been drinking. She appears very relaxed and somewhat unsteady. She seems a bit confused, which may indicate that she is someone with a high tolerance for alcohol.
I-10	Man singing in store asks other customer to help him celebrate.	2	The man's inhibitions are greatly lowered. He is singing and making advances to a woman he does not know. His judgment is impaired; he seems unaware that his behavior is offensive.

Skills Training, Part 2 - Evaluating Responses

The way you respond is the key to getting a customer to accept your intervention. The following six guidelines give you specific strategies for intervening effectively.

Intervention Guidelines

Guideline 1: Decide on an appropriate response based on your customer's behavior.

Reason: There is no one correct way to handle any situation. You can control a situation by how you speak to people. If you speak in an even or soft tone, it may de-escalate a situation while you maintain control.

Examples: "Please try to keep your voice down. Thanks."
"I'm sorry, but if I have to remind you again about breaking in line, I'll have to call the manager."

Guideline 2: Make clear statements. Speak directly to the point.

Reason: Your customer needs to understand what you are saying, and what you are suggesting to remedy the problem.

Example: "I'm sorry. I cannot sell you any alcohol. Would you like to purchase something else?"

Guideline 3: Use "I" statements.

Reason: You can avoid making the customer feel defensive by using "I" statements. Not only does this help you maintain control of the situation, but it also shifts the focus off of the customer's behavior and on to what you can and cannot do.

Example: "I can't sell you this alcohol because I'm concerned about your safety."

Guideline 4: Do not judge or threaten your customers.

Reason: Judgmental statements are perceived as "put-downs" and promote defensiveness and anger.

Examples: "How about trying one of these free samples?"
(This is not judgmental.)
"You're not buying any more alcohol. You're already drunk."
(This is judgmental and offensive. It could provoke an argument from the customer.)



Key Ideas

The Intervention Guidelines offer strategies for preventing illegal alcohol sales and for dealing with situations involving intoxicated people.

Guideline 5: Give the customer a reason for your actions.

Reason: People respond more positively when they know you are following rules or laws. Help them understand that you are not just singling them out.

Examples: “I’m sorry, but I could lose my job if I sell you this bottle.”
“Legally I am not allowed to sell you any alcohol at this time.”
“The liquor department has recently been conducting compliance checks. I have to follow proper procedures for checking IDs.”

Guideline 6: Provide good customer service and use indirect strategies when appropriate.

Reason: You want to be able to sell alcohol, while ensuring that all sales are legal and safe for your customers. Providing good customer service can help you prevent problems, but you need to maintain control. Often direct strategies are best, but sometimes indirect strategies can be more effective at controlling situations than direct confrontations.

Examples: These direct strategies are often effective:

- Chat with your customers to make fair assessments of their intoxication levels.
- Suggest purchasing something other than alcohol.
- Suggest alternate transportation reminding them that they don’t want to risk driving while impaired.

These indirect strategies can also help you maintain control:

- Enlist the help of the customer’s friend.
- Tell the customer your manager needs to approve the ID.
- Remove the alcohol from the counter when refusing a sale.
- Check with your co-workers when changing shifts to see if there are any ongoing problem situations.
- If in doubt, don’t sell.

Rating Chart

Level 1	Ineffective Response (Seller fails to make reasonable effort, or backs down, escalates, or over-reacts to a situation.) a. Backing down occurs when a seller correctly declines to sell alcohol to a customer, but then allows the customer to talk the seller into the sale. b. Escalation occurs when a seller makes the situation worse by yelling or creating a potentially violent scene. c. Over-reaction involves a seller refusing a sale to a person who can legally purchase alcohol.
Level 2	Moderately Effective Response (Seller could have done more.)
Level 3	Very Effective Response (Seller makes good use of intervention strategies.)

Now, rate the **Seller**.

Scene / Situation		Rating	Reasons / Cues
II-A	Two female customers enter a store.	1	Seller gets completely distracted by one of the customers and allows a potentially underage sale to occur.
II-B	Two customers approach the checkout counter.	2	Seller appropriately asks both customers for their IDs. She refuses the sale when only one produces an ID, but her tone could escalate the situation.
II-C	Intoxicated woman tries to buy two bottles of wine.	3	Seller is polite and not judgmental, citing the law and remaining firm. He moves to the next customer, removes the bottles, and agrees to call the manager. He also asks the woman to step aside so that she does not block other customers.
II-1	Intoxicated man tries to buy alcohol.		
II-2	Man opens beer and begins drinking it in the store.		
II-3	Customer tries to buy alcohol.		
II-4	Customer purchases beer in a convenience store.		
II-5	Man purchases beer in a grocery store.		
II-6	Two friends shop in a liquor store.		

Scene / Situation	Rating	Reasons / Cues
II-7 Man presents out-of-area ID.		
II-8 Man offers to buy wine coolers for an underage customer.		
II-9 Customer attempts to purchase beer from a seller whom she seems to know.		

Self-Test

- Level 1** Ineffective – Seller fails to make reasonable effort, or backs down, escalates, or over-reacts.
- Level 2** Moderately Effective
- Level 3** Very Effective

Now, rate the **Seller**.

Situation	Rating	Reasons / Cues
II-10 Woman tries to buy beer.		
II-11 Woman tries to buy wine after hours.		
II-12 Man buys beer for a young customer.		

Self-Test Answers

Scene / Situation	Rating	Reasons / Cues
II-10 Woman tries to buy beer.	3	Seller checks ID carefully and then double-checks by asking for customer's address and the year she graduated from high school.
II-11 Woman tries to buy wine after hours.	3	Seller refuses to be swayed by friendship with the customer. He removes the bottle from the counter and cites the law (after hours).
II-12 Man buys beer for a young customer.	1	After the man passes the beer to an underage girl, the seller tries to stop the girl by calling after her, but does not get physically involved in stopping her. Seller should have called for help.

Practice

This section is the most important part of today's TIPS session. During Practice, you will be able to take the skills, information, and strategies we have discussed and apply them to some real situations. You will also have an opportunity to see how other people apply these skills and techniques so that you can share ideas and build new strategies.



Key Ideas

Remember, how you say something is as important as what you say.

Special Considerations

- Each person will play the role of seller at least once during practice.
- There is more than one correct way of dealing with problem situations. Suggest alternative strategies.
- After each scene, give positive feedback; avoid negative criticism. How you say something is as important as what you say.

How To Practice

The objective of Practice is to rehearse effective techniques of intervention. These practice scenes are based on the techniques shown in the skills training video and discussed during the session.

The **customer's role** is to give the seller an opportunity to respond to a typical situation involving alcohol sales.

The **seller's role** is to select an appropriate response to the customer's behavior, and to act it out as though in an actual situation.

The **audience's role** is to make note of the interventions used by the seller and to comment on the effectiveness of the strategies used, following the Intervention Guidelines.

Steps to Follow

1. Observe the trainer as he or she demonstrates effective responses during the practice scene.
2. Choose a familiar situation. (Select from your own experience or from the list of sample situations on the following page.)
3. The trainer will select one group member to play the intervening seller and one or two group members to play the customer(s). Everyone else is part of the audience.
4. Keep the practice situation as brief as possible -- two or three exchanges between the seller and the customer are enough.
5. In your role as the customer, demonstrate the behavioral cues appropriate to the level of intoxication you wish to portray.
6. After the practice scene, the audience should provide feedback on the effectiveness of the intervention. Discuss the strategies that worked and share ideas for improvement. Keep the feedback positive.
7. If appropriate, repeat the situation by incorporating constructive suggestions for the seller.

Sample Situations

If you have trouble coming up with a situation, choose one from the following list.

1. An intoxicated customer refuses to leave your line. Store manager is called and takes the customer aside.
2. Customer is slurring words and has dropped a bottle of wine.
3. Seller refuses sale and customer takes bottle off the counter and runs out of the front door.
4. Seller is getting ready to close. Customer, already intoxicated, brings beer to counter.
5. Customer attempts to purchase a case of soft drinks when the seller realizes the case is open and filled with beer cans.
6. Customer is loud and boisterous.
7. Seller completes a sale to an older gentleman then sees him hand the package to an underage person in front of the store.
8. Customer denies being intoxicated and tells you to mind your own business.
9. A pregnant woman approaches the counter to buy ingredients for a margarita party.
10. Several people, obviously intoxicated, come up to the counter and demand service.
11. Two underage young people present fake ID cards and then beg you to sell to them.
12. Two customers get into a loud argument. You try to intervene, but they ignore you. They get more angry and hostile.
13. Customer is intoxicated and you offer to call a cab. Customer tells you that alcohol doesn't affect her the way it does other people.
14. Customer is popping pills (legal or illegal) and buying a bottle of liquor.
15. A 21-year-old customer enters your store leaving a car full of underage looking people in the parking lot. He brings six cases of beer to the counter for purchase.
16. Customer buys two bottles of wine and a six-pack of beer, and seller suspects the second six-pack may be for an underage person.
17. Customer mistakes seller's concern for a "come on" and begins to make advances, ignoring seller's suggestion about taking a cab home.
18. An attractive underage customer flirts with a seller offering \$50 for a small bottle of cheap liquor.
19. A regular customer appears clearly intoxicated and threatens to call the owner if he isn't sold his favorite liquor.

Wrap-Up

Throughout today's program, we have discussed strategies for helping your customers appreciate shopping at your store while ensuring only legal alcohol sales. You and the other participants have enhanced the program by sharing your experience and expertise.

You can begin using all the new strategies and knowledge you have learned today on your next shift. Your management will be impressed with the new level of professionalism you bring to your job after having completed this training.

Now is a good time to ask any questions you may still have or want to revisit. Or, you may want to quickly review the key points from today's session. To summarize, we have covered:

- the effects of alcohol and how to detect visible intoxication in your customers
- the legal responsibilities you have as a seller of alcohol
- strategies for preventing alcohol-related situations from developing into problems
- techniques for intervening successfully with an intoxicated customer.

This program was designed to build your confidence in providing outstanding customer service while making sure alcohol sales are legal and your customers are safe. Using the information in this program, your own experience, and the ideas shared by the other participants today, you can make a real difference in preventing illegal alcohol sales and related problems.

After your session, you may find that you have a situation you want to discuss, or you may have questions about your test results or certification card. Complete the following information so you will be able to contact your trainer whenever necessary.

Trainer/Co-Trainer Contact Information

Name(s): _____ Trainer Number(s): _____

Phone Number(s): _____

Email(s): _____

Completing the TIPS for Off Premise Program

The final part of this program is completing the TIPS for Off Premise Certification Test to demonstrate that you have learned and understand the material presented in the course.

Please remove and complete the TIPS Session Evaluation - Off Premise Program form on page 29 before taking the test. Then remove the TIPS for Off Premise Certification Test on page 31.

It is very important to provide complete and accurate information on the test form. The information you provide there determines what appears on your certification card and allows your certification record to be retrieved through our web-based system, Certification Manager. Be sure to follow the instructions printed on the back of the test.

If you have any questions while taking the test, feel free to ask your trainer(s) for assistance.

Thank you for your participation today, and good luck!



Key Ideas

You can apply the skills you have learned to increase your effectiveness on the job.

Off PREMISE Session Evaluation

Back of Session Evaluation

Off PREMISE Certification TEST

Off PREMISE Certification TEST
Directions on this Back



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TIPS[®] **On Premise**

Participant Manual

Serve Responsibly.

TIPS for On Premise

The TIPS (Training for Intervention ProcedureS) program was developed by the Health Education Foundation of Washington, DC, under the direction of Morris E. Chafetz, M.D., with the assistance of:

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Adam Chafetz
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The TIPS for On Premise program is designed to empower participants to follow acceptable standards of practice for serving alcohol.

Certification Information

Upon successful completion of the program, you will become TIPS certified. You will receive a certification card stating that you have been trained in these acceptable standards of practice. Generally, your certification is good for three years, but the certification period may vary across jurisdictions due to regulations. Contact Health Communications, Inc. if you have any questions about the duration of your certification.

It is important that your certification information remains current. You can ensure that your information is up-to-date through our website. Visit us at **www.gettips.com** to:

- Update the name and/or address on your certification card.
- Order a replacement card.
- Request another training class upon expiration.
- Explore our product offerings.

Health Communications, Inc. (HCI) hereby disclaims any and all responsibility or liability for any policies or practices of any establishment or individual who serves alcohol subsequent to such establishment or individual's having been trained by HCI. HCI's TIPS program is intended solely as educational material. There is no guarantee that TIPS training can prevent intoxication and/or its consequences. Any liability that may accrue to establishments or individuals who become TIPS-certified cannot and will not be a liability that can or will accrue to HCI. HCI neither assumes nor authorizes any person or entity to assume or accept any liability or responsibility in connection with the TIPS program. If any liability accrues to HCI as a result of any actions by a TIPS-certified trainer or participant, HCI will be indemnified by such individual.

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All TIPS trainers acknowledge that they are required to use TIPS materials in the approved manner. Each trainer agrees neither to participate in the development of any program similar to TIPS nor to use for similar purposes a program other than TIPS for a two-year period.

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Agenda

Program Introduction	<i>25 minutes</i>
Section I - Information	<i>75 minutes</i>
Part A - Alcohol and Its Effects	
Part B - Effective Server Responses	
Section II - Skills Training	<i>55 minutes</i>
Part 1 - Evaluating Cues	
Section II - Skills Training	<i>55 minutes</i>
Part 2 - Evaluating Responses	
Section III - Practice	<i>60 minutes</i>
Wrap-Up	<i>30 minutes</i>

Introducing TIPS for On Premise

Today's TIPS for On Premise program has been designed specifically for servers of alcohol. The ideas presented in the program are the result of considerable research, and take into account what servers deal with everyday, including the demands of the job, server/guest relations, and server/management relations.

As a server of alcohol, you fulfill a special social function in society. **About 70% of adults in the United States drink alcohol and, according to the World Health Organization (WHO), alcohol is regularly consumed by nearly 50% of the world's population.** Social drinking is a prevailing custom in society and generates its own special considerations that servers of alcohol are called upon to handle.

As a server, you perform a variety of functions in addition to serving food and alcohol. You must:

- reflect your establishment's "image" to the public
- relate to guests' different personalities
- provide consistently good service
- maintain a polite and friendly manner
- listen to guests' opinions and troubles
- establish rapport with guests.

To successfully perform these functions and more, you must rely on what we call **people skills**. Everyone has them, and uses them in ordinary situations everyday. Some of the ways you use your people skills in serving situations might include:

- knowing and interacting with regular customers
- helping a guest choose a particular drink
- explaining differences in tastes or types of products
- approaching a guest in a friendly manner saying "Great to see you" or "May I help you?"

By using your people skills, you can act to promote responsible drinking behavior, rather than react to the behavior of an intoxicated guest. Today's program is designed to help you build on your people skills. TIPS for On Premise will help you:

- sharpen the skills you already have
- lend a new expertise to your own professionalism
- achieve increased competence and confidence.

You are a crucial part of the success of today's program. Anything you can add to the discussion will make the experience better for all. Feel free throughout the day to ask questions and offer your own comments.

Understanding the TIPS Program Format

The TIPS program includes video presentations, participant manuals and interactive discussion. These components work together to create a relaxed, informative atmosphere in which you can learn and practice new skills.

The TIPS manual is yours to keep. Make notes in it, answer the questions, fill out the rating charts, and jot down important questions. The manual will become your own instruction booklet and reference manual, a handy reminder anytime you need a refresher.



Key Ideas

Remember, your people skills help to make you successful at your job.

The Goal of TIPS for On Premise

The TIPS program goal is to empower participants to follow acceptable standards of practice for serving alcohol beverages.

With your management's cooperation and your own people skills, you can:

- help create and sustain a relaxed and comfortable atmosphere for guests
- exercise a degree of control within the environment of social drinking
- influence aspects of drinking behavior to encourage responsible drinking
- confidently intervene in and resolve troublesome situations
- incorporate skills and expertise in a positive, meaningful, and **profitable** way.

Today's program will help fine tune your people skills and provide additional skills or new ways of using them. Let the TIPS program work for you!

Notes

Alcohol and Its Effects

Following is the script for the video portion of the Information section. We have included the script so that you can follow along and mark anything you have questions about. After the video presentation, be sure to ask your trainer for clarification of any questions you may have.

1. You have an important job. Your guests count on you, as a server of alcohol, to help them enjoy themselves and have a good time.
2. Your managers rely on you to make money for the establishment. Your community depends on you to prevent alcohol-related incidents.
3. Some people may think these priorities conflict, but they don't have to. You can meet the needs of your guests, managers, and community by using the knowledge and skills you will learn in this program.
4. What tools do you need to assess your guests? How can you help them enjoy themselves while in your establishment and keep them from becoming intoxicated?
5. How can you provide great customer service and what techniques can you use to deal quickly with problems that do come up?
6. These are just some of the questions we'll address during this program. TIPS is designed to help you build on the **people skills** you already have. You'll add knowledge and skills geared specifically toward preventing alcohol-related problems and taking care of your guests.
7. Building on those skills, you will learn how to spot the four **behavioral cues** that can tell you if a guest is approaching intoxication or is already intoxicated.
8. You will learn about six **intoxication rate factors** that affect how quickly a person may be affected by alcohol.
9. You will also learn about **Blood Alcohol Content**, or **BAC**, and, finally, how **tolerance** may make it harder to assess your guests.
10. But being able to spot behavioral cues and intoxication rate factors is not enough to handle problem situations.
11. That's why we will also give you guidelines for dealing with almost any problem that comes up while you're serving guests or tending bar.
12. Many people drink alcohol when unwinding with dinner, listening to music, or just enjoying their time with friends and family. Most people use alcohol responsibly, but some don't. Their drinking gets out of control, and so do they.
13. You have to be able to size up your guests. This will help you decide whether or not to serve them. One way to size people up is by the **behavioral cues** they display.
14. Four basic cues can tell you when a person is, or is becoming, intoxicated.
15. When people drink even small amounts, they tend to lose their **inhibitions**. At first, they become more relaxed and talkative. They may even display mood swings.
16. As they drink more, they shed more of their inhibitions and begin to show the second cue, impaired **judgment**. When their judgment becomes impaired, guests' behavior becomes socially unacceptable.
17. People with impaired judgment may begin dancing or singing, or they may become overly friendly with you or with others around them.
18. Because their judgment is impaired, they tend to overrate themselves. Impaired judgment can also cause intoxicated people to think that they are okay to drive, when they are not.
19. The third cue, **slowed reactions**, means that the thinking process has been affected.
20. People with slowed reactions may lose their train of thought. They may forget that they've ordered another drink, or where they put their car keys.
21. People experiencing slowed reactions may have glassy, unfocused eyes or slurred speech. They may light a second cigarette in addition to the one already burning.
22. You can see the final behavioral cue, **loss of coordination**, when people stagger, stumble, or spill drinks. Guests might have trouble handling their knives or forks. They may also fumble with change.
23. Drinking alcohol has progressive effects. The more a person drinks, the more cues you are likely to see.
24. **Intoxication rate factors** affect how quickly a person becomes intoxicated and displays behavioral cues.
25. There are six intoxication rate factors. The first is a person's **size**. Larger people may be able to drink more without being as affected as smaller people.
26. However, if the larger person's size is due mostly to body fat, the reverse can be true since body fat does not absorb alcohol.
27. The second intoxication rate factor is **gender**. Women are typically smaller, with a higher percentage of body fat, and tend to become intoxicated faster than men.
28. The third factor is the **rate of consumption**. The faster a person drinks the alcohol, the more quickly he or she will become intoxicated.
29. The fourth intoxication rate factor is the **strength of the drink**. A straight-up drink will be absorbed most quickly. A drink diluted with water will be absorbed more slowly. Remember, however, that any carbonated mixer may increase the absorption rate.

30. It is also important to understand that each of these drinks has approximately the same amount of pure alcohol: 12 oz. (355 ml) of 5% ABV beer, 5 oz. (148 ml) of 12% ABV wine, and 1 oz. (30 ml) of 100-proof liquor. ABV is defined as Alcohol By Volume.

31. But, remember, we are talking about measured drinks here. The figures are not accurate if the drinks aren't measured. Glass sizes differ, and so does the amount of alcohol in various mixed drinks.

32. Any kind of alcohol beverage can cause intoxication because they all contain pure alcohol. Don't fall prey to the myth that people drinking beer and wine are less likely to become intoxicated than those drinking hard liquor.

33. The fifth factor is **drug use**. There is no way to predict how a drug will react with alcohol. Both prescription and non-prescription drugs, when taken with alcohol, can have an unpredictable effect.

34. The last intoxication rate factor is **food intake**. Food in the stomach delays the absorption of alcohol into the bloodstream. A person with a full stomach will not become intoxicated as quickly as will a person drinking on an empty stomach.

35. Alcohol differs from other food and beverages because your body does not have to digest it before absorbing it. It can be absorbed directly into the bloodstream.

36. So, how do we measure someone's intoxication level? Behavioral cues are your best way to assess visible intoxication, which can be grounds for arrest regardless of the amount of alcohol actually consumed.

37. Most laws rely on what is called **Blood Alcohol Content**, or **BAC**, to determine intoxication. BAC is a measurement of the amount of alcohol in a person's blood.

38. Every jurisdiction has a legal BAC limit, at or above which it is illegal to operate a motor vehicle.

39. BAC levels can be accurately measured only by blood testing or by breathalyzer.

40. As a server of alcohol, you are not expected to know a person's BAC level, but you will want to note some key points about Blood Alcohol Content.

41. The more alcohol a person consumes the more behavioral cues you are likely to see and the higher the BAC level will be.

42. A person's BAC level can be different each time he or she drinks, even when the number of drinks is the same.

43. Intoxication rate factors affect how quickly the BAC level rises. Time is the only thing that can lower a person's BAC level.

44. By relying on behavioral cues, intoxication rate factors and your understanding of BAC, you should be able to assess each guest you serve.

45. Of course, **tolerance** can make assessing your guests a little harder.

46. People who frequently drink alcohol tend to have a high tolerance, allowing them to hide the behavioral cues that might otherwise indicate that they are intoxicated. You will want to pay special attention whenever you notice a heavy smell of alcohol on a guest's breath.

47. Tolerance has no effect on a person's BAC level or the level of intoxication. Just because a person isn't showing the typical cues does not mean the person is not impaired.

48. At the other end of the spectrum, people who drink infrequently tend to have a low tolerance and may show signs of intoxication after consuming only a small amount of alcohol.

49. So far, we have talked about the cues that indicate when a person has had too much to drink, and about the intoxication rate factors that affect how quickly a person becomes intoxicated.

50. We have also touched on Blood Alcohol Content and the idea that tolerance can make it harder to accurately assess your guests' levels of intoxication.

51. That knowledge is helpful, of course, but you also need to understand the legal responsibilities that go along with serving alcohol.

52. And you will need guidelines for steps you can take when an incident does occur. We will explore these ideas in a moment. But for now, it's time for a discussion of the information we have covered so far.

Information Review

Remember, as a server of alcohol, you have a responsibility to avoid serving alcohol to people who are already intoxicated or underage. Your experience, coupled with your people skills, will help you better identify whether you need to refuse to serve or even intervene to prevent an intoxicated guest from driving.



Key Ideas

Behavioral Cues can help you determine if a guest is approaching intoxication or is already intoxicated.

Behavioral Cues

The changes in people's behavior after a few drinks are called behavioral cues. Usually, the more alcohol in the bloodstream, the more obvious the cues. Watch for cues in four areas.

Inhibitions	Becoming talkative, displaying loud behavior or mood swings, or exhibiting a notable change in behavior can all indicate <i>lowered inhibitions</i> .
Judgment	Behaving inappropriately, using foul language, telling off-color jokes, annoying others, becoming overly friendly, or increasing the rate of drinking are signs of <i>impaired judgment</i> .
Reactions	Glassy, unfocused eyes, talking and moving very slowly, forgetting things, lighting more than one cigarette, losing one's train of thought, and slurred speech result from <i>slowed reactions</i> .
Coordination	Stumbling or swaying, dropping belongings, and having trouble picking up keys, change, or other items can indicate a <i>loss of coordination</i> .



Key Ideas

Intoxication Rate Factors affect how quickly a person becomes intoxicated.

Intoxication Rate Factors

These factors help you assess how quickly a person will become intoxicated and can give you an idea of how rapidly that person's BAC will rise.

Size	Smaller people are typically affected more quickly by alcohol than larger people. However, larger people with a high percentage of body fat can become intoxicated faster.
Gender	Women are generally smaller, have more body fat, and tend to reach higher BACs more quickly than men.
Rate of Consumption	Gulping drinks and ordering frequently will increase the amount of alcohol taken into the system.
Strength of Drink	Drinks of different types (e.g., straight, carbonated, or juice mixer) have varied effects based on their content.
Drug Use	Legal or illegal drugs can speed up the effects of alcohol and have an unpredictable outcome.
Food Intake	A full stomach before or during drinking slows the absorption of alcohol into the bloodstream.



Key Ideas

Alcohol is a **depressant** and may interact unpredictably with any other drug.

Potential Alcohol/Drug Reactions

Use of any drug, legal or illegal, may cause adverse reactions when mixed with alcohol:

Aspirin	Causes damage to the stomach lining and possibly internal bleeding.
Antibiotics	There are too many variations to be specific; consult your doctor.
Antihistamines	Depress the Central Nervous System (CNS) and can cause drowsiness.
Narcotics	Depress the CNS and respiratory functions. May cause loss of consciousness.

Blood Alcohol Content (BAC)

Blood Alcohol Content is the legal measurement of the amount of alcohol in a person's blood. Here are some key points to remember:

- The more alcohol a person consumes the higher the BAC level will be.
- A guest's BAC level can be different each time he or she drinks.
- Intoxication rate factors affect how quickly the BAC level rises.
- The higher the BAC level, the more behavioral cues you are likely to see.
- Time is the only thing that can lower a person's BAC level.

Below are some guidelines for BAC as measured in the United States.

A 150-pound (68-kilogram) male guest drinking for one hour on an empty stomach would likely have the following BAC levels:

2 drinks	=	.05 BAC	8 drinks	=	.20 BAC
4 drinks	=	.10 BAC	12 drinks	=	.30 BAC

Many areas have a set legal limit for Driving While Intoxicated. Some areas also have penalties for driving under the influence at lower BAC levels. As a server, you are not expected to know a guest's BAC level. However, you do need to be concerned with watching for signs of visible intoxication in your guests.

Tolerance

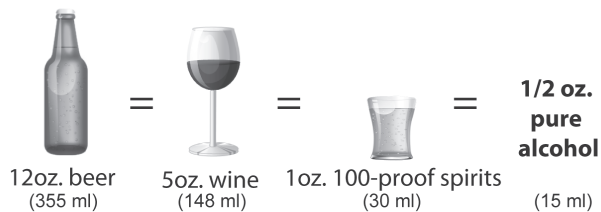
People who drink frequently tend to have a high tolerance. This means they may be able to **hide the behavioral cues** that would otherwise tell you they are intoxicated. Having a high tolerance has **no impact** on a person's BAC level.

This works in both directions. People who do not frequently drink alcohol may have low tolerance. Even with low BAC levels, such people may show signs of intoxication after consuming even a small amount of alcohol.

Additional Alcohol Information

Alcohol vs. Pure Alcohol

All alcohol beverages (beer, wine, liquor, etc.) contain pure alcohol, which is what causes intoxication. Each of the following drinks contains about 1/2 oz. (15 ml) of pure alcohol:



You can determine the percentage of pure alcohol in liquor based on the proof. The percentage of pure alcohol in liquor is 1/2 the proof. For example, 100-proof liquor contains 50% pure alcohol and 80-proof liquor contains 40% pure alcohol.

Key Ideas

Use the BAC example as a guideline. Remember that the Intoxication Rate Factors can skew the results for each person.

Key Ideas

The liver eliminates approximately 3/4 oz. (22 ml) of **pure** alcohol per hour.

Effective Server Responses

53. The guidelines you will see in this part of the program are practical, straightforward tips both for preventing intoxication and for handling guests who have had one too many.

54. You can use these guidelines to develop your own techniques that are specific to your work situation and company policy.

55. You can often prevent problems just by sizing up your guests to make sure they are old enough to drink.

56. You know you cannot serve underage guests. So if there is any doubt about someone's age, ask for identification and check it carefully. If you are unsure about one ID, ask for others. But remember that underage guests may have several forms of false identification. If you still have doubts, call your supervisor or security.

57. Another situation to watch for is someone ordering multiple drinks. A person ordering multiple drinks may be buying for people who are underage.

58. Keep an eye on how much each person is drinking. If you pick up early on danger signs, you can take some steps to slow down the drinking.

59. To some extent, you can control how much people drink by always measuring the alcohol you serve. Never mix strong drinks. You do your guests no favors by over-pouring because strong drinks may catch people off guard.

60. Over-pouring can also cause headaches for yourself since you are the person likely to have to deal with any guest who has had too much to drink.

61. If you want to slow down someone's drinking, one way to do so is to offer refills only on request. Let people nurse their empty glasses; the waiting will allow time for the body to process at least some of the alcohol the guest has already consumed.

62. Another way to slow down drinking is to suggest coffee or a soft drink to someone who has had one too many – on the house, if that's in line with company policy.

63. Non-alcohol beverages will not make a person sober, but they will buy time.

64. If you have someone who's really intoxicated, drinking coffee may not buy the guest all the time he needs, but it will buy you time to figure out how to deal with the situation.

65. Food can buy time, too. Remember that alcohol is absorbed more slowly if guests eat while they are drinking. The liver eliminates approximately $\frac{3}{4}$ oz. (22 ml) of pure alcohol per hour, so the more time between drinks, the better.

66. Despite all your precautions, people do sometimes drink too much. That's when you have to cut someone off.

67. Once you have made the decision not to serve someone more alcohol, stick to it.

68. It's not always easy, but never hesitate to say "no" if you have to. If you pick up on cues that a guest is intoxicated, be friendly and firm. Say "Sorry, but I can't serve you any more alcohol. It's against the law."

69. Let them know why they should slow down, and that you're concerned about their safety.

70. If the guest persists, repeat yourself: "I'm really sorry, Sir (or Ma'am), but I just can't serve you another drink. Would you like some coffee instead?"

71. Don't say, "I'm not giving you any more because you're intoxicated!" It'll only antagonize the person. If you're polite but firm, most people will get the message. If they don't, call the manager.

72. If the guest tries to persuade you to change your mind, remember that the law requires you to make a "reasonable effort" to see that guests don't drink too much.

73. In fact, it's a good idea to document any alcohol-related incident – such as when someone becomes angry because you've refused service. Keep a log book handy to jot down the date, the time, and what you did to keep the guest from drinking any more alcohol.

74. If you don't make a reasonable effort to prevent an intoxicated guest from drinking, you could be held legally responsible if that person has an accident. It's called "dram shop liability" in some areas, but the principle applies in other areas under common or general negligence laws. If you are found liable, you could lose your job, cost the management its liquor license, and maybe even be sued.

75. It's just not worth it. So if you have doubts about serving alcohol, don't serve.

76. You will find that your people skills will come in handy when you have to deal with a guest who has had too much to drink. Most people, no matter how intoxicated they are, will respond to a polite but friendly request, a little eye contact, and a smile. This personal tactic will often defuse anger or deflect an argument.

77. The tone you set at a bar or restaurant determines the kind of drinking that goes on. If you make it a practice to serve anyone, anytime, in any condition, you will have to deal with unruly guests in addition to potential consequences related to breaking the law.

78. But if, instead, you promote a sociable atmosphere and responsible drinking, you will stay on the right side of the law, you will have an easier time while on the job, and your guests will enjoy a safer and more pleasant time in your establishment.

Legal Information



Key Ideas

You must make a reasonable effort to prevent underage drinking and intoxication.

Reasonable Efforts

The law requires that you, as a server of alcohol, make a reasonable effort to prevent intoxication in guests, prevent alcohol sales to minors, and intervene if a guest does become visibly intoxicated. This can include calling the police if necessary. Some examples of reasonable efforts include:

- offering food
- providing alternate transportation
- cutting-off a guest
- checking IDs
- becoming trained in responsible alcohol service
- calling the police
- measuring drinks
- serving complimentary water or soda
- enlisting help from the guest's friends.

Understanding Liability

Whether you are a server, manager, or owner of a licensed establishment, you could be held legally responsible for illegal sales to an underage or already intoxicated guest. Two primary types of law apply to licensed establishments - Common Negligence and Dram Shop Liability. If you have any questions about liability issues specific to your area, you should contact an attorney.

Common Negligence

Based on prior court cases, these laws set a minimum standard for the actions a reasonable person should take to prevent problems. Negligence laws can cover a broad range of situations and are relied on in many cases where alcohol is alleged to be a factor in an incident.

Dram Shop Liability

Dram Shop Acts make servers of alcohol beverages responsible for sales to persons under the legal drinking age or those who are visibly intoxicated. For the purpose of these laws, "sale" refers not only to the sale of bottled liquor, but also to the serving of individual drinks at an establishment. These laws are designed to make servers of alcohol beverages liable for any harm caused to a third-party by a person to whom they have sold alcohol.

ID Checking Process

As a server of alcohol you must make certain that all your guests are of legal age. Check for valid ID from anyone who looks to be under 30 years old. Determining if an ID is valid can be one of the toughest yet most important responsibilities you face. When checking IDs you must be aware of the acceptable forms of ID in your area. Contact your local liquor authority for requirements specific to your area.



Key Ideas

In most areas, legal forms of identification must have both a photo and a date of birth.



Key Ideas

The only way to be sure your guest is of age is to check ID! Many illegal sales occur because servers either do not check at all or do not check carefully.

Commonly Acceptable Forms of ID

1. Valid photo driver's license
2. Valid photo state-issued ID card
3. U.S. active-duty military ID
4. Valid Passport
5. Alien registration card.

Unacceptable Forms of ID

1. Counterfeit IDs
2. Student IDs
3. Altered IDs
4. Borrowed or Stolen IDs
5. Expired IDs
6. Order-by-mail IDs.

Steps to Follow to Check IDs

- Step 1: **Ask the guest to remove the ID from his or her wallet.** You may want to compare the ID to the ID Guidebook, which shows all valid IDs from every state and province in the U.S. and Canada.
- Step 2: **Determine whether or not the ID is valid:**
- a. Check the birth date.
 - b. Check the expiration date.
 - c. Examine the lamination. (Is it torn, frayed or damaged?)
 - d. Look at the composition of the ID. (Does it correspond with the ID book?)
 - e. Compare the guest's signature with the one on the ID.
 - f. Compare the photograph to the person in front of you.
 - g. Shine a flashlight to the back of the ID to expose any cuts or abrasions.
- Step 3: **Communicate with the person by asking questions, such as:**
- a. What is your astrological sign?
 - b. When did you graduate from high school?
- You do not need to know the answers. You are simply looking for **hesitation** in the person's response that might suggest this is not the person's valid ID.
- Step 4: **If you have any reservations, ask the guest for a second form of ID or tell him or her that you will have to get the ID approved.** (See Underage Warning Signs.)
- Step 5: **Know where the alcohol is going.** If you suspect that a guest is purchasing for an underage person, you cannot make the sale.
- Step 6: **If you still have doubts -- don't make the sale!**

Underage Warning Signs

A few signs may alert you to a potentially underage person. A person may:

- hand money to someone else who is obviously of age
- hide one's face or look away while you are studying the ID
- seem nervous and move around frequently
- state that he is a regular or a friend of an employee
- be in the restroom when the group orders for him or her
- pick up an empty glass and ask for "another one"
- order an unusual drink, such as a shot of rum
- come to the bar to order drinks for a table full of people
- get upset when asked for ID.

Jurisdiction-Specific Information

This exercise highlights specific information related to your jurisdiction's liquor laws. Your trainer will help you complete the statements or provide an information sheet you can use to find the answers yourself.

1. The minimum legal age to consume alcohol in my area is _____.
2. The minimum legal age to pour or serve alcohol in my area is _____.
3. In my area, the legal Blood Alcohol Content limit for intoxication while driving is _____.
4. My jurisdiction (does/does not) _____ have Dram Shop Liability Laws.
5. Three acceptable forms of identification in my area are:
 - _____
 - _____
 - _____
6. My jurisdiction (does/does not) _____ have a recommended age for carding. If it does, that age is _____.
7. In my area, an underage person (can/cannot) _____ be given alcohol purchased for him or her by a parent or legal guardian in a licensed establishment.
8. My jurisdiction (does/does not) _____ regulate server training. If it does, here are some important points about those regulations:

9. Some common penalties for violation of the liquor laws in my jurisdiction include the following: _____

10. Some common policies regarding the confiscation of IDs in my jurisdiction are: _____

11. If I have more questions about liquor laws in my area, I can call the Alcohol Beverage Commission or Liquor Control Board at _____.

Note: Jurisdiction or area can be a country, state, province, city, or county.

Documentation



Key Ideas

Good documentation can be the best way to prove you acted responsibly.

Accurate records are important in demonstrating that reasonable efforts have been made to avoid serving intoxicated or underage guests. Establishments should document all alcohol-related incidents in a daily log book.

The Incident Report Form can be a valuable line of defense for establishments facing civil or criminal liability lawsuits. Use a bound Incident Report Log Book to record all reasonable efforts made to prevent illegal alcohol sales.

INCIDENT REPORT FORM

001

Date: _____ Time of Day: _____
Manager: _____ Primary Staff Person: _____
Other Staff Involved: _____
Name/Description of Patron: _____

☐ ID Confiscated

☐ Refused Sale/Service

☐ Police Contacted

☐ Non-Alcohol Beverage Served

☐ Transportation Offered

Description of Incident: _____

Intervention Strategies Used: _____

Witnesses: _____

Form Completed By: _____

Signature: _____ Date: _____

Information

January _____

01/01

☐ No Incident ☐ See IRF No.: _____

Signature: _____

01/09

☐ No Incident ☐ See IRF No.: _____

Signature: _____

Establishments may create their own bound Daily Log/Incident Report Log Books for use in documenting incidents. Incident Report Log Books are also available for purchase from TIPS by calling 800-438-8477.

Note: Management may wish to consult with an attorney prior to implementing any documentation policies.

Review Questions

This review is designed to let you know how well you have understood the material presented in the Information section. Complete the statements below. Review any questions with your trainer.

1. Your skills in observing how people act, hearing what they say, judging their needs, and responding appropriately are your _____.
2. Behavioral _____ provide information that shows you how much your guests are being affected by alcohol.
3. Alcohol helps us relax because it slows down the body systems and acts as a _____.
4. Alcohol affects behavior progressively in four basic areas: Inhibitions, Judgment, Reactions, and Coordination. Complete the following statements with one of these areas:
 - a) Lowered _____ are noticeable as guests become especially talkative and relaxed.
 - b) A gap between how people think they are behaving and how they actually behave indicates impaired _____. People may become overly friendly, annoy others, or overrate themselves.
 - c) Slowed _____ can be observed physically, when speech becomes slurred and routine motions become difficult, or mentally, when there is a loss of concentration.
 - d) Losing one's balance, swaying, and spilling drinks are cues that indicate loss of _____.
5. Alcohol, unlike other foods, is absorbed rapidly into the _____, circulating throughout the body and affecting the brain.
6. A measurement of the level of alcohol in the bloodstream is called _____.
7. The strength of the drink, the rate of drinking, whether food is eaten or medication is taken, and the gender, height, and weight of the person are all _____.
8. In most areas legal identification must have both a _____ and the _____ to be considered valid.
9. People who drink frequently may have developed a high _____, which allows them to hide the Behavioral Cues they would otherwise exhibit.
10. Serving non-alcohol beverages, snacks, and food to an intoxicated drinker will not counteract the alcohol, but this strategy does _____.
11. To effectively refuse service, servers should do these three things:
 - 1) _____
 - 2) _____
 - 3) _____
12. In many areas, if a drinker becomes intoxicated and goes on to incur damages, the server/seller, manager, and owner can all be held responsible under _____.
13. To protect yourself against liability, the law requires that you make _____ to prevent a guest from becoming legally intoxicated.

Skills Training, Part I - Evaluating Cues

Evaluating Behavioral Cues

In this section, we will review video clips, allowing you to assess a guest's level of intoxication using all the information you have learned so far. Remember to watch for the behavioral cues and intoxication rate factors to help you determine the level of intoxication.

Behavioral Cues

- Lowered Inhibitions
- Impaired Judgment
- Slowed Reactions
- Loss of Coordination.

Intoxication Rate Factors

- Size
- Gender
- Rate of Consumption
- Strength of Drink
- Drug Use
- Food Intake.

Remember that different people will show different sets of behavioral cues. Also, it is important to distinguish between personality traits and signs of impairment -- particularly since you have only a short time to interact with your guests.

Rating Chart

Use the rating chart to evaluate the video scenes on the following page.

- | | |
|----------------|--|
| Level 1 | No Problem/Drinking Responsibly. This person is enjoying alcohol responsibly. |
| Level 2 | Potential or Borderline Intoxication. This person is not definitely intoxicated but needs to be watched. Level 2 also applies when you think the guest is underage or buying for someone underage. |
| Level 3 | Definitely Intoxicated. This person is demonstrating many cues and intoxication rate factors. |

Rating Chart

Level 1 No Problem/Drinking Responsibly

Level 2 Potential or Borderline Intoxication

(Includes guests you believe may be underage or buying for underage people)

Level 3 Definitely Intoxicated

Now, rate the **Guest**.

Scene / Situation		Rating	Reasons / Cues	
I-A	Two couples receive a round of drinks.	1	No Problem <ul style="list-style-type: none"> • First round • Ordering appetizers 	<ul style="list-style-type: none"> • Clear speech • Good coordination
I-B	Two women seated at a table.	2	Risk - Potential Intoxication <ul style="list-style-type: none"> • Overly friendly • Rapid drinking 	<ul style="list-style-type: none"> • Slightly slurred speech
I-C	Two friends at a bar.	3	Intoxicated <ul style="list-style-type: none"> • Competitive drinking • Extremely slurred speech 	
I-1	Man orders at a bar.			
I-2	Two male guests place an order with the bartender.			
I-3	Two women enjoy margaritas before dinner.			
I-4	Couple have cocktails at their table.			
I-5	Female guest requests a replacement drink.			

Scene / Situation	Rating	Reasons / Cues
I-6 Two male guests watch a sporting event.		
I-7 Two couples are out for an evening.		
I-8 Male guest places an order at last call.		
I-9 Male guest talks to a female server.		

Self-Test

This self-test is designed to highlight how well you have understood the material presented in this section. Rate the following three scenes the same way you did the preceding ones. Check your answers on the following page.

Level 1 No Problem/Drinking Responsibly

Level 2 Potential or Borderline Intoxication

(Includes guests you believe may be underage or buying for underage people)

Level 3 Definitely Intoxicated

Now, rate the **Guest**.

Situation	Rating	Reasons / Cues
I-10 Group of male guests celebrate a business deal.		
I-11 Two female guests have a disagreement.		
I-12 Two couples discuss whether or not to order another round.		

Self-Test Answers

Situation	Rating	Reasons / Cues
I-10 Group of male guests celebrate a business deal.	3	Intoxicated <ul style="list-style-type: none"> • Lowered inhibitions • Impaired judgment (offers to buy beers for the house) • Slurred speech • Slumped posture
I-11 Two female guests have a disagreement.	2	Risk - Potential Intoxication <ul style="list-style-type: none"> • Lowered inhibitions • Impaired judgment (over-reacts and uses inappropriate language) • Good reactions • Excellent coordination
I-12 Two couples discuss whether or not to order another round.	3	Intoxicated <ul style="list-style-type: none"> • Lowered inhibitions • Impaired judgment (pushes friends into drinking more) • Loss of coordination • Note reactions of others at the table

Skills Training, Part 2 - Evaluating Responses

The way you respond to a guest who is on the way to over-drinking is the key to whether he or she accepts your intervention. The following six guidelines give you specific strategies for intervening effectively.

Intervention Guidelines

Guideline 1: Decide on an appropriate response based on your guest's behavior.

Reason: There is no one correct way to handle any situation. You can control a situation by how you speak to people. If you speak in an even or soft tone, it may de-escalate a situation while you maintain control.

Examples: "Please try to keep your voice down. Thanks."
"Enforcement has stepped up tonight, so I called you a ride home. I don't want you to get into trouble."

Guideline 2: Make clear statements. Speak directly to the point.

Reason: Your guest needs to understand what you are saying, and what you are suggesting to remedy the problem.

Example: "I'm sorry. I cannot sell you any alcohol. Would you like to purchase something else?"

Guideline 3: Use "I" statements.

Reason: You can avoid making the guest feel defensive by using "I" statements. Not only does this help you maintain control of the situation, but it also shifts the focus off of the guest's behavior and on to what you can and cannot do.

Example: "I can't sell you this alcohol because I'm concerned about your safety."

Guideline 4: Do not judge or threaten your guests.

Reason: Judgmental statements are perceived as "put-downs" and promote defensiveness and anger.

Examples: "How about trying some of our flavored coffee?"
(This is not judgmental.)
"You're not buying any more alcohol. You're already drunk."
(This is judgmental and offensive. It could provoke an argument from the guest.)



Key Ideas

The Intervention Guidelines offer strategies for preventing unsafe drinking and for dealing with situations involving intoxicated people.

Guideline 5: Give the guest a reason for your actions.

Reason: People do not like to be treated in an arbitrary or condescending way. Help them understand that you are following rules or laws and not just singling them out.

Examples: “I’m sorry, but I could lose my job if I serve you this bottle.”
“Legally I am not allowed to serve you any alcohol at this time.”
“The liquor department has recently been conducting compliance checks. I have to follow proper procedures for checking IDs.”

Guideline 6: Provide good customer service and use indirect strategies when appropriate.

Reason: You want to be able to serve alcohol, while ensuring that all sales are legal and safe for your guests. Providing good customer service can help you prevent problems, but you need to maintain control. Often direct strategies are best, but sometimes indirect strategies can be more effective at controlling situations than direct confrontations.

Examples: These direct strategies are often effective:

- Slow down service as a preventive measure.
- Chat with the guests to make fair assessments of their intoxication levels.
- Offer the guest food, if possible.
- Suggest purchasing something other than alcohol.
- Suggest alternate transportation reminding them that they don’t want to risk driving while impaired.

These indirect strategies can also help you maintain control:

- Enlist the help of the guest’s friend.
- Tell the guest your manager needs to approve the ID.
- Remove the drink, if possible, when a guest is intoxicated.
- Know your management’s policy for drink limits.
- Check with your co-workers when changing shifts to see if there are any ongoing problem situations.
- Beware of guests ordering multiple drinks.
- If in doubt, don’t serve.

Rating Chart

Level 1	Ineffective Response (Server fails to make reasonable effort, or backs down, escalates, or over-reacts to a situation.) a. Backing down occurs when a server correctly cuts off a guest, but then allows the guest to talk the server into serving another drink. b. Escalation occurs when a server makes the situation worse by yelling or creating a potentially violent scene. c. Over-reaction involves a server cutting off a person who is using alcohol responsibly.
Level 2	Moderately Effective Response (Server could have done more.)
Level 3	Most Effective Response (Server makes good use of intervention strategies.)

Now, rate the **Server**.

Scene / Situation		Rating	Reasons / Cues
II-A	Male guest orders another drink and refuses non-alcohol beverage.	1	Ineffective <ul style="list-style-type: none"> • Is rude initially when refusing service • Backs down • Makes situation worse by over-pouring
II-B	Female guest requests another drink from the bartender.	2	Moderately Effective <ul style="list-style-type: none"> • Refuses service • Bartender's response could have backfired
II-C	Female guest drinks at a bar with a friend.	3	Most Effective <ul style="list-style-type: none"> • Slows down rate of drinking • Connects with guests
II-1	Male guest at a bar orders a drink.		
II-2	Female guest orders a refill.		
II-3	Man talks to another guest at the next table.		
II-4	Male guest orders drink from a server.		
II-5	Female guest sits alone at a bar.		
II-6	Woman orders a rum and coke.		

Scene / Situation**Rating****Reasons / Cues**

II-7 Two male friends order from a bartender.

II-8 Couple at the bar get ready to leave.

II-9 Bartender interacts with a male guest.

II-10 Bartender responds to a guest's inappropriate behavior.

Self-Test

Level 1 Ineffective response – Fails to make reasonable effort, or backs down, escalates, or over-reacts.

Level 2 Moderately Effective

Level 3 Most Effective

Now, rate the **Server**.

Situation**Rating****Reasons / Cues**

II-11 Two guests offer to buy the bartender a drink.

II-12 Hostess greets two intoxicated couples at a restaurant.

II-13 Female guest orders drinks for herself and a friend.

Notes

Self-Test Answers

Scene / Situation	Rating	Reasons / Cues
II-11 Two guests offer to buy the bartender a drink.	3	Most Effective <ul style="list-style-type: none"> • Friendly • Non-judgmental • Relates well to guests
II-12 Hostess greets two intoxicated couples at a restaurant.	3	Most Effective <ul style="list-style-type: none"> • Denies service • Seeks help from manager • Gets guests a safe ride home
II-13 Female guest orders drinks for herself and a friend.	1	Ineffective <ul style="list-style-type: none"> • Does not verify where drink is going • Backs down from asking for ID

Practice

This section is the most important part of today's TIPS session. During Practice, you will be able to take the skills, information, and strategies we have discussed and apply them to some real situations. You will also have an opportunity to see how other people apply these skills and techniques so that you can share ideas and build new strategies.



Key Ideas

Remember, how you say something is as important as what you say.

Special Considerations

- Each person will play the role of server at least once during practice.
- There is more than one correct way of dealing with problem situations. Suggest alternative strategies.
- After each scene, give positive feedback; avoid negative criticism. How you say something is as important as what you say.

How To Practice

The object of practice is to rehearse effective techniques of intervention. These practice scenes are based on the techniques shown in the skills training video and discussed during the session.

The **guest's role** is to give the server an opportunity to respond to a typical serving situation.

The **server's role** is to select an appropriate response to the guest's behavior, and to act it out as though in an actual situation.

The **audience's role** is to make note of the interventions used by the server and to comment on the effectiveness of the strategies used, following the Intervention Guidelines.

Steps to Follow

1. Observe the trainer as he or she demonstrates effective responses during the practice scene.
2. Choose a familiar situation. (Select from your own experience or from the list of sample situations on the following page.)
3. The trainer will select one group member to play the intervening server and one or two group members to play the guest(s). Everyone else is part of the audience.
4. Keep the practice situation as brief as possible -- two or three exchanges between the server and the guest are enough.
5. In your role as the guest, demonstrate the behavioral cues appropriate to the level of intoxication you wish to portray.
6. After the rehearsal, the audience should provide feedback on the effectiveness of the intervention. Discuss the strategies that worked and share ideas for improvement. Keep the feedback positive.
7. If appropriate, repeat the situation by incorporating constructive suggestions for the server.

Sample Situations

If you have trouble coming up with a situation, choose one from the following list.

General

1. You are sitting alone and drinking pretty fast (consuming a drink every 10 to 15 minutes); your behavior is very intense and exaggerated.
2. You are obviously intoxicated, but demand more drinks.
3. The server is getting ready to close; you are already intoxicated and ask for another drink.
4. You are a regular who is too intoxicated to drive but is about to leave.
5. You threaten not to leave a tip if you aren't served another drink.
6. You are sitting alone and appear depressed and sad.
7. You deny that you are intoxicated and berate the server in front of his manager for not "minding his own business."
8. You use the server's show of concern about possible intoxication to tell her your troubles.
9. Three women, obviously intoxicated, come into the bar and demand service.
10. Two underage people try to fool a server with obviously phony ID cards. They plead with him to give them a "break" and serve them.
11. Two male guests get into a loud argument. A server tries to intervene, but is ignored, and the two men become angrier and more hostile.
12. A server expresses concern for your intoxication level and the fact that you are about to drive a car. You tell her not to worry about it since you have been drinking and driving for years.
13. A female server expresses concern for you (male guest) as you are on the way to becoming intoxicated. You think she is "coming on" to you sexually and you get overly friendly, ignoring her concern about your drinking.
14. You are intoxicated. A server tries to intervene and cut off service. You tell him that alcohol doesn't affect you the way it affects other people.
15. You are obviously intoxicated and demand to play with the dart board. The darts are steel-tipped and could be dangerous.
16. You are sitting quietly at the bar drinking and popping a pill (contents unknown) every half hour or so. You appear to be drinking at a reasonable rate, but begin to act strangely.
17. You claim that the server gave you the wrong change and you become angry with him.
18. You're on your third drink and you say something that proves you are underage. (Example: "I go to [a local high school].")
19. You are intoxicated and from out of town. After running a tab, you tell the server that you don't have enough money to cover the bill.
20. A group of intoxicated guests try to order another round at a bar. When their request is denied, they pull out their own bottles and start drinking.
21. A European couple visiting an establishment are enjoying a bottle of wine and sharing some with their children who are obviously underage.
22. A man walks into an establishment looking perfectly sober and orders a martini. After a couple of sips, he puts his head down on the bar and passes out.
23. An underage person goes into a bar and tries to order a drink.
24. A server comes up to a table where you and your friends are smoking marijuana.
25. You are intoxicated and claim to have left some money on the bar and now it is gone.
26. A woman, nine-months pregnant, goes into a restaurant and orders a drink.

27. You enter a bar and look fine. You order a martini, and, after serving you, the server turns to help another guest. You then complain that the drink isn't strong enough.
28. You pull out illegal drugs and start taking them at the bar.
29. You slip something into your date's drink while she isn't looking. The server sees you do it.
30. You are about to serve a beer to a guest at the bar when he has an epileptic seizure. After it ends, he still wants the beer.

Hotel

1. The front desk is notified of a noise disturbance on the 8th floor. An employee goes up to investigate and finds two women heavily drinking their own liquor.
2. At a wedding reception, an underage person attempts to get champagne from the bar.
3. An important officer of the hotel management company is intoxicated at a company party and demands more drinks.
4. A room service waiter delivers a bottle of liquor to a room and sees some very young looking people having a party.
5. An intoxicated guest who has been cut off in the lounge tells the bartender that he will go to his room and order room service.
6. An intoxicated guest leaves a banquet and asks a front desk clerk where he can go to dance and drink.
7. The host of a very expensive banquet is intoxicated and asks the valet to get his car.
8. Guests at a hotel wish to bring their two teens into the lounge for drinks.
9. A waiter knocks on the door and the person inside asks who it is. The waiter responds, "I have your drinks, sir." Unable to open the door, the guest fumbles at the lock and curses.
10. A maid finds a guest passed out in his room -- the minibar is almost empty.
11. A guest checks into a hotel, stumbles, drops his keys and pen. He then asks the clerk for directions to the closest bar.
12. Security escorts one or more intoxicated people up to their room. As they enter, one of the guests says, "Break open the mini-bar!"
13. A guest gets a drink from a banquet bar, then goes back and gives it to someone who appears to be underage.

Wrap-Up

Throughout today's program, we have discussed strategies for helping your guests enjoy themselves at your establishment while keeping them on the safe side of drinking. You and the other participants have enhanced the program by sharing your experience and expertise.

You can begin using all the new strategies and knowledge you have learned today on your next shift. Your management will be impressed with the new level of professionalism you bring to your job after having completed this training.

Now is a good time to ask any questions you may still have or want to revisit. Or, you may want to quickly review the key points from today's session. To summarize, we have covered:

- the effects of alcohol and how to detect visible intoxication in your guests
- the legal responsibilities you have as a server of alcohol
- strategies for preventing alcohol-related situations from developing into problems
- techniques for intervening successfully with an intoxicated guest.

This program was designed to build your confidence in providing outstanding guest service while making sure service is legal and your guests are safe. Using the information in this program, your own experience, and the ideas shared by the other participants today, you can make a real difference in preventing illegal alcohol sales and related problems.

After your session, you may find that you have a situation you want to discuss, or you may have questions about your test results or certification card. Complete the following information so you will be able to contact your trainer whenever necessary.

Trainer/Co-Trainer Contact Information

Name(s): _____ Trainer Number(s): _____

Phone Number(s): _____

Email(s): _____

Completing the TIPS for On Premise Program

The final part of this program is completing the TIPS for On Premise Certification Test to demonstrate that you have learned and understand the material presented in the course.

Please remove and complete the TIPS Session Evaluation - On Premise Program form on page 29 before taking the test. Then remove the TIPS for On Premise Certification Test on page 31.

It is very important to provide complete and accurate information on the test form. The information you provide there determines what appears on your certification card and allows your certification record to be retrieved through our web-based system, Certification Manager. Be sure to follow the instructions printed on the back of the test.

If you have any questions while taking the test, feel free to ask your trainer(s) for assistance.

Thank you for your participation today, and good luck!



Key Ideas

You can apply the skills you have learned to increase your effectiveness on the job.

On Premise Session Evaluation

Back of Session Evaluation

On Premise Certification TEST

On Premise Certification TEST
Directions on this Back



HEALTH COMMUNICATIONS INC.

1501 Wilson Boulevard, Suite 500

Arlington, VA 22209

Phone: 800-438-8477

Fax: 703-524-1487

Email: sales@gettips.com

WWW.GETTIPS.COM

ALASKA TRAINER SUPPLEMENT

*For use with TIPS for On Premise, Off Premise,
and Concessions Programs*

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INTRODUCTION

Congratulations on becoming a TIPS trainer in the State of Alaska! As you learned in your trainer workshop, in order to teach the TIPS program as an approved program in the State of Alaska, you must follow certain procedures. Please always follow these steps when training your sessions:

1. **Information Section**: Completely incorporate the **Information Section** of this Alaska Supplement into **all** TIPS for On Premise server sessions. If you are approved by the Alaska Alcoholic Beverage Control Board to train the Off Premise program to meet the state mandatory law, incorporate the Information Section of this supplement in that program as well.

✓ Photocopy the information contained in the **Information Section** for each of your participants and review the information after you have presented the *State Specific Information* section of the TIPS program.

Please note that the TIPS for On Premise, TIPS for Off Premise, and TIPS for Concessions Programs are approved and recognized by the Board for general use.

2. **Birthdates**: Be sure that your participants fill out their date of birth on their TIPS answer sheets so that this state-required information can be included on their certification card.
3. **Alaska Mandatory Server/Seller Training Requirement**: Alaska law states that new hires have 30 days in which to complete an alcohol server education course and be able to show their certification card upon request to a peace officer or board representative. Servers and sellers of alcoholic beverages, their supervisors and persons providing security must be server trained every three years. Please send all exams to HCI immediately following your sessions so that we may grade them and return them to you as quickly as possible.

Contact Information

HCI
1501 Wilson Boulevard
Suite 500
Arlington, VA 22209-1547
800-438-8477, ext. 390
Nicole Blossé, Government Affairs Manager
blossen@gettips.com

Alaska Alcoholic Beverage Control Board
5848 East Tudor Road
Anchorage, AK 99507
(907) 269-0350

INFORMATION SECTION

FUNCTION OF THE ALCOHOLIC BEVERAGE CONTROL BOARD

The Alaska Alcoholic Beverage Control Board controls the manufacture, barter, possession, and sale of alcoholic beverages in the state. The board is vested with the powers, duties, and responsibilities necessary for the control of alcoholic beverages, including the power to propose and adopt regulations and to hear appeals from actions of the director, and from actions of officers and employees charged with enforcing the alcoholic beverage control laws and the regulations of the board.

The Board reviews all applications for licenses and orders the director to issue, renew, revoke, transfer, or suspend licenses and permits. When considering an application, the board may reduce the area to be designated the licensed premises below the area applied for when, in the judgment of the board, a reduction in area is necessary to ensure control over the sale and consumption of alcoholic beverages on the premises or is otherwise in the best interests of the public.

The board adopts regulations governing the manufacture, barter, sale, consumption, and possession of alcoholic beverages in the state to protect public health, safety, and welfare. Among the subjects covered by the regulations adopted by the board are procedures for the issuance, denial, renewal, transfer, revocation, and suspension of licenses and permits and the terms, conditions and fees for licenses and permits.

The director and persons employed by the board for administration and enforcement may, with the concurrence of the commissioner of public safety, exercise the powers of peace officers when those powers are specifically granted by the board. Powers granted by the board under this section may be exercised only when necessary for the enforcement of the regulations of the board and criminally punishable laws and regulations governing the manufacture, barter, sale, consumption, and possession of alcoholic beverages in the state.

Sec. 04.06.010. Establishment of board.

There is established in the Department of Commerce, Community, and Economic Development the Alcoholic Beverage Control Board as a regulatory and quasi-judicial agency. The Board is in the Department of Commerce, Community, and Economic Development, but for administrative purposes only.

Sec. 04.06.020. Appointment and qualifications.

(a) The board consists of five members 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.

(b) Except as provided in (c) of this section, at the time of appointment or reappointment, one member of the board shall be actively engaged in the public safety sector, one member of the board shall represent the general public, one member of the board shall have resided in a rural area within the previous five years, and two members of the board shall be actively engaged in the alcoholic beverage industry.

(c) 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 of the board may be engaged in the same business, occupation, or profession. A board member

actively engaged in the public safety sector, from a rural area, or representing the general public may not have, or have an immediate family member who has, a financial interest in a business for which a license is issued. A board member representing the general public may not be affiliated with the public safety sector or the public health sector.

(d) In this section,

- (1) “immediate family member” means a spouse, child, or parent;
- (2) “public health sector” means a profession that primarily has the responsibility to protect the safety and improve the health of communities through education, policy making, and research for disease and injury prevention;
- (3) “public safety sector” means a peace officer, a municipal or state prosecutor, a former judicial officer, or a profession that primarily has the authority to provide for the welfare and protection of the general public through the enforcement of municipal, state, or federal laws;
- (4) “rural area” means a community with a population of 7,000 or less that is not connected by road or rail to Anchorage or Fairbanks or with a population of 2,000 or less that is connected by road or rail to Anchorage or Fairbanks; in this paragraph, (A) “community” means a city as that term is defined in AS 29.71.800, and an established village that is located in a borough or the unorganized borough; (B) “population” means the population of a community as determined under AS 29.60.860(c). Sec. 04.06.030. Terms of office; chair. (a) Members of the board shall be appointed for overlapping terms of three years. (b) A vacancy occurring in the membership of the board shall be filled within 30 days by appointment of the governor for the unexpired portion of the vacated term. (c) The board shall select a chair from among its members. (d) A member who has served all or part of three successive terms on the board may not be reappointed to the board unless three years have elapsed since the person has last served on the board.

ABC LICENSING PROCEDURES

- ❑ No one may manufacture, sell, offer for sale, possess for sale or barter, traffic in, or barter any alcoholic beverage unless under license or permit issued by the Alcoholic Beverage Control Board.
- ❑ An applicant for a new license or permit must file a written application with the director, signed and sworn to by the applicant, giving the applicant’s name and address. If the applicant is a corporation, the application shall be executed by the authorized officers of the corporation. If the applicant is a partnership, including a limited partnership, the application shall be executed by an authorized general partner. The application must include, among other things, the type of license or permit desired and a description of the premises for which the license or permit is desired.
- ❑ An application to renew a license must be filed on or before December 31 of each year and must be accompanied by the annual fee required for the license. For many licenses, as a condition of issuance or renewal of a license and selling alcoholic beverages under a license, the board requires a licensee who sells or serves alcoholic beverages and a licensee’s agents and employees who sell or serve alcoholic beverages to complete an approved alcohol server education course.
- ❑ Before a new license is issued, 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 require the applicant to provide a copy of the application to

newspapers and radio and television stations for public service announcement or to provide paid notice of the application once each week for three successive weeks in newspaper or by radio.

TYPES OF LICENSES

The **Beverage Dispensary License** allows the holder to sell all types of alcoholic beverages for consumption on the licensed premises only.

The **Restaurant or Eating Place License** allows the owner of a bona fide restaurant to sell beer and wine for consumption on the licensed premises only and derives 50 percent of its sales from food.

A **Pub 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.

A **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.

A **Common Carrier 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.

An **Outdoor Recreation Lodge License** authorizes the holder to sell/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.

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

A **Package Store License (Liquor Store)** allows the holder to sell any kind of alcoholic beverages for consumption off the licensed premises.

LIABILITY

Liquor liability laws allow the victims of intoxicated drivers to sue servers and licensees for damages and injuries resulting from the actions of their customers. Servers who serve alcohol to visibly drunken customers or minors expose themselves and their employers, who can also be sued.

Dram Shop Law

Alaska's dram shop law appears in Alaska Statutes section 04.21.020 and Alaska Statutes section 04.16.030.

Under these statutes, a liquor licensee (a business licensed to sell alcoholic beverages) can be held liable if it sells or gives alcohol to a minor under age 21 or an intoxicated person, who then injures someone else.

It is important to note that Alaska dram shop law does *not* allow an intoxicated person to sue for damages resulting from their *own* intoxication. For instance, if a bar patron becomes drunk and falls down a flight of stairs in the bar, the patron may not sue the bar under dram shop law. (The patron may have a case under Alaska's premises liability law, however, if the staircase was unreasonably dangerous.)

Alaska law allows those who file dram shop claims to seek money damages for their injuries. These damages are meant to compensate the injured person for the quantifiable losses caused by the intoxicated person's actions.

Alaska, however, allows vendors to make a comparative fault argument in a dram shop case. In 2009, the Alaska Supreme Court held that a convenience store that sold alcohol to two 17-year-olds could argue that a passenger on the teens' ATV was partly at fault for her injuries when the intoxicated teens drove the ATV into a cable strung across a pathway, severely injuring the passenger.

Like other injury cases, Alaska dram shop cases are subject to a deadline known as the "statute of limitations." Under the statute of limitations, an injury case (including a dram shop case) must be filed within **two years** of the date of injury.

In most cases, the filing of an injury claim against the intoxicated person will not prevent the filing of a dram shop claim against the vendor, nor will it affect how the statute of limitations runs.

Civil Liability.

(a) Except as provided under (b) and (d) of this section, 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 holds a license authorized under AS 04.11.080 — 04.11.220 or is an agent or employee of such a licensee and (1) the alcoholic beverages are provided to a person under the age of 21 years in violation of AS 04.16.051, unless the licensee, agent, or employee secures in good faith from the person a signed statement, liquor identification card, or driver's license meeting the requirements of AS 04.21.050(a) and (b), that indicates that the person is 21 years of age or older; or (2) the alcoholic beverages are provided to a drunken person in violation of AS 04.16.030.

(b) A person who sells or barter an alcoholic beverage to another person in violation of AS 04.11.010 is strictly liable

(1) to the recipient or another person for civil damages if, while under the influence of the alcoholic beverage, the person receiving the alcoholic beverage engages in conduct that results in civil damages and the recipient's being under the influence of the alcoholic beverage substantially contributes to the civil damages; and

(2) for the cost to the state or a political subdivision of the state to criminally prosecute a person who receives an alcoholic beverage from a person who violates AS 04.11.010 if the prosecution results from the violation of AS 04.11.010 described in this subsection.

(c) In an action under (b) or (d) of this section, it is not a defense that the person receiving the alcoholic beverage voluntarily consumed the alcoholic beverage or that the person receiving the alcoholic beverage was voluntarily under the influence of the alcoholic beverage.

(d) A person who knowingly furnishes or delivers an alcoholic beverage to a person under 21 years of age in violation of AS 04.16.051 is civilly liable to the recipient or another person for civil damages if, while under the influence of the alcoholic beverage, the person receiving the alcoholic beverage engages in conduct that results in civil damages and the recipient's being under the influence of the alcoholic beverage substantially contributes to the civil damages.

(e) 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.

Criminal Liability. In Alaska, the intentional providing of alcoholic beverages to either a drunken person or to a minor is a criminal act. If convicted, the server faces criminal penalties for either act, including both heavy fines and/or time in prison.

Criminal Negligence. A person acts with criminal negligence with respect to a result or to a circumstance described by a provision of law defining an offense when the person fails to perceive a substantial and unjustifiable risk that the result will occur or that the circumstance exists; the risk must be of such a nature and degree that the failure to perceive it constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation.

FETAL ALCOHOL SYNDROME

During the past two decades, researchers have conducted a number of studies of infants born to women who drank heavily during pregnancy. The results are disturbing. A significant number of the infants studied were born with a definite pattern of physical, mental and behavioral abnormalities that researchers named the fetal alcohol syndrome. Babies with this syndrome were shorter and lighter in weight than normal, and they didn't "catch up", even after special postnatal care was provided. They also had abnormally small heads, several facial irregularities, joint and limb abnormalities, heart defects, and poor coordination. Most also were mentally retarded and showed a number of behavioral problems, including hyperactivity, extreme nervousness, and poor attention span. And for every infant born with fetal alcohol syndrome, there are several more born with only some of the features of the syndrome. When only some of the characteristics are present, they are called *alcohol-related birth defects*. Alcohol-related birth defects are the leading causes of congenital mental disorders, ranking with Down's syndrome and Spina Bifida. Of the three disorders, only alcohol-related defects are preventable. Clearly, FAS is a major

public health problem, with treatment costs for FAS in the United States estimated at nearly a third of a billion dollars per year as of 1988.

When a pregnant woman drinks, alcohol passes freely across the placental barrier into the baby's bloodstream in concentrations at least as high as those in the mother. The system of the fetus, however, is not as equipped to handle the effects of alcohol as is the mother's system. The undeveloped liver of the unborn baby burns up alcohol at less than half the rate of the adult liver, so that alcohol remains in the fetal system longer than in the adult system. At low concentrations and for short durations, alcohol is a rapidly metabolized source of energy. At higher concentrations and for longer durations it is a toxic agent. Deficiencies of minerals and vitamins—all of which play an important role in fetal development—resulting from maternal drinking may also be harmful to the fetus.

Although most documented cases of FAS have been children of women whose drinking meets the criteria of alcoholism it is not yet known exactly how much alcohol is harmful to the fetus. Many states and organizations, such as the National Institute on Alcohol Abuse and Alcoholism and the American Medical Association Panel on Alcoholism, recommend complete abstinence from alcohol during pregnancy. They warn that since the effects of even a small amount of alcohol are still unknown and safe levels of intake have not yet been established, the wisest course is to abstain completely. The March of Dimes, which once held that such a prohibition unnecessarily frightened women, now recommends complete abstinence as well.

DRUNKEN PERSONS

Sec. 04.16.030. Prohibited conduct relating to drunken persons.

(a) A licensee, an agent, or employee may not with criminal negligence

- (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.

(b) A person receiving compensation for transporting alcoholic beverages may not knowingly deliver alcoholic beverages to a drunken person.

UNDERAGE PERSONS

Sec. 04.16.049. Access of persons under the age of 21 to licensed premises.

(a) A person under 21 years of age may not knowingly enter or remain in premises licensed under this title unless

- (1) accompanied by a parent, guardian, or spouse who has attained 21 years of age;
- (2) the person is at least 16 years of age, the premises are designated by the board as a restaurant for the purposes of this section, and the person enters and remains only for dining;

(3) the person is under 16 years of age, is accompanied by a person over 21 years of age, the parent or guardian of the underaged person consents, the premises are designated by the board as a restaurant for the purposes of this section, and the person enters and remains only for dining;

(4) the person is permitted on the premises under a club license issued under AS 04.11.110(g); or (5) otherwise provided under (c), (d), or (g) of this section.

(b) Notwithstanding (a) of this section, a licensee or an agent or employee of the licensee may refuse entry to a person under 21 years of age to that part of licensed premises in which alcoholic beverages are sold, served, or consumed, may refuse service to a person under 21 years of age, or may require a Effective 10/11/18 – NOT AN OFFICIAL COPY person under 21 years of age to leave the portion of the licensed premises in which alcoholic beverages are sold, served, or consumed.

(c) Notwithstanding any other provision in this section, a person 16 or 17 years of age may enter and remain within the licensed premises of a hotel, golf course, or restaurant or eating place in the course of employment if

(1) the employment does not involve the serving, mixing, delivering, or dispensing of alcoholic beverages;

(2) the person has the written consent of a parent or guardian; and

(3) an exemption from the prohibition of AS 23.10.355 is granted by the Department of Labor and Workforce Development. The board, with the approval of the governing body having jurisdiction and at the licensee's request, shall designate which premises are hotels, golf courses, restaurants, or eating places for the purposes of this subsection.

(d) Notwithstanding any other provision in this section, 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, may enter and remain within those premises for the purpose of employment, but may not, in the course of employment, sell, serve, deliver, or dispense alcoholic beverages.

(e) A licensee may bring a civil action against a person who violates this section if the violation occurs on the premises of that licensee. If judgment is entered in favor of the licensee, the court shall award civil damages in the amount of \$1,500 and award reasonable costs and reasonable attorney fees allowed under the Alaska Rules of Civil Procedure.

(f) A person under 21 years of age does not violate this section if the person enters or remains on premises licensed under this title 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 this section.

(g) Notwithstanding any other provision in this section, a person under 21 years of age may be present on licensed premises on a golf course for the purpose of playing golf or attending golf-related activities if the person

(1) is at least 16 years of age; or

(2) is under 16 years of age and

(A) the person is accompanied by a person who is at least 21 years of age; and

(B) a parent or guardian of the underaged person consents.

(h) A person under 21 years of age who knowingly enters or remains on premises licensed under this title except as allowed in this section commits the offense of unauthorized presence by a person under 21 years of age on licensed premises.

(i) Unauthorized presence by a person under 21 years of age on licensed premises is a violation, punishable by a fine of \$500. The violation must be charged and filed with the court as a separate case and may not be combined or joined with any other minor offense or criminal charge in one action at the time of filing. A court may reduce the fine to \$50 for a person who has not more than one previous violation or to \$250 for a person who has two or more previous violations if the person provides the court, not later than six months after a judgment of conviction is entered, with proof of completion of (1) an alcohol safety action program or a juvenile alcohol safety action program developed, designated, or approved by the Department of Health and Social Services under AS 47.37; or (2) a community diversion panel.

Possession or Consumption by Underage Persons.

Sec. 04.16.050. Possession, control, or consumption by persons under 21 years of age.

(a) 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).

(b) A person under 21 years of age who knowingly consumes, possesses, or controls an alcoholic beverage other than an alcoholic beverage furnished under AS 04.16.051(b) commits the offense of minor consuming or in possession or control.

(c) Minor consuming or in possession or control is a violation, punishable by a fine of \$500. The violation must be charged and filed with the court as a separate case and may not be combined or joined with any other minor offense or criminal charge in one action at the time of filing. A court may reduce the fine to \$50 for a person who has not more than one previous violation or to \$250 for a person who has two or more previous violations if the person provides the court, not later than six months after a judgment of conviction is entered, with proof of completion of (1) an alcohol safety action program or a juvenile alcohol safety action program developed, designated, or approved by the Department of Health and Social Services under AS 47.37; or (2) a community diversion panel.

Furnishing of Alcoholic Beverages to Underage Persons by Licensees. A licensee or an agent or employee of the licensee may not with criminal negligence:

- (1) allow another person to sell, barter, or give an alcoholic beverage to a person under the age of 21 years within licensed premises;
- (2) allow a person under the age of 21 years to enter and remain within licensed premises except as provided above;
- (3) allow a person under the age of 21 years to consume an alcoholic beverage within licensed premises;
- (4) allow a person under age of 21 years to sell or serve alcoholic beverages.

- (5) while working on licensed premises, furnish or deliver alcoholic beverages to a person under the age of 21 years.

Purchases by Persons Under the Age of 21.

Sec. 04.16.060. Purchase by or delivery to persons under the age of 21.

(a) A person under the age of 21 years may not purchase alcoholic beverages or solicit another to purchase alcoholic beverages for the person under the age of 21.

(b) A person may not influence the sale, gift, or service of an alcoholic beverage to a person under the age of 21 years, by misrepresenting the age of that person.

(c) A person may not order or receive an alcoholic beverage from a licensee, an agent or employee of the licensee, or another person, for the purpose of selling, giving, or serving it to a person under the age of 21 years.

(d) A person under the age of 21 years may not enter licensed premises where alcoholic beverages are sold and offer or present to a licensee or an agent or employee of the licensee a birth certificate or other written evidence of age, that is fraudulent or false or that is not actually the person's own, or otherwise misrepresent the person's age, for the purpose of inducing the licensee or an agent or employee of the licensee to sell, give, serve, or furnish alcoholic beverages contrary to law.

(e) A person under the age of 21 who is seeking to enter and remain in a licensed premises under AS 04.16.049(a)(2) or (3) may not misrepresent the person's age or having obtained the consent of the parent or guardian required by that section.

(f) A person does not violate this section if the person performs an act proscribed under this section, the person performs that act at the request of a peace officer, the peace officer accompanies, supervises, or otherwise observes the person's act, and the purpose of the act is to assist in the enforcement of this section

Proof of Age. If a licensee or an agent or employee of the licensee questions or has reason to question whether a person entering the licensed premises, or ordering, purchasing, attempting to purchase, or otherwise procuring or attempting to procure alcoholic beverages, has attained the age of 21 years, that licensee, agent, or employee shall require the person to furnish proof of age.

Acceptable ID.

An unaltered passport, an unaltered driver's license or identification card issued by a federal or state agency authorized to issue driver's licenses or identification cards are acceptable as proof of age. They may be used for identification in the purchase of alcoholic beverages and for securing entry to and remaining on premises where alcoholic beverages are sold. The license or identification card must be made of or encased in plastic and contain a photograph of the licensee or cardholder and a statement of age or date of birth. 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 the licensed premises and shall refuse service or sale to that person.

Statement of Proof of Age. If a person provides ID that is not acceptable for proof of age, or if a licensee, agent, or employee questions, or has reason to question, the validity of the proof of age furnished, the licensee, employee, or agent shall require the person to sign a statement that the person is over the age of 21 years. This statement shall be made on a form prepared by and furnished to the licensee by the board. Licensees must retain completed forms for 90 days and make them available for inspection by the board and peace officers. AMCO would prefer the Proof of Age statements be called in so they can review them.

HOURS OF SERVICE

- (1) A person may not sell, offer for sale, give, furnish, deliver or consume an alcoholic beverage on premises licensed under this title between the hours of 5:00 a.m. and 8:00 a.m. each day.
- (2) A licensee, an agent, or employee may not permit a person to consume alcoholic beverages on the licensed premises between the hours of 5:00 a.m. and 8:00 a.m. each day.
- (3) A licensee, an agent, or employee may not permit a person to enter, and a person may not enter premises licensed under this title, between the hours of 5:00 a.m. and 8:00 a.m. each day, unless such person is a common carrier or an employee of the licensee preparing for the next day's business.
- (4) 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.
- (5) A municipality may provide for additional hours of closure.
- (6) A person may not sell, barter, give, consume, or dispose of alcoholic beverages within licensed premises on a statewide or municipal Election Day until the polls have closed. However, municipalities can, by ordinance, allow a business to stay open on Election Day.
- (7) A licensee, an agent, or employee may refuse to sell, give, or serve alcoholic beverages to a person if the licensee, agent or employee reasonably believes that the consumption of alcohol by that person may result in serious harm to that person or to others.

“HAPPY HOUR” LAWS

Sec. 04.16.015. Pricing and marketing of alcoholic beverages.

(a) On premises where alcoholic beverages are sold by the drink, a licensee or a licensee’s agent or employee may not

- (1) offer or deliver, as a marketing device to the general public, free alcoholic beverages to a patron;
- (2) deliver an alcoholic beverage to a person already possessing two or more;
- (3) sell, offer to sell, or deliver alcoholic beverages to a person or group of persons at a price less than the price regularly charged for the beverages during the same calendar week, except at private functions not open to the general public;
- (4) sell, offer to sell, or deliver an unlimited number of alcoholic beverages to a person or group of persons during a set period of time for a fixed price;
- (5) sell, offer to sell, or deliver alcoholic beverages to a person or group of persons on any one day at prices less than those charged the general public on that day, except at private functions not open to the general public;
- (6) encourage or permit an organized game or contest on the licensed premises that involves drinking alcoholic beverages or the awarding of alcoholic beverages as prizes.

(b) A licensee or a licensee’s agent or employee may not advertise or promote in any way, either on or off the premises, a practice prohibited under (a) of this section.

(c) This section may not be construed as prohibiting a licensee or a licensee’s agent or employee from offering free food or entertainment at any time, from serving wine by the bottle or carafe or beer by the pitcher with or without meals, or from including an alcoholic beverage as part of a meal package.

(d) Notwithstanding (a) and (b) of this section, a licensee or a licensee’s agent or employee when acting as a caterer may offer or deliver free alcoholic beverages to a political, charitable, or educational group or organization

RESTAURANT DESIGNATION

Sec. 04.11.100. Restaurant or eating place license.

(a) A restaurant or eating place license authorizes a restaurant or eating place to sell beer and wine for consumption only on the licensed premises.

(b) A license may be issued under this section only if the board determines that the premises to be licensed are a bona fide restaurant or eating place.

(c) A license may be issued under this section only if the sale and service of food and alcoholic beverages and any other business conducted on the licensed premises of the restaurant or eating place is under the sole control of the licensee.

(d) The biennial fee for a restaurant or eating place license is \$600.

(e) A license may be renewed under this section only if the licensee provides evidence to the board's satisfaction that gross receipts from the sale of food upon the licensed premises constitute no less than 50 percent of the gross receipts of the licensed premises for each of the two preceding calendar years.

(f) Notwithstanding the provisions of (b) of this section, upon written application and approval of the local governing body, the board may renew a restaurant or eating place license and exempt the licensee from the requirements of (b) of this section if the license was issued under the provisions of this subsection before October 1, 1996. The board may not (1) renew a license as provided under this subsection if (A) the renewal would result in more than one exempt restaurant or eating place license for every 10 restaurant or eating place licenses allowed under the provisions of AS 04.11.400(a)(2) or (3); (B) the premises would be located in a building having a public entrance within 200 feet of the boundary line of a school or a church building in which religious services are being regularly conducted; for purposes of this subparagraph, the 200-foot prohibition is measured from the outer boundary line of the school or the public entrance of the church building by the shortest pedestrian route to the nearest public entrance of the restaurant or eating place; or (2) transfer an exempt license issued under this subsection to another person.

(g) A restaurant or eating place licensee (1) operating under a license issued under (f) of this section shall offer a full-service menu of food items available to the public during all times that beer or wine is served or consumed; the menu must be approved by the board; (2) may only provide entertainment on the licensed premises between the hours of 3:00 p.m. and 11:00 p.m. unless approved by the director after written request by the licensee for a specific occasion; in this paragraph, "entertainment" includes dancing, karaoke, live performances, or similar activities, but does not include recorded or broadcast performances without live participation.

OTHER PERMITS

Restaurant Caterer's Dinner Permit. A restaurant caterer's permit authorizes the holder of 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 off the holder's licensed premises. A permit will be issued only for a specified premises for a specific occasion, for a period not to exceed seven days.

Caterer's Permit. A caterer's permit authorizes a holder of a beverage dispensary license to sell or dispense alcoholic beverages at an event (such as a special gathering or sporting event) held off the beverage dispensary's licensed premises. The caterer, or a special employee or agent of the caterer, shall be present on the catered premises at all times alcoholic beverages are possessed, served, or consumed under the permit. A permit will be issued only for a specified premises, for a specific occasion, and for a limited period of time. A permit application that is submitted for multiple days may require additional explanation or clarification.

Club License Caterer's Permit. A club license caterer's permit authorizes a licensed organization to sell or dispense alcoholic beverages at events held off the organization's licensed premises. The permit may only be issued for designated premises for a specific day and for a limited period of time as identified in the application. All restrictions and prohibitions regarding

club members and their guests apply at premises designated in the application for a permit. No more than three permits will be granted to an organization in any one calendar year.

Special Events Permit. A special events permit authorizes the holder to sell or dispense beer or wine for consumption at designated premises for a specific occasion and limited period of time. Only nonprofit fraternal, civic, or patriotic organizations active for a period of at least two years are eligible for a special events permit, and only if all profits derived from the sale of beer or wine are paid to the organization and not to an individual.

LOCAL OPTION PROVISIONS

A municipality may adopt ordinances governing and/or prohibiting the importation, barter, sale, and consumption of alcoholic beverages within the municipality and may ban possession of alcoholic beverages. These ordinances are adopted as a result of elections within the municipalities.

No license may be issued to anyone in any municipality that has prohibited the sale or possession of alcoholic beverages.

WARNING SIGNS

Any holder of a license or permit issued by the ABC Board authorizing consumption of alcoholic beverages must post on the licensed or designated premises the following three (3) warning signs:

“WARNING: Drinking alcoholic beverages such as beer, wine, wine coolers and distilled spirits, or smoking cigarettes, during pregnancy can cause birth defects.”

“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.”

“WARNING: A person under 21 years of age who enters these premises in violation of law could, under AS 04.16.049 (e), be civilly liable for damages of \$1,500.”

- ✓ This sign must be at least 11 inches by 14 inches, with lettering at least one-half inch high and in contrasting colors.
- ✓ The license or permit holder shall display the first and second signs in a manner that would make them conspicuous to a person who will be purchasing or consuming alcoholic beverages or smoking cigarettes on the licensed or designated premises.
- ✓ The licensee shall conspicuously display the third sign at each door through which customers enter the licensed premises
- ✓ These warning signs are available upon request from the ABC Board.

- ✓ These signs must be posted wherever alcohol is served every day, including any limited-time special events. A peace officer may issue a \$100 citation for a violation of this requirement.

GAMBLING, DRUGS, PROSTITUTION AND ADULTERATION

Gambling. An agent or employee of a gambling enterprise may not furnish an alcoholic beverage to a player. No licensee shall allow illegal gambling to occur within the limits of the licensed premise.

Drugs. No licensee, agent or employee of the licensee of a premise licensed to sell alcoholic beverages in Alaska may allow any type of illegal drug use or possession on those premises.

Prostitution. No premises licensed to sell alcoholic beverages shall allow any type of prostitution to be conducted on the licensed premises, nor shall persons engaged in the practice of prostitution or promotion of prostitution be allowed to enter or remain in a licensed premise.

Adulteration. Adulterations, misbranding and false advertising of alcoholic beverages are prohibited. Spirits may not be emptied from one bottle into another bottle of the same brand.

PENALTIES FOR LICENSEES AND THEIR EMPLOYEES

Any person who violates any provision of the Alaska Statutes on Alcoholic Beverages or any regulation adopted by the ABC Board is guilty, upon conviction, of a class A misdemeanor. Each violation is a separate offense.

A suspension or revocation of a license ordered by the board is as follows:

- (1) Upon first conviction, the license of the premises involved may not be revoked, but may be suspended for not more than 45 days.
- (2) On second conviction, the license of the premises involved may not be revoked, but may be suspended for not more than 90 days.
- (3) On third conviction, the license of the premises involved may be suspended or revoked.

The terms “second conviction” and “third conviction” for the above purposes include only convictions for violations that occur within five years of the first conviction. These terms also include a conviction of the agent or employee of a licensee of a violation of a law, regulation or ordinance if the conviction constitutes grounds for suspension or revocation.

The ABC Board also has the authority to impose a civil fine upon a licensee for any violation by the licensee, agent or employee of either laws or regulations, not to exceed the greater of:

- (1) an amount that is three times the monetary gain realized by the licensee as determined by the board, as a result of the violation;

- (2) \$10,000 for the first violation;
- (3) \$30,000 for the second violation;
- (4) \$50,000 for the third or subsequent violation.

PACKAGE STORES AND WRITTEN ORDERS

Sec. 04.11.150. Package store license; permit for delivery to social events.

(a) Except as provided under (g), (i), and (j) of this section, 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 solicitation to that licensee for shipment. A licensee, agent, or employee may only ship alcoholic beverages to the purchaser. Before commencing the practice of shipping alcoholic beverages, and with each subsequent application to renew the license, a licensee shall notify the board in writing of the licensee's intention to ship alcoholic beverages in response to a written solicitation. The package store licensee, agent, or employee shall 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.

(b) The biennial package store license fee is \$1,500.

(c) The holder of a package store license may not sell alcoholic beverages unless any stamps required to be affixed to the package by state or federal law are intact on the packages.

(d) The consumption of alcoholic beverages on premises licensed under this section is prohibited.

(e) The business premises occupied by a holder of a package store license may not be connected by a door, opening, or other means of passage intended for the access of the general public to an adjacent retail business not licensed under this title, unless approved by the board.

(f) When the holder of a package store license is also a holder of a beverage dispensary license and the package store premises are contained within or are adjacent to the premises of the beverage dispensary and the only public entrance to the package store is by a door or other means within the premises of the beverage dispensary, the board shall determine if additional entrances to the package store are necessary for enforcement purposes, to meet health and fire safety standards, or for the convenience of the public.

(g) If a shipment is to an area that has restricted the sale of alcoholic beverages under AS 04.11.491(a)(1), (2), or (3) or (b)(1) or (2), a package store licensee, agent, or employee may not ship to a purchaser more than 10 and one-half liters of distilled spirits or 24 liters or more of wine, or either a half-keg of malt beverages or 12 gallons or more of malt beverages in individual containers in a calendar month, or a lower amount of distilled spirits, wine, or malt beverages if the municipality or established village has adopted the lower amount by local option under AS 04.11.491(g). Before shipping alcohol to a purchaser in a restricted area, a package store

licensee, agent, or employee shall consult the database maintained by the board under AS 04.06.095 for any alcoholic beverage shipments made to the purchaser during that calendar month by a package store licensee, agent, or employee. A package store licensee, agent, or employee may not ship an amount of alcoholic beverages to a purchaser in a restricted area that, when added to the amount already shipped, exceeds the amount authorized by this subsection. A package store licensee, agent, or employee shall immediately enter into the database the date and the amount of alcoholic beverages shipped to the purchaser. Failure to enter into the database the date and amount of alcoholic beverages shipped to the purchaser as required by this subsection is a class B misdemeanor.

(h) A package store licensee, agent, or employee may not

- (1) divide or combine shipments of alcoholic beverages so as to circumvent the limitation imposed under (g) of this section; or
- (2) in response to a written order, ship alcohol to a purchaser at an address other than the address where the purchaser resides or, if the purchaser resides in a municipality or established village that has adopted a local option under AS 04.11.491(a)(1), (2), or (3) or (b)(1) or (2) for which a community delivery site has been designated under AS 04.11.491(f), to an address other than that community delivery site except as provided by AS 04.11.491(f)(1) and (2).

(i) A package store license authorizes the licensee to deliver not more than two bottles of wine or champagne, not more than two bottles of distilled spirits, or not more than 72 ounces of beer in a gift basket with a floral arrangement to a cruise ship passenger or a hotel guest. The wine, champagne, distilled spirits, or beer for delivery may be purchased from a package store licensee by a florist or gift basket establishment with a state business license that designates the business as a florist or gift basket establishment. The package store licensee shall keep on file a copy of the Alaska business license of a florist or gift basket establishment to which the licensee sells wine, champagne, distilled spirits, or beer for delivery to third persons by the package store. The package store must keep a written record of each delivery made under this subsection for a period of at least one year, including the name of the business purchasing the wine, champagne, distilled spirits, or beer and the name of the person to whom the delivery is made. A delivery under this subsection must be made by the licensee or an employee or agent of the licensee who has completed alcohol server training as required under AS 04.21.025. The board shall issue a permit to each licensee authorized to deliver wine, champagne, distilled spirits, or beer under this subsection and may by regulation impose an administrative fee for the cost of issuing the permit.

(j) A package store license authorizes the licensee to deliver alcoholic beverages between the hours of 8:00 a.m. and 5:00 p.m. to a responsible adult at the location of a wedding or wedding reception or other social event as defined by regulation of the board. A delivery under this subsection may be made only after a sale by written order received from a person present on the licensed premises who makes payment in full at least 48 hours before the delivery. The written order must include the name and address of the purchaser and the date, time, and address of the delivery, as well as the name and address of the responsible adult who will receive the delivery of alcoholic beverages. A delivery authorized under this subsection must be made by the licensee or an employee or agent of the licensee who has completed alcohol server training as required under AS 04.21.025. Delivery may only be made to a responsible adult at the delivery address on the written order. The responsible adult must provide identification and proof of age as defined in AS 04.21.050, and must acknowledge receipt of the alcoholic beverages in writing. The package store licensee shall retain the written order and the responsible adult's written acknowledgment for at least one year after delivery. The board shall issue a permit to each

licensee authorized to deliver alcoholic beverages under this subsection and may by regulation impose an administrative fee for the cost of issuing the permit.

(k) “Business premises” means that part of the licensed premises to which the public has access.

