



# **LIQUOR TRAINING FOR BPA**

*Promoting Responsible Alcohol Sales and Service*

# CHECKING ID

## Whose ID should I check?

A person must be at least 21 years old to purchase alcohol. The law requires you and your employees to ask anyone who looks under 26 years of age for proper identification.

## Reasonable Doubt

The law says you and your employees must check the age of a person when there is *any reasonable doubt* that the person is at least 21 years old. The law says that *reasonable doubt* exists if the person looks to be under the age of 26.

## What is acceptable ID?

In Oregon, there are only 5 kinds of ID that are acceptable alone (that don't require a 2<sup>nd</sup> piece of ID):

1. An unexpired and unaltered U.S. state or District of Columbia driver license with or without a photo.
2. An unexpired and unaltered identification card or driver license issued by a U.S. state, District of Columbia, Puerto Rico, Guam, Northern Mariana Islands, United States Virgin Islands, or American Samoa with photo, name, date of birth, and physical description.
3. An unexpired and unaltered ID card issued by a federally recognized Indian tribe with photo, name, and date of birth.
4. An unexpired and unaltered passport or passport card.
5. An unexpired and unaltered U.S. military ID card.

**Warning:** Beware of internet and "mail order" type cards that say "State Resident" or "Personal ID." These cards are made to look like official IDs, but they are not. If you cannot tell whether the card was issued by an official state agency, do not accept it. Additionally, Consular Cards are not acceptable ID.

## Examples of how to tell if the ID is valid

- Check the expiration date – **expired ID in NOT valid.**
- Ask the person to remove the ID from the wallet or plastic folder.
- Feel the ID for cuts, slits, bumps, uneven lamination, and other signs of alteration.
- Examine the ID in good light.
- Look for erasures and misaligned numbers.
- Compare the ID to the person presenting it: photo, name, date of birth, description, etc.
- Ask the person questions; such as: *What's your address? What's your zip code? Etc.*

If you have any doubt about the person's age or ID,  
Do not sell alcohol to that person

### **What if I believe the ID is false?**

If the ID is false, altered, expired, or looks illegally produced, refuse the sale of alcohol. Do not try to keep the ID if the person resists or becomes threatening. If you do keep the ID turn it over to the DMV or OLCC.

### **What if the person does not have one of the five pieces of acceptable ID?**

You must refuse to serve or sell alcohol to that person or you must follow the Statement of Age card process.

- Obtain the Statement of Age cards from the OLCC.
- The person must have 2 pieces of ID.
  - One must be a **descriptive piece of ID** with the person's name, address, date of birth, signature, and a photo or physical description. An example is a Federal employee ID.
  - The second piece must be **back-up ID** which has the person's name and, if possible, signature on it. Examples are credit card, social security card, and personal checks.
- It is your responsibility to determine that the ID is valid and the photo, physical description, and signature match the person presenting the ID.
- Then have the person fill out the top portion of the card and sign it.
- Then the person checking the ID fills out the bottom portion of the card and signs it.

## **2018 Oregon Card Changes**

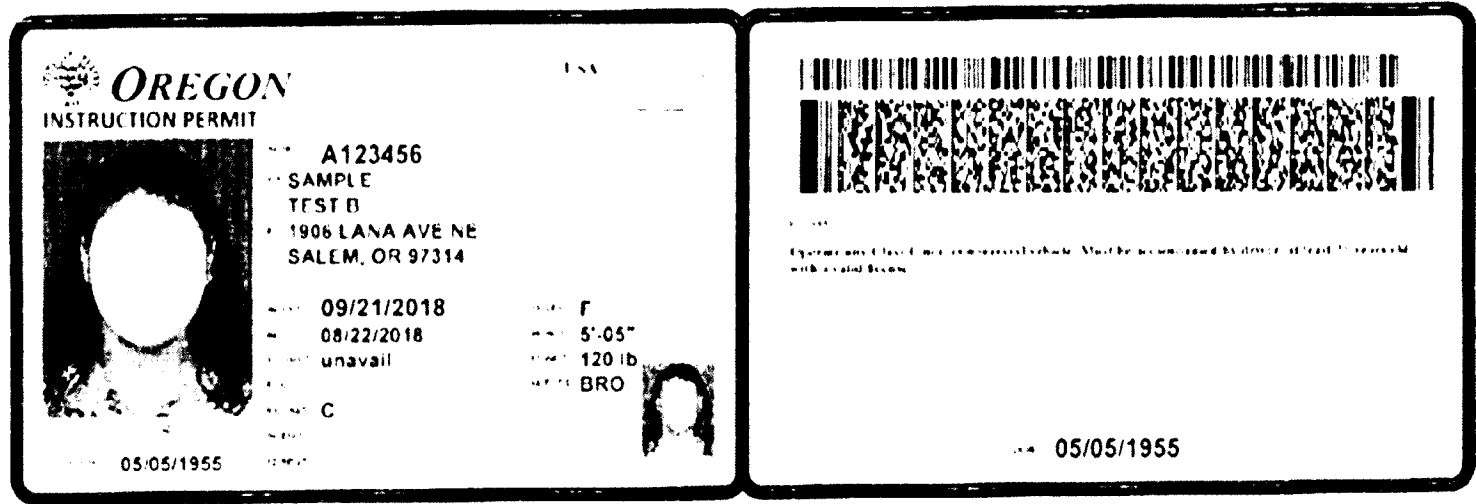
All Oregon DMV offices will be issuing cards with the new design by spring 2019. Starting in December, a limited number of the new cards will be issued as part of a pilot program.

### **Are the new card Real ID compliant?**

No. Cards that are Real ID compliant will be issued in mid-2020. Real ID cards will use the new card design and feature a star in the upper-right corner.

### **Will DMV continue to issue a paper interim card?**

Yes. The Interim Card is valid for 30 days or until you receive your plastic card in the mail.



### Can the interim card be used as legal identification?




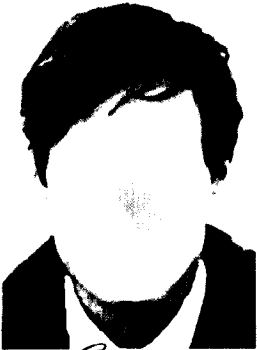


People and organizations can choose whether they will accept interim cards as identification. You will need to check with the agency or business to find out what documents they accept. Many businesses and agencies do not accept interim cards as identification. For example, Social Security Administration and Transportation Security Administration do not accept interim cards as identification.

## Design Details


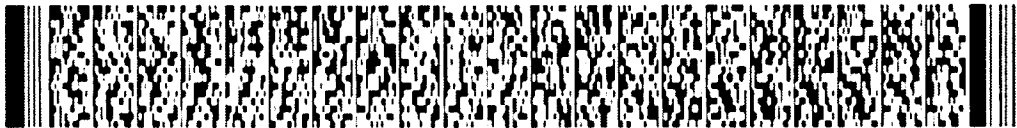
The new card design:

- Meets or exceeds national standards for security and durability.
- Combines security features with images and symbols that represent Oregon.
- Uses nation-wide standards for layout and content, which help emergency responders find the information they need.



## 21 and Over

 <b>OREGON</b> IDENTIFICATION CARD		USA	
 <b>OREGON</b> COMMERCIAL DRIVER LICENSE		USA	
 <b>OREGON</b> DRIVER LICENSE		USA	
	4d NO	A123456	
	1-2	CARD	
		OREGON SAMPLE, SR	
	8	1906 LANA AVE NE SALEM, OR, 97314	
	4d EXP	12/12/2026	
4A ISS	03/16/2018	15 SEX	M
10 FIRST	03/16/2018	16 HGT	6'-02"
5 DO	ZA0000089	17 WGT	250 lb
9 CLASS	C	18 EYES	BRO
3d END	M	 VETERAN	
12 REST	BD		
 1 DOB 12/12/1979			



## Back for all cards

	
	
<p><b>Class:</b> C – Any single vehicle with a GVWR of not more than 26,000 pounds with the proper endorsements. Any emergency vehicle operated by a firefighter.</p>	
<p><b>Endorsements:</b></p> <p><b>M</b>-motorcycle</p>	<p><b>Other:</b></p> <p><b>B</b>-corrective lenses <b>D</b>-anatomical donor</p>
<p><b>DOB:</b> 12/12/1979</p>	



## Under 21



		<b>OREGON</b> USA			
IDENTIFICATION CARD					

		<b>OREGON</b> USA			
COMMERCIAL DRIVER LICENSE					

		<b>OREGON</b> USA			
DRIVER LICENSE					

		<b>LIMITED-TERM</b>			
		4a NO	<b>A000002</b>		
		15 EXP	<b>05/05/2025</b>		
		4a DOB	<b>04/01/2017</b>		
		10 FIRST	<b>04/01/2016</b>		
		5 DO	<b>ZA0000090</b>		
		6 CLASS	<b>C</b>		
		9a END			
		10 REST	<b>None</b>		
		<div>UNDER 21 UNTIL <b>05/05/2021</b> UNDER 18 UNTIL <b>05/05/2018</b></div>			

3 DOB	<b>05/05/2000</b>				
12	<b>Last Name</b>				
15	<b>First Name, Middle Name</b>				
16	<b>Street Address 1</b>				
2	<b>City, OR, Zip Code</b>				
15 SEX	<b>F</b>	17 WGT	<b>130 lb</b>		
16 HGT	<b>05'-05"</b>	18 EYES	<b>BLU</b>		

# LIQUOR LIABILITY INSURANCE

The following licenses must have a minimum of \$300,000 in liquor liability insurance. You may satisfy this requirement with either an insurance policy or a bond.

- Full On-Premises (all six types).
- Limited On-Premises.
- Brewery-Public House
- Winery (but only if on-premises consumption, including tastings, is offered).
- Brewery (but only if on-premises consumption, including tastings, is offered).
- Grower Sales Privilege (but only if on-premises consumption, including tastings, is offered).
- All special licenses if the event will be open to the public and the expected attendance will exceed 300 individuals per day. These special licenses are a Temporary Sales License (TSL), Temporary Use of an Annual License (TUAL), Special Event Winery (SEW), Special Event Grower (SEG), Special Event Brewery-Public House (SEBPH), Special Event Brewery (SEB), and Special Event Distillery (SED).

**As on March 1, 2016, Licensees are required to post proof of insurance or bond in full public view or make the proof of insurance available at any time for immediate inspection by any Commission employee.**

For insurance, you must give the OLCC a certificate of insurance that shows the following: all applicants as insured, the premises address, liquor liability (not just “liability”) insurance, liquor liability coverage of at least \$300,000, the coverage is current (not expired), and names the OLCC as a Certificate Holder.

**Cessation of Coverage.** A licensee may elect not to maintain liquor liability insurance or bond coverage, but only if the licensee will *cease the sale and service of alcohol and prohibit the consumption of alcoholic beverages on the licensed premises for at least 90 contiguous days and the licensee provides the Commission with prior written notice of the start and end date of the cessation of the sale and service of alcohol.* Failure to notify the Commission is a Category IV violation and is in addition to separate violations that may be charged for operating without coverage.

Failure to post or provide proof of insurance or bond is a Category V violation.

Failure to maintain liquor liability insurance could result in the cancellation of your license.



# WHO NEEDS TO TAKE SERVER EDUCATION & HAVE A SERVICE PERMIT

## ***Who needs a service permit?***

Employees - Any person employed by a licensee of the commission who participates in any manner in the mixing, selling or serving of alcohol for consumption on the licensed premises is required to have a service permit. This includes managers/supervisors, hostesses who take drink orders and cashiers who ring in drink orders.

The employees who do not need service permits are those who never mix, sell, serve alcohol or manage any person that does. This could include ID checkers, security guards, bouncers, bus people who clear and set up tables, and cooks.

Licensees whose names appear on their liquor license - If your individual name appears on the liquor license *as a licensee*, you do **NOT** need to have a service permit. However, you still need to pass a server education class every 5 years.

## ***How do I and my employees get a service permit?***

1. **Before** you or your employees mix, sell, or serve alcoholic beverages, or manage any person that does mix, sell, or serve alcoholic beverages, you or your employees must fill out a Service Permit application form.

Alcohol service permit applications are now processed exclusively through the portal.

With the application portal, alcohol service permit applicants can:

- Create an account
- Submit an application
- Take the alcohol server permit test
- Pay with credit/debit card

This change only affects the application and test. You are still required to take an in-person or online Alcohol Server Education Class. Most in-person Alcohol Server Education providers will offer assistance with applications and support for students who need computer or internet assistance.

**Note: The Service Permit Application fee and Alcohol Server Education Class fee are separate fees.**

- The online Service Permit application is available at [www.oregon.gov/OLCC](http://www.oregon.gov/OLCC).

2. Pass the server education class within **45 days** of signing the application.

## ***How may I keep track of my employees' service permits?***

You should create a service permit file where you keep copies of service permit applications that you have signed and sent to the OLCC. You should note the **45 days deadline** each employee has to pass the server education course. You should review the file regularly to make sure your employee complies with the requirement. You should also keep copies of your employees' service permits. Highlight the permit expiration date on each permit and review the file regularly to make sure that your employee renews his/her permit on time.

### ***Remember, you are responsible for the acts of your employees***

- You are responsible for your employees' performance, even before they take a server education course. You may be cited if they violate a liquor law.
- Your employees must have their service permit available for inspection any time they are working.
- The service permit is your employee's license to serve alcohol. It belongs to your employee, not to you.
- A service permit expires **5 years** from the date of the server education class.
- A service permit must be renewed every **5 years**. Renewing a service permit is the same process as applying for a new one. The server must retake server education.

## **THE LAW, YOU, AND VISIBLY INTOXICATED PERSONS**

***What does "visibly intoxicated" mean?*** Visible intoxication is intoxication you can see. If you can tell on sight that a person has been drinking or using other drugs, the person is visibly intoxicated.

***What does the law say is my responsibility regarding visibly intoxicated persons?*** It is against the law to serve or sell alcohol to a visibly intoxicated person. The law says that you shall not "knowingly allow" a person to drink or ***continue to drink*** alcohol after you have observed that the person is visibly intoxicated. This means: **FIRST**, do not sell alcohol or serve an alcoholic drink to a visibly intoxicated person. **SECOND**, if a customer is in the middle of a drink and begins to show signs of visible intoxication, you must remove the drink or at least attempt to remove it.

***What do you mean when you say I have to remove the drink?*** The law says you must make a ***good faith effort*** to remove the drink. The law defines this as: ***Placing your hand on the drink and trying to remove it, or, if you have reason to believe that touching the patron's drink could cause a disturbance, you must make a verbal request for the drink.***

***What if I try and fail?*** If you make a good faith effort, there is no violation, even if you are unsuccessful in removing the drink. If you have not made a good faith effort, as defined by the law, you will need to make that effort or you will be in violation.

***What if I made a good faith effort and an Inspector comes in and the patron is still drinking?*** You need to tell the Inspector that you have made a good faith effort and what you did to make that effort. The Inspector must prove that you did not make a good faith effort in order for there to be a violation. In the absence of other evidence, the Inspector will take your word. The Inspector may ask you to try again. Our goal is to get the drink away from the visibly intoxicated person.

***What if I cut someone off and take his drink, but another customer gives him another drink?*** If you see a patron with another drink after you cut him off, you need to immediately try again to get that drink away from him. You may wish to find out how the patron got the drink, so that you can take steps to avoid the patron getting another drink. A customer who provides alcoholic liquor to a visibly intoxicated person may be criminally and civilly liable for his action.

***What will happen to me if I allow a visibly intoxicated person to continue to drink alcohol?*** You could be fined and your license or service permit suspended. Repeated violations could lead to

the cancellation of your license or service permit. In addition, you could be held liable in a third party liability law suit if the visibly intoxicated person injures another person or damages someone else's property.

## **Marijuana Use**

No licensee or permittee will permit the use, consumption, ingestion, or inhalation of marijuana items as defined in ORS 475B.015 and OAR 845-025-1015 on a premises licensed to sell or serve alcoholic beverages. Violation of this section is a Category III violation.

### **CBD**

CBD is a type of Cannabidiol and is a cannabis compound. It does not appear to have psychoactive effects such as those caused by THC (tetrahydrocannabinol). CBD can be extracted and separated from marijuana plants or industrial hemp. CBD like properties can also be found in plants such as flax seeds and lichens.

### **CAN I HAVE CBD PRODUCTS ON MY PREMISES AS A RETAIL LIQUOR LICENSEE?**

If the CBD is extracted from a marijuana plant or the industrial hemp CBD product was produced on a premises with a recreational marijuana license then the CBD product must be sold at a recreational marijuana licensed premises. CBD products extracted from industrial hemp, not produced at a recreational marijuana licensed premises, may be sold by a retail liquor licensee.

### **HOW DOES A LIQUOR LICENSEE KNOW IF THE CBD IS FROM INDUSTRIAL HEMP OR MARIJUANA?**

Products produced by a recreational marijuana licensee must include a Universal Symbol for marijuana on their products. A liquor licensee can ask the product vendor for laboratory testing results of the product to show the ingredients and percent of ingredients in each product.

### **WHAT HAPPENS IF A LIQUOR LICENSEE SELLS OR ALLOWS THE CONSUMPTION OF A CBD PRODUCT DERIVED FROM MARIJUANA OR SOURCED FROM A RECREATIONAL MARIJUANA LICENSEE ON A LIQUOR LICENSED PREMISES?**

This may result in a violation. See the administrative rules listed below:

- Oregon Administrative Rule 845-006-0345(13) states, Marijuana Use. No licensee or permittee will permit the use, consumption, ingestion, or inhalation of marijuana items as defined in ORS 475B.015 and OAR 845-025-1015 on a premises licensed to sell or serve alcoholic beverages.
- Oregon Administrative Rule 845-006-0347(3)(a) states, Unlawful Activity: No licensee or permittee will permit any unlawful activity on the licensed premises or in areas the licensee controls that are adjacent to or outside the premises. Unlawful activity includes any activity that violates a criminal statute.

# KEEPING AN INCIDENT LOG

The OLCC encourages you to keep an Incident Log. Examples of when you should complete a log include anytime you or your employees intervene to prevent or stop patron conduct such as:

- Refusing someone alcohol service
- Cutting someone off or removing a drink
- Arranging safe transportation home for someone who appears intoxicated
- Stopping an argument, fight, or assault
- Stopping other illegal activities
- Asking a noisy patron to be quiet as they leave or drive away

Other activities to put in your log include whenever an incident is reported to the police or OLCC, whenever you receive a complaint from a neighbor, or any other time you think it necessary.

Sometimes complaints, investigations, or lawsuits do not surface until weeks, months, or years after the incident occurred. Gathering complete and accurate information immediately after an incident is one of the best ways to document how you and your employees handled the problem.

Be sure your employees are instructed on the importance of filling out incident logs. Keep completed forms in a safe place and retain them for at least 5 years.

## 50 SIGNS OF VISIBLE INTOXICATION

Serving alcohol to a **Visibly Intoxicated Person** (or VIP) is against the law. Visible intoxication is intoxication that other people can see. If you can tell on sight that a person has been drinking or using other drugs, the person is visibly intoxicated.

Here are some of the signs of visible intoxication. If a person shows just one or two of these signs, it does not necessarily mean the person is intoxicated. But if a person shows a combination of several of these signs, that could be a strong indication that the person is intoxicated.

***If you are not sure, DON'T SERVE.***

- |  |  |
|--|--|
| 1. Slurred Speech                            | 26. Drowsiness                             |
| 2. Swaying, staggering, or stumbling         | 27. Drinking alone                         |
| 3. Unable to sit straight                    | 28. Lack of focus and eye contact          |
| 4. Bloodshot, glassy eyes                    | 29. Bravado, boasting                      |
| 5. Loud, noisy speech                        | 30. Difficulty remembering                 |
| 6. Speaking loudly, then quietly             | 31. Rambling train of thought              |
| 7. Drinking too fast                         | 32. Slow response to questions or comments |
| 8. Ordering doubles                          | 33. Spilling drinks                        |
| 9. Careless with money                       | 34. Trouble making change                  |
| 10. Buying rounds for strangers or the house | 35. Difficulty handling money              |
| 11. Annoying other guests and employees      | 36. Difficulty lighting cigarettes         |
| 12. Complaining about prices                 | 37. Lighting more than one cigarette       |
| 13. Complaining about drink strength or      | 38. Letting cigarette burn without smoking |

- preparation
14. argumentative
  15. Aggressive or belligerent
  16. Obnoxious or mean
  17. Making inappropriate comments about others
  18. Crude behavior
  19. Inappropriate sexual advances
  20. Foul language
  21. Making irrational statements
  22. Depressed or sullen
  23. Crying or moody
  24. Extreme or sudden change in behavior
  25. Overly animated or entertaining

39. Clumsy
40. Difficulty standing up
41. Unusual walk
42. Boisterous
43. Bumping into things
44. Falling off of chair
45. Falling asleep
46. Can't find mouth with glass
47. Falling down
48. Mussed hair
49. Disheveled clothing
50. Overly friendly to other guests or employees

## OREGON LIQUOR CONTROL COMMISSION OFFICES

When the address of the licensed premises is in the following county:	Contact this OLCC office
Clackamas, Hood River, Multnomah, Washington	Portland Main Office. 503-872-5000 PO Box 22297, Milwaukie, Or 97269-2297
Crook, Deschutes, Grant, Harney, Jefferson, Wheeler	Bend. 541-388-6292 336 SW Cyber Dr., Suite 104, Bend, Or 97702
Coos, Curry	Coos Bay. 541-266-7601 500 Central, Coos Bay, Or 97420 Mail: PO Box 1176, Coos Bay, Or 97420
Benton, Linn	Corvallis. 541-753-0107 260 SW Madison Ave #109, Corvallis, Or 97333
Lane	Eugene. 541-686-7739 1400 Executive Parkway #410, Eugene, Or 97401
Klamath, Lake	Klamath Falls. 541-883-5600 735 Commercial #7000, Klamath Falls, Or 97601
Jackson, Josephine	Medford. 541-776-6191 855 Medford Center Dr, Bld H, Medford, Or 97504
Lincoln	Newport. 541-265-4522 715 SW Fall St, Newport, Or 97365
Baker, Gilliam, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco	Pendleton. 541-276-7841 750 SE Emigrant #140, Pendleton, Or 97801
Douglas	Roseburg. 541-957-2020 Douglas Co. Courthouse, 1036 SE Douglas Ave #203, Roseburg 97470
Columbia, Marion, Polk, Yamhill	Salem. 503-378-4871 200 Hawthorne Ave SE #B-210, Salem, Or 97301
Clatsop, Tillamook	Warrenton. 503-861-3912 1190 SE 19 <sup>th</sup> St #108, Warrenton, Or 97146 Mail: PO Box 220, Warrenton, Or 97146



# Marijuana-Infused Alcoholic Beverages

The OLCC may refuse to sell, or may prohibit any licensee from selling, any brand of alcoholic liquor which in its judgment contains adulterated ingredients, according to ORS 471.446(2).

Adding marijuana or marijuana items to alcoholic beverages adulterates the product. Therefore, unless allowed under the following exception, marijuana-infused alcoholic beverages are prohibited in Oregon.

## **Industrial Hemp Exception**

Despite the prohibition, industrial hemp as that term is defined in ORS 571.300 may be added to alcoholic beverages provided at a minimum all of the following are met:

The formula has been approved by the U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) in accordance with the Hemp Policy dated April 3, 2010. This policy requires an alcohol manufacturer to submit to the TTB a formula/statement of process and a lab analysis of the hemp component. According to the TTB, an approved formula for an alcoholic beverage containing hemp or a hemp component will be qualified by the TTB as follows:

- Finished product cannot contain a controlled substance.
- Hemp components must be tested in the U.S. for controlled substances each time it is imported and results must be maintained on the premises for inspections.
- A detailed description of the method of analysis used by the U.S. lab to test for controlled substance must be maintained at the premises.

All alcoholic beverage labels must comply with any TTB requirements.

Prior to the hemp-infused alcoholic beverage being manufactured in Oregon, imported into Oregon, or sold in Oregon, the OLCC licensee must:

- Provide proof to the OLCC that it has met both the TTB formula and labeling requirements (if any); and
- Receive approval from the OLCC. Please contact Kelly Routt at 503-872-5007 or [kelly.routt@oregon.gov](mailto:kelly.routt@oregon.gov).

For more information contact the OLCC:  
Phone: (503) 872-6366 Email: [info@oregon.gov](mailto:info@oregon.gov)

**NO**  
**SMOKING OR CONSUMPTION**  
**OF MARIJUANA**

**is allowed in or at a**  
**PUBLIC PLACE**

**ANY BUSINESS WITH A LIQUOR LICENSE**  
**IS CONSIDERED A PUBLIC PLACE**

**PUBLIC PLACE IS DEFINED AS A GENERAL PLACE**  
**WHERE THE PUBLIC HAS ACCESS**



[www.whatslegaloregon.com](http://www.whatslegaloregon.com)



# GOOD FAITH EFFORT

*Oregon law says that you must make a good faith effort to remove a drink from a visibly intoxicated person.*

"Good faith effort" means:

1. **Placing your hand**

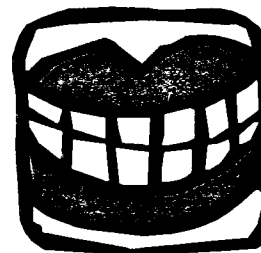
on the drink and trying to remove it

or



2. **Making a verbal request**

for the drink if you think that touching the drink could cause a disturbance.



ORS 471.412 (2)  
OAR 845-006-0345 (9)







# ACCEPTABLE ID FOR ALCOHOL

Under Oregon Law only the following forms of identification are acceptable alone as proof of age when purchasing alcohol items:

1. An unexpired and unaltered U.S. state or District of Columbia driver license.
2. An unexpired and unaltered identification card issued by a U.S. state, District of Columbia, Puerto Rico, Guam, Northern Mariana Islands, United States Virgin Islands, or American Samoa, with photo, name, date of birth, and physical description.
3. An unexpired and unaltered ID card issued by a federally recognized Indian tribe with photo, name, physical description, and date of birth.
4. An unexpired and unaltered passport or passport card.
5. An unexpired and unaltered U.S. military ID card.

ORS 471.130 and OAR 845-006-0335(1)(d)

Only the identification listed above are acceptable alone as proof of age. Following are examples of identification that **ARE NOT** acceptable alone as proof of age:

- NEXUS card
- SENTRI card
- Green card
- FAST card
- Prison ID card
- Gun or Firearms permit, including a permit which allows the carrier to carry a weapon in public in a concealed manner
- IDNYC card (New York City Identification card)
- Social Security card
- Pilot's license
- Veteran Health Identification card
- Student ID cards

# Attention!

*It is a violation  
of the law*

to serve alcoholic  
beverages to visibly  
intoxicated persons

or

persons under 21  
years of age



OREGON LIQUOR  
CONTROL COMMISSION  
*Promoting Responsible Alcohol Sales and Service*