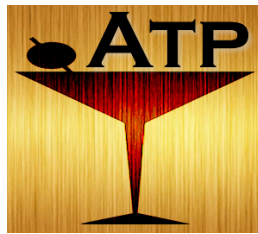




*Alcohol Education Program*  
ALCOHOL SERVER EDUCATION



# Online Training Manual

December 2010

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## Glossary

*Specialized terms used in this workbook and their meanings:*

**Absorption:** The way alcohol enters the bloodstream. Alcohol is absorbed into the blood through the stomach and small intestine.

**Addiction:** Physical dependence upon a drug, characterized by withdrawal symptoms in the absence of the drug.

**Alcohol:** 1. A liquid or solid containing more than one-half of one percent alcohol by volume capable of being consumed by a human being. [See ORS 471.001(1)]. 2. A toxic drug; a depressant that slows activity in the central nervous system, resulting in impaired mental and physical performance.

**Alcoholism:** An addiction to alcohol. A chronic, progressive, treatable disease characterized by a person's inability to control or stop drinking alcohol. "Denial" that alcohol interferes with a person's physical, psychological or social problems is common.

**Alternative ID:** Identification that does not stand alone; is always 1) a descriptive piece, which must include the person's name, address, date of birth, physical description or photo, and signature; 2) a supportive piece which further proves the person's identity; and 3) an appropriately completed OLCC statement of age card.

**BAC:** Blood Alcohol Content. The amount of alcohol in the blood, determined by the percentage of alcohol in relation to other blood components. For example, .08% BAC means there are eight parts of alcohol per 10,000 parts of blood. (Also Breath Alcohol Content. Many law enforcement agencies use breath tests to determine a person's alcohol content.)

**Binge:** Having 5 or more drinks at one sitting.

**Blackout:** A period of amnesia or loss of memory while intoxicated.

**Central nervous system (CNS):** The brain and the spinal cord, which collect, process and transmit information.

**Cider:** An alcoholic beverage made from the fermentation of the juice of apples or pears that contains not more than 10 percent of alcohol by volume. [See ORS 471.001(10).]

**Delirium Tremens (DTs):** A violent mental disturbance, characterized by confusion, disordered speech, and hallucinations, with tremors that is induced by withdrawal from excessive and prolonged use of alcohol.

**Dependence:** The physical or psychological need for a drug, resulting from continuous use characterized by physical or mental withdrawal in the absence of the drug.

**Depressant:** A chemical that slows down the processes of the central nervous system.

**Designated driver:** A person chosen to be the driver for others who are consuming alcohol. A designated driver does not drink alcohol to ensure that everyone in the group gets home safely.

**Detoxification:** The act of removing a poison or toxin, such as alcohol, and its effect from the body. The **liver** is the human body's detoxification organ.

**Diagnose:** Determine an illness from the signs and symptoms a patient exhibits.

**Distilled spirits:** Alcoholic beverages made by distilling the product of fermented grains, fruits, and vegetables. Alcohol content is 40 to 50% or 80 to 100 proof. Commonly called "hard liquor."

**Drink equivalency:** There is the same amount of ethyl alcohol in a 12 ounce bottle of beer, a 5 ounce glass of wine, and 1-1/2 ounces of 80 proof equivalent.

**Drug:** A chemical substance that produces a physical, mental, emotional, or behavioral change in the user.

**DUII:** Driving Under the Influence of Intoxicants. In Oregon, the legal standard for DUII is a BAC of .08%. In other words, a person is presumed guilty of DUII if their BAC is .08% or greater. DUII includes being under the influence of alcohol and/or other drugs.

**Ethyl alcohol:** The alcohol in beverages. The only alcohol that can be consumed without causing severe immediate physical damage.

**Good faith effort:** Placing your hand on the drink and trying to remove it. If touching the drink may cause a disturbance, then good faith effort means making a verbal request for the drink.

**Hospitality industry:** Restaurants, hotels, and other businesses that provide food, lodging, and other services.

**House duty or house policy:** Rules that the owners or managers of a business set for their employees that are equal to or stricter than legal duties.

**Impairment:** A decrease in physical and mental abilities.

**Implied consent law:** Says that anyone who drives on Oregon's roads has given their consent to submit to a BAC test upon request of the police. If the person refuses the test, they automatically lose driving privileges for a minimum period of one year. In some instances, a blood or urine test may be requested: (1) if a person is involved in a vehicle or property accident, the hospital may draw blood, or (2) if the BAC is low and the person is showing impaired signs, urine may be requested.

**Incident log:** A daily record of any events occurring in an establishment kept by the licensed premises.

**Intervention:** The alcohol server's legal and professional responsibility to control and limit the customer's consumption of alcohol to prevent: drinking to intoxication, or visibly intoxicated persons from continuing to consume alcohol, or minors from drinking alcohol, or intoxicated persons from driving.

**Intoxication:** The condition of physical and mental impairment resulting from consumption of alcohol or other drugs, legal or illegal.

**Intoxicant:** Anything that produces intoxication, including but not limited to alcohol and other legal drugs, illegal drugs, and household chemicals.

**Legal duty:** A duty the law requires a person to perform.

**Liability:** Responsibility.

**Licensee:** A person or entity granted the privilege of selling alcoholic beverages.

**Liquor license:** The official approval of the OLCC for a person or entity to manufacture, distribute, take orders for, and sell sprints, wines, beer, and other alcoholic liquors.

**Liver:** The organ in the human body that detoxifies alcohol.

**Malt beverage:** An alcoholic beverage made by the fermentation of grain with an alcohol content up to 14%. Includes beer, ale, porter, stout, etc. [See ORS 471.001(6)].

**Metabolization:** The chemical process of breaking down a substance, such as alcohol, in the body.

**Minimum food service:** A requirement that Full On-Premises Sales licenses have food available at all times when alcohol is served. The specific requirements depend on the type of operation. For commercial establishments open to the general public, the requirement is 5 different substantial items (such as sandwiches, pizza, soup, or sausages) available any time regular meals are not served.

**Minor:** In Oregon, any person younger than 21 years of age.

**Oxidation:** The process by which the body burns alcohol for elimination. The liver oxidizes 90% of alcohol, at a rate equal to about one average drink per hour.

**Permittee:** An alcohol server approved by the Oregon Liquor Control Commission. Any person employed by a licensee who participates in the mixing, selling, or service of alcoholic liquor for consumption on the premises. (A permittee applicant is a person who has completed a service permit application and immediately transmits the application and fee to the Oregon Liquor Control Commission at the end of the first day worked).

**Premises:** An establishment's building and grounds, including parking lots.

**Problem drinker:** A person who uses alcohol to the extent that it causes problems such as a DUI, marital/relationship problems, difficulty on the job, or other negative consequences. A person may or may not be physically dependent/addicted to alcohol.

**Professional duty:** Duties a server chooses to perform because he or she wants to do more than legal duties to protect customers, himself or herself, and society in general.

**Proof:** The alcohol content of a distilled liquor. Equal to 2 times the percentage of alcohol. For example, 100 proof equals 50% alcohol content.

**Provider:** A business certified by the OLCC to offer, or provide, alcohol server education classes.

**Responsible alcohol service:** The legal and professional responsibility of alcohol servers to consistently take care that customers do not drink to intoxication, allow minors in possession of alcohol, intoxicated customers are not served and do not drive.

**Stimulants:** Chemicals that speed up the processes of the central nervous system. Sometimes called "uppers."

**Third party liability:** A law that allows a victim to sue a server or licensee or a social host for damages and injuries resulting from the actions of a customer. In Oregon, third party liability applies when the server or licensee violates the law by serving a minor or a visibly intoxicated person. The first party is the licensee/server, the second party is the



customer, and third party is the victim.

**Tolerance:** The condition when a drug user requires increasingly larger amounts of the drug to produce the same effect. A change in the system of the user, developing with prolonged or increased use of a drug. (Remember, alcohol is a drug.)

**Toxic:** Poisonous; causing death, harm, or impairment.

**Tranquilizers:** Depressant drugs that slow down the central nervous system. Also known as “downers.” Used in combination with alcohol, the depressant effects of both drugs are intensified, sometimes resulting in coma or death.

**Visible intoxication:** Intoxication others can observe. The standard used by alcohol servers to determine if a customer is intoxicated.

**Wine:** An alcoholic beverage made from grape or fruit juices. The alcohol content is more than one half of one percent by volume and not more than 21% of alcohol by volume. [See ORS 471.001(10).]

**Withdrawal:** The physical effects of the absence of a drug, such as alcohol, to which an individual is addicted. Symptoms include vomiting, tremors, sweating, insomnia, and convulsions.

*Unit 1*  
**Responsible Alcohol Service and  
Oregon's Alcohol Server Education Program**

**Learning & Behavioral Objectives**

**TOPIC:** Responsible alcohol service and Oregon's ASE Program

**OBJECTIVE:** Demonstrate knowledge and understanding in the following areas:

1. Alcohol abuse is the nation's number 1 drug problem
2. Alcohol abuse statistics illustrate the impact of the problem in Oregon and across the nation
3. Oregon's mandatory server education program was initiated by the hospitality industry to promote responsible alcohol consumption through responsible alcohol service
4. Responsible alcohol service contributes to public safety by helping reduce the number of intoxicated drivers and the incidence of underage drinking
5. Definitions and examples of legal, house, and professional duties
6. Who must take server education and have a service permit
7. Servers must have their permits available for immediate inspection when they are on duty
8. How to obtain a service permit
9. The OLCC's role in regulating and promoting responsible alcohol service

**ASSESSMENT:** Correctly answer direct questions, and unit review questions

*Unit 1*  
**Responsible Alcohol Service and  
Oregon's Alcohol Server Education Program**

**The Course**

This training manual was written in part by the Oregon Liquor Control Commission (OLCC) and The Academy of Training and Prevention (ATP) to provide liquor licensees and service permittees with an understanding of the following objectives that the state legislature set for the Alcohol Server Education program:

- Oregon's Alcohol Server Education law.
- Alcohol as a drug and its effects on the body and behavior, especially driving ability.
- Drunk driving laws and liquor liability statutes.
- Oregon alcohol sales and service laws.
- Effective alcohol server intervention techniques.
- Advertising and marketing for safe and responsible alcohol service and consumption.
- Effects of alcohol in combination with commonly used legal and illegal drugs.
- Recognizing alcohol dependence and where to get help.

***As an alcohol server, you have a key role in preventing underage drinking and drunk driving, so a principal goal of this class is to give you hands-on practice in checking ID and stopping service to intoxicated persons.***

The OLCC does not teach server education classes but certifies private providers such as ATP and their instructors to teach them.

The fee you pay to ATP for this class is separate from the \$23 service permit application fee you pay to the OLCC. Anyone needing to find out about the time and location of an Alcohol Server Education class or the availability of online courses should contact ATP at 877-291-8559.

**If you have questions, comments, or complaints about this class or the program, please call the OLCC directly.** The telephone numbers for the main office is 800-452-6522.

This training manual presents the information required by law to meet the objectives of the Alcohol Server Education program. The state examination which you must pass before you can receive your service permit is based on this training manual.

- **All students must attend or complete the entire course before they can take the exam.**
- **Students must not drink alcoholic beverages or be under the influence of other intoxicants during the course presentation or exam, including any breaks.**

**You are presented with this workbook as part of the course. The workbook is yours to keep and use as a reference on-the-job.** We encourage you to take notes in the workbook to help you fully understand the material.

## **The OLCC**

The Oregon Liquor Control Commission is the state agency regulating the manufacture, sale, and use of alcoholic beverages. It issues liquor licenses and service permits, and it oversees the Alcohol Server Education program. The OLCC is charged with enforcing liquor laws.

The OLCC is responsible for ensuring that liquor licensees and service permittees understand and obey liquor laws. OLCC employees work in cooperation with licensees and service permittees to help them conduct business in compliance with the law. OLCC inspectors monitor the sale and service of alcohol. They can issue administrative tickets and criminal citations to licensees, servers, and customers who violate the law.

As part of its education responsibilities, the OLCC administers the Alcohol Server Education program. It sets standards for the program, certifies providers and instructors, and approves courses. OLCC employees monitor the classes, online courses, and evaluate the instructors to ensure that they are accurate, consistent, and effective.

***Extra Information!*** Oregon is a **liquor control state** (like its neighbors Washington and Idaho). In liquor control states, the state rather than private businesses sells packaged distilled spirits. Through its liquor stores, the OLCC raises about \$139 million in revenue each year for state and local governments. In Oregon, private businesses sell packaged beer and wine and serve beer, wine, and hard liquor by the drink.

*Five Oregon citizens are appointed by the Governor to serve, without pay, as **OLCC Commissioners**. They grant, refuse, or cancel liquor licenses and service permits, approve liquor products for sale in Oregon, adopt rules and set policies for the sale and service of alcohol, and act on liquor law violations.*

***Oregon Revised Statutes (ORS)** are the laws passed by the legislature. **Oregon Administrative Rules (OAR)** are adopted by the OLCC to interpret and implement the statutes passed by the legislature. Both statutes and rules have the force of law, and both are updated frequently. Owners and servers with questions about liquor laws should contact their local OLCC office.*

## **The Problem**

Responsible drinking is an accepted social practice in the United States. Irresponsible drinking, such as drinking to excess or drinking and driving, is not. Our society is no longer willing to accept the damages, problems, and costs resulting from irresponsible alcohol consumption.

***Alcohol abuse is the nation's #1 drug problem.***

It is a major factor in crashes, drownings, industrial accidents, and serious crimes including murder, suicide, assault, rape and domestic abuse.

- **Alcohol-related crashes are the leading cause of death among teenagers and young adults.**
- **Misuse of alcohol costs the nation about \$148 billion each year—or roughly \$17 million each hour.**
- **In Oregon, the cost to taxpayers of alcohol-related injuries and fatalities is over \$1 billion a year—or more than \$100,000 an hour.**

Think what we could do to fix the ills of our state and this country if we could use that money on other things.

People who drive impaired are dangerous killers. Each year, 10,000 Oregonians are seriously injured and approximately 200 are killed because of alcohol-impaired drivers. They kill and injure more people than all other violent criminals put together. The cost in human suffering is incalculable.

**One in  
in the  
States is**

**10 drinkers  
United  
an alcoholic.**

This statistic is made more significant when you consider that over 3 in 10 people in the United States don't drink alcohol at all. A person with one or both alcoholic parents has a much greater chance of becoming an alcoholic than does someone with non-drinking parents. But he or she still has *a 1 in 6 chance of becoming an alcoholic even if the parents do not drink!*

### **The Solution**

There is hope, however. Over ten years ago, more than 25,000 Americans were dying each year in alcohol-related crashes. That number is now down to about 17,000 due to a number of factors, such as changing attitudes about drinking and driving, lower legal BAC limits, and increased use of seat belts. One of those factors is that more and more states are requiring alcohol server education programs such as this one. **Responsible alcohol service promotes responsible drinking.**

Servers and establishments can be held liable for damages if they break the law, most commonly by serving alcohol to a visibly intoxicated person (VIP) or to a minor. The goals of the OLCC's Alcohol Server Education Program are to help you in your job as an alcohol server to realize your ability to:

- 1) positively influence social behavior,
- 2) reduce the number of intoxicated drivers, and
- 3) reduce the deaths, injuries, damages, societal problems, and costs resulting from the misuse of alcohol.

Oregon was the first state with a mandatory Alcohol Server Education program. The idea for the program did not come from the OLCC, but came from the **hospitality industry**, which requested the alcohol server education law to protect alcohol servers, establishments, and society in general from the problems associated with using alcohol inappropriately. The idea behind the law is to teach alcohol servers to learn about liquor laws and to serve alcohol responsibly.

Alcohol servers are in a position of public trust to dispense a drug that we have seen can have deadly results when used inappropriately. Servers who are trained in responsible alcohol service can significantly reduce the number of intoxicated drivers and resulting lawsuits that can affect the server's and owner's finances for years.

## **Three Kinds of Duties**

To serve alcohol responsibly, you must learn about and practice legal, house, and professional duties:

**Legal duties** are duties which the law *requires* you to perform. All servers and licensees must follow legal duties. An example of a legal duty is refusing to serve alcohol to a visibly intoxicated person. Name another legal duty:

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**House duties** or house policies are set by the place of business and are equal to or stricter than legal duties. All employees of the business are expected to follow house duties. Servers must talk with their owner or manager to find out their house duties. An example of a house duty is not serving doubles. It is not illegal to serve a double, but the establishment has decided it is important to not put that much alcohol in front of a customer at one time. Other examples of house duties are not stacking drinks, discouraging servers from pushing drinks, using a daily incident log, etc. Name another house duty:

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**Professional duties** are duties which you *choose* to perform because you want to do more than your legal duties in order to protect your customers, yourself, and society in general. Individuals follow the professional duties they set for themselves. An example of a professional duty is stopping an intoxicated person who intends to drive a car. Name another professional duty:

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Alcohol Server Education ensures alcohol servers and their employers understand the laws of serving alcohol. Training in responsible alcohol service helps give you the skills to perform your legal, professional, and house duties. Responsible alcohol service benefits the hospitality industry, its customers, and our society.

## Service Permits

**Anyone who mixes, sells, or serves alcohol in any manner for drinking on the premises, and anyone who manages these people, must have a valid liquor license or service permit.**

Managers must obtain a permit *even if* they themselves don't mix, sell, or serve. Cashiers and hosts and hostesses must also obtain a permit, even if ringing up the sale of alcohol is their only alcohol service duty. (Host and hostesses who only greet and seat customers do not need a service permit. But without a service permit, they may not collect money for alcohol, ring up alcohol sales, or help servers deliver or pour alcohol.) Persons who perform these duties at a licensed establishment must obtain a service permit even if they are volunteers. (Servers at some special events holding Temporary Sales licenses are not required to obtain a service permit. See OAR 845-005-0440 for details.)

A **service permittee** is any person who has been granted a service permit. Service permits are good for five years and may be used at any licensed premises in the state. A service permit is the server's permit to serve alcohol and belongs to the permittee. It does not belong to the employer. Permittees are responsible for informing the OLCC when they change their name or address.

**The law says service permittees must make their service permits “available at any time while on duty for immediate inspection” by any OLCC regulatory employee or police officer.** It's best to have your permit on you when you're working. If your permit is in your wallet in the employee room and you can produce it immediately, you would be complying with the law. But if you leave your permit at home or at another restaurant where you work, it would not be available for “immediate inspection” and you would not be complying with the law.

You must be at least 18 years old to obtain a service permit. (Permittees ages 18 through 20 are called *minor service permittees*.)





## **Licensees and Server Education**

A **liquor licensee** is any person or legal entity granted the privilege of selling alcoholic beverages.

Licensees who are granted a liquor license in their individual name do not need a service permit to mix, sell, serve, or manage at their place of business. Their liquor license is also their service permit. However, licensees, like service permittees, must pass a server education course before they are issued a liquor license.

Liquor licensees must take server education if they hold a license that allows the sale and service of alcohol for on-premises consumption. This includes the following licenses:

- Full On-Premises Sales
- Limited On-Premises Sales
- Brewery-Public House
- Winery\*
- Brewery\*

\* Licensees holding these licenses may be exempted from server education if their business does not serve alcohol for on-premises consumption.

If a corporation or other legal entity (such as a limited liability company or a limited partnership) is the licensee, a designated person must take server education on behalf of the liquor license. Any member of the corporation or other legal entity who participates in the mixing, serving, or selling of alcohol for consumption on the premises—or who manages employees who do—must have a service permit.

## **Licensee Responsibility for Service Permits**

***Licensees are responsible for verifying that their alcohol servers either have a service permit or have applied for one before allowing them to mix, sell, or serve alcohol.***

Licensees must also **verify the age and identity** of the person who shows the permit or pending application. If the person does not have a permit or pending application, the licensee must have the person complete an application and verify the person's age and identity before allowing them to mix, sell, or serve alcohol. Licensees are then responsible for mailing the application to the OLCC by the end of the next business day.



## Unit 1 Review

Choose just one answer.

1. Which statement is true?
  - A) Alcohol abuse is the nation's #1 drug problem.
  - B) One in 10 drinkers in the United States is an alcoholic.
  - C) Approximately 17,000 Americans die each year in alcohol-related crashes.
  - D) All of the above.
  
2. The Alcohol Server Education Program is designed to:
  - A) diagnose alcoholism.
  - B) reduce the number of intoxicated drivers and accidents and injuries which are alcohol-related.
  - C) dispense non-alcoholic drugs.
  - D) enforce driving laws.
  
3. The idea for the Alcohol Server Education program came from:
  - A) the OLCC.
  - B) customers.
  - C) the hospitality industry.
  - D) the Oregon legislature.
  
4. Who is required by law to have a service permit?
  - A) Security guards.
  - B) Cooks.
  - C) Anyone who mixes, serves, or sells alcohol in any manner for drinking on the premises and anyone who manages these employees.
  - D) All of the above.
  
5. Legal duties are:
  - A) duties you choose to perform to protect your customers, yourself, and your community.
  - B) duties the law requires you to perform.
  - C) duties set by your place of business.
  - D) none of the above.

*Unit 2*  
**Alcohol the Drug**

Learning & Behavioral Objectives

**TOPIC:** Alcohol the drug

**OBJECTIVE:** Demonstrate knowledge and understanding of the following information:

1. Alcohol is a depressant drug which depresses the central nervous system
2. Alcohol is absorbed almost immediately
3. The liver breaks down alcohol at a rate of approximately one drink per hour
4. Intoxication results from drinking alcohol faster than the body can metabolize it
5. Time is the only factor that reduces intoxication
6. Alcohol and many other legal and illegal drugs impair the functions needed for safe driving
7. Effects of alcohol on the body
8. It is not illegal for a pregnant woman to consume alcohol and it is not illegal to serve her. Refusing service based on pregnancy may violate discrimination laws
9. Mixing alcohol with other drugs can intensify that drug's effect producing dangerous side effects
10. One in 10 drinkers is an alcoholic
11. Basic characteristics of alcoholism and problem drinkers, especially increased tolerance

**ASSESSMENT:** Correctly answer direct questions and unit review questions

**RESOURCES:** ASE Model Curriculum  
ASE Model Student Workbook

## *Unit 2*

# Alcohol the Drug

### **What is Alcohol?**

So what is alcohol? Alcohol is a **drug**. It's a legal drug, but it is nevertheless a drug. It produces intoxication and impairment by depressing mental and physical functions of the central nervous system (CNS). Alcohol **impairs** the thoughts and actions of the drinker.

The alcohol in drinks is ethyl alcohol. In addition to being a drug, it is a food with calories: 150 calories in 12 ounces of regular beer, 100 calories in 5 ounces of wine, and 100 calories in 1-1/2 ounces of 80-proof distilled spirits. It has few or no nutrients.

Alcohol has effects that are harmful when consumed in excess. These effects of alcohol may alter judgment and lead to dependency and a great many other serious health problems. Alcoholic beverages have been used to enhance the enjoyment of meals by many societies throughout human history. If adults choose to drink alcoholic beverages, the U.S. Department of Agriculture's latest dietary guidelines suggest they should consume them only in moderation.

### **Extra Information! What is Moderation?**

*The U.S. Department of Agriculture defines moderation as no more than one drink per day for women and no more than two drinks per day for men. But what counts as one drink? Is a Long Island ice tea one drink? It is served in one container, but since it usually contains more than 1-1/2 ounces of 80-proof distilled spirits, it **is more** than one drink. We will discuss drink equivalency in more detail shortly.*

*Current evidence suggests that moderate drinking is associated with a lower risk for coronary heart disease in some individuals. However, higher levels of alcohol intake raise the risk for high blood pressure, stroke, heart disease, certain cancers, accidents, violence, suicides, birth defects, and overall mortality (deaths). Too much alcohol may cause cirrhosis of the liver, inflammation of the pancreas, and damage to the brain and heart. Heavy drinkers are also at risk of malnutrition because alcohol contains calories that may substitute for those in more nutritious foods.*

## Alcohol in the Body

**Alcohol is absorbed into the bloodstream almost immediately after it is consumed.** Once in the blood, alcohol quickly reaches all parts of the body.

The **liver** is the body's detoxification organ. It breaks down or metabolizes alcohol.

***In a healthy person, the liver metabolizes about one average drink per hour.***

**Intoxication and impairment occur when a person drinks alcohol faster than the liver can break it down.** Mental and physical functions are impaired as the amount of alcohol in the blood rises.

Coffee and food are commonly believed to reduce intoxication. They actually have no effect on intoxication other than providing time when the drinker is not consuming alcohol. **Time is the only factor that reduces intoxication.**

## Blood Alcohol Content (BAC)

The amount of alcohol in the blood is measured by the **blood alcohol content**, or BAC. BAC expresses the percentage of alcohol in relation to other blood components. For example, a .08% BAC means there are eight parts of alcohol per 10,000 parts of blood.

BAC is determined by chemical analysis of the blood, breath, or urine. BAC is the legal standard police and courts use to determine levels of intoxication. In Oregon, it is illegal to drive with a BAC of .08% or greater. As you will see, it doesn't take very much alcohol in the blood to seriously affect someone's body and behavior.

## Alcohol and the Brain

Alcohol affects the way the brain works by impairing mental and physical functions. Impairment increases as the amount of alcohol in the blood, or BAC, rises.

Different areas of the brain control different behaviors. As alcohol affects the major areas of the brain, the behaviors those areas control are affected. Judgment is one of the first behaviors affected.

*Table 1*

**SAMPLE IMPAIRMENT**

For an average, healthy 160 pound person drinking for one hour.

<b># of Drinks</b>	<b>Approximate BAC</b>	<b>Impairment</b>
1	.03%	Inhibitions, Judgment, Thought
3	.07%	Reaction time, Movement, Coordination
4	.09%	Over the legal BAC limit in Oregon
5	.12%	Vision, Speech, Balance
8	.19%	Walking, Standing
15	.38%	Unconsciousness

At BACs of .40% and above, hospitalization is probable and **death is imminent**.

Alcohol suppresses inhibitions, so at first it seems to act like a stimulant. As the depressant effect takes over, however, it slows reflexes, depresses respiration and heart rate, and disrupts reasoning and judgment. Alcohol can cause violence by lowering inhibitions in people with a tendency to violence.

**Drugs and Impaired Driving**

**Alcohol impairs the mental and physical functions needed to drive safely.** As little as one drink impairs judgment, thought, and inhibitions, all of which are required for safe driving. As drinking continues, reaction time, movement, and coordination become increasingly impaired. Would you want you or your children or other family members to ride in a car with a driver whose vision is blurry or who cannot walk? A drunk driver should be considered a potential killer.

**It cannot be stated enough that alcohol impairs the functions needed for safe driving.** Safe driving requires sound judgment, steady concentration, and quick reactions. Good hand-eye coordination, vision, and muscle coordination are essential.

An intoxicated driver is more likely to take unreasonable risks because the ability to make decisions is impaired. Impaired vision results in slow glare recovery, poor depth perception, and tunnel vision. Impaired coordination results in poor reflexes, slow reactions, clumsiness, and a lack of control.

**Alcohol contributes to at least half of traffic deaths.**

**Many non-alcohol drugs also impair the ability to drive safely:**

Marijuana slows thinking and reactions, and alters perception of time, distance, and speed.

Stimulants impair coordination and judgment. Stimulants include "uppers," speed, cocaine, diet pills, and cold pills.

Tranquilizers slow mental and physical functions. This drug group includes "downers," Prozac, Valium, Quaaludes, barbiturates, Librium, Serax, and Xanax.

Hallucinogens distort judgment and perception and can produce strange and violent behavior. Hallucinogens include LSD, PCP, and inhalants.

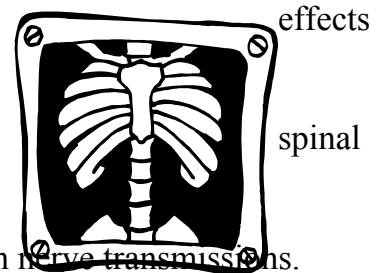
Narcotics depress functions necessary for life. Heroin and codeine are narcotics.



## **Alcohol and the Body**

Heavy alcohol use damages the body. The most common harmful effects of alcohol are described below:

Central Nervous System (CNS): The CNS is the brain and cord, which control mental and physical behavior. Chronic alcohol use damages the CNS which decreases mental and physical abilities. Alcohol disrupts behavior by interfering with nerve transmissions.



Endocrine System: The endocrine system controls hormones that regulate many vital functions of the body. Excessive alcohol use can alter the production of hormones, disrupting the endocrine system. Due to hormone imbalances, alcoholics often suffer sexual dysfunction and other physical and emotional problems.



Digestive System: The gastrointestinal tract is the stomach, intestines, pancreas, and other digestive organs. Because alcohol increases stomach acid, heavy drinking can cause gastric ulcers. Alcohol abuse can cause fatty liver, alcoholic hepatitis and cirrhosis. Liver cirrhosis is America's ninth leading cause of death.

Alcohol and Cancer: Heavy drinkers suffer a high cancer rate. Cigarette smoking and the throat, mouth and lung cancers it causes are frequently associated with drinking establishments and heavy drinking. Research indicates that alcohol might increase the cancer-causing effects of other substances.

Alcohol and Pregnancy: Drinking alcohol by the mother or father prior to conception and by the mother during pregnancy may cause low birth weight, physical defects, learning disabilities, still birth, or spontaneous abortion. Even very small amounts of alcohol have been shown to cause Fetal Alcohol Syndrome (FAS) when the alcohol is ingested during critical times of the fetus' development. FAS produces children who have malformed heads, mental retardation, poor coordination, and behavior problems. This is a preventable birth defect, but one that is irreversible.

In Oregon, there is no law against serving alcohol to pregnant women, and it may violate anti-discrimination laws to refuse service based on whether a woman is pregnant or not. However, all retail licensees are required by law to post signs warning their patrons about the risks of alcohol consumption by pregnant women. These signs are available from your local OLCC office. Licensees who are considering developing a house policy about refusing alcohol service to pregnant women should obtain legal advice or consult with the Oregon State Bureau of Labor and Industries, Civil Rights Division at 971-673-0761.

### **Factors Affecting BAC and Impairment**

Nobody is really average or exactly the same as another person. A person is not even exactly the same from day to day. These differences, or factors, affect a person's BAC and impairment. It is important for you as an alcohol server to understand the factors that affect BAC and how they influence a person's reaction to alcohol consumption so that you can serve alcohol in the most responsible manner possible.

**Drink Equivalency**. Drink equivalency means there is about the same amount of alcohol in 12 ounces of 5% beer, 5 ounces of 12% wine, and 1½ ounces of 80 proof liquor. Each of these types of alcoholic beverage equally affects BAC, intoxication, and impairment. Many people mistakenly think beer and wine contain less alcohol than "hard" liquor. They think beer is relatively harmless. Perhaps this misunderstanding contributes to the

alarming statistics associated with beer. Beer drinkers are more likely to drink too much and then drive. Also, young people prefer drinking beer. Both adult beer drinkers and youths are over-represented in crashes and driver deaths.

If a drink is more than the standard drink equivalent, a person will become impaired sooner and their BAC will be higher than expected. For example, if an average, healthy 160 pound person drinks three 5 ounce glasses of wine in one hour, the BAC would register .07%.

If those wine glasses were filled a little fuller and contained 7 ounces of wine each, those three glasses would total 21 ounces of wine and would be the drink equivalent to just over 4 glasses of wine. Using the BAC chart to calculate the BAC for a 160-pound person who drinks 4 glasses of wine in one hour.

In this example, the person's BAC would be within the legal range if served 5 ounces of wine in each glass. However, based on the estimated BAC, the person would be legally drunk if served 7 ounces in each glass, even if not exhibiting visible signs of intoxication.

**Quantity Of Alcohol.** Intoxication increases as the amount of alcohol in the body increases. Servers must be aware of the amount of alcohol a person has consumed and be especially watchful when a person has consumed an amount that would put their BAC in the legally drunk range.

**Time Spent Drinking.** The normal liver processes about one drink per hour. It breaks down about the amount of alcohol in the average drink. Drinking alcohol faster than the liver can break it down increases the BAC in proportion to the amount consumed.

**Food Consumption.** On an empty stomach alcohol reaches the brain in a few minutes. After a full meal alcohol can take up to 6 hours to reach the brain. **Food slows the absorption of alcohol into the bloodstream.** Food *does not* absorb the alcohol in the stomach. Eating causes the pyloric valve, located at opening from the stomach into the intestine, to close. This allows time for the food to digest in the stomach. When the pyloric valve is closed, alcohol cannot pass through to the small intestine where it is absorbed at a very high rate.

Fatty foods and proteins take longer to digest and will keep the pyloric valve closed for longer periods. Eventually, the pyloric valve will open and the alcohol left in the stomach will be rapidly absorbed.

**Tolerance to Alcohol.** After prolonged regular drinking, the liver breaks down alcohol more efficiently and brain cells become less sensitive to alcohol. This condition, called

tolerance, can begin to develop when a person consumes over 3 drinks per session on a continuous basis or occasionally binges. Experienced drinkers often develop tolerance to alcohol. In a person with high tolerance, it takes more alcohol to produce signs of visible intoxication although their BAC continues to rise as alcohol is consumed.

**Other Drugs.** Many common drugs (both legal and illegal) impair the user and increase the effects of alcohol. When alcohol and other drugs are used together, the body breaks down the alcohol first. The other drug remains in the body at full strength. If more of the drug is taken, a dangerous amount of the drug can accumulate. The side effects of mixing alcohol with other drugs range from mild discomfort to death. Because using alcohol with other drugs can be very dangerous to health and safety, alcohol should not be used with other drugs.

Alcohol adversely interacts with half of the most common prescription drugs. For example, alcohol nullifies the beneficial effects of antibiotics. Many drugs increase the intoxicating and impairment effects of alcohol, and alcohol multiplies the effects of other drugs.

Alcohol dangerously increases the effect of sedatives, barbiturates, and other depressant drugs. For example, **mixing alcohol and another depressant increases the depressant by 5 times!** While this worsens impairment and the ability to drive safely, it also can result in life-threatening slowing of vital functions.

Alcohol and stimulants have opposite effects on the CNS. Using them together causes serious imbalances in the body. Stimulants, such as methamphetamine and cocaine, do not cancel the depressant effects of alcohol. Coffee does not sober up an intoxicated person.

Although instructions for many drugs say to not take with alcohol, do not assume that because it does not specifically say to not use with alcohol that there will be no problems.

Because mixing alcohol and other drugs, including aspirin, can be dangerous, servers are not permitted to give away or sell aspirin or any other non-prescription drug to patrons in licensed premises *unless* the owner has a certificate of registration from the Board of Pharmacy. Call the Board of Pharmacy at 971-673-0001 for more information.

### *Date Rape Drugs*

A group of illegal drugs that are especially dangerous when mixed with alcohol and that have received significant media attention recently are date rape drugs. These drugs are called date rape drugs because when they are slipped into someone's alcoholic or nonalcoholic drink, a sexual assault can take place without the victim being able to remember what happened.

Rohyponol (also known as “roofies,” “roopies,” “circles,” or “the forget pills”) is a powerful tranquilizer. It causes muscle weakness, fatigue, slurred speech, loss of motor coordination and judgment, and amnesia that lasts up to 24 hours. The drug looks like an aspirin and is colorless and flavorless. When dissolved in a drink, it can take effect in as little as 20 minutes.

GHB, or gamma hydroxyl butyrate (also known as “G,” “liquid X,” “salt water,” or “scoop”) also causes quick sedation. Its side effects include drowsiness, nausea, vomiting, headaches, dizziness, coma, and death. The drug’s most common form is a clear liquid, but it can also be a white, grainy powder.

Ketamine (also known as “K,” “Special K,” or “Vitamin K,”) is an injectable anesthetic commonly used by veterinarians on large animals. In humans, it can cause delirium, amnesia, impaired motor function, slurred speech, and breathing problems. Its most common form is a clear liquid, but it can also be dried into an off-white powder.

Alcohol itself is often called the number 1 date rape drug because various studies report that over 50% of the men who commit rape and over 50% of the women who are raped were under the influence of alcohol at the time of the rape.

Fatigue and Stress: Physical, mental, and emotional fatigue or stress make a person much more susceptible to the effects of alcohol.

Age: As a person ages, their liver slows down and begins losing its ability to metabolize alcohol. Also, older persons often lose weight as their muscle mass decreases with age, so it takes less alcohol to impair them.

Body Type: An overweight person generally has a higher BAC than a muscular person who weighs the same and drinks the same amount of alcohol. This is because muscle tissue has more blood to dilute the alcohol.

Gender: A woman will usually have a higher BAC than a man of the same weight if they drink the same amount of alcohol. This is because women have a lower percent of muscle mass than men, and thus less blood, to dilute the alcohol. Women also have less of the stomach enzyme that detoxifies alcohol.

Mood: Alcohol usually exaggerates moods. For example, a person who is depressed will become more depressed when drinking.

General Health: A healthy person breaks down alcohol faster than a person in poor health because they have more blood and their liver works more efficiently.

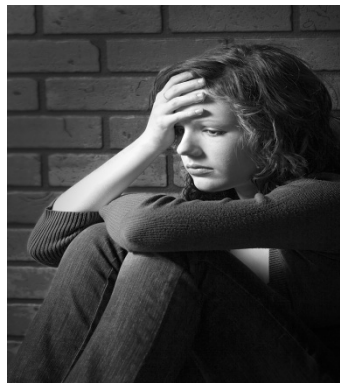
Carbonation, Temperature and Sugar: Carbon dioxide causes pressure in the stomach which moves alcohol into the small intestine where it is quickly absorbed. Warm drinks and those with sugar enter the bloodstream faster than cold drinks and those without sugar.

## **Serving Alcoholics**

Approximately one drinker in 10 in the general population is an alcoholic, so the chances are great that the rate will be much higher in an establishment where alcohol consumption occurs. Alcohol servers frequently interact with alcoholics.

Alcoholics respond to alcohol differently than other drinkers, and many of a server's "regulars" may have a high tolerance. Servers who know this are better prepared to deal with the special concerns of serving alcoholics.

**A thorough understanding of how to estimate BAC will help servers responsibly serve alcoholics and others with high tolerances.**



## Unit 2 Review

Choose just one answer.

1. Alcohol:
  - A) is a drug.
  - B) is a nutritious food.
  - C) does not affect the central nervous system.
  - D) is a stimulant.
  
2. What organ is responsible for detoxifying alcohol from your body?
  - A) Kidneys.
  - B) Bladder.
  - C) Brain.
  - D) Liver.
  
3. Alcohol:
  - A) can affect inhibitions and judgment after only one drink.
  - B) can make a driver more likely to take unreasonable risks.
  - C) impairs mental and physical functions.
  - D) all of the above.
  
4. Which of the following is not a myth?
  - A) Beer and wine are less intoxicating than hard liquor.
  - B) Coffee will sober up an intoxicated person.
  - C) Alcohol is absorbed into the bloodstream almost immediately.
  - D) Alcoholics are easy to spot.
  
5. On average, how many drinks does the body break down, or metabolize, per hour?
  - A) 2
  - B) 3 if the drinker takes aspirin first
  - C) 2 if the drinker is drinking wine, 3 if they're drinking beer
  - D) 1

*Unit 3*  
**Minors and Checking ID**

**Learning & Behavioral Objectives**

**TOPIC:** Minors

**OBJECTIVE:** Demonstrate knowledge and understanding of the following information:

1. It is illegal to serve alcohol to a minor
2. It is illegal to allow minors into prohibited areas; exceptions
3. How to identify a minor
4. Servers must check the ID of anyone who looks under the age of 26
5. Acceptable stand-alone ID
6. Confiscating ID
7. Minor decoy program

**ASSESSMENT:** Correctly answer direct questions, quiz questions, and unit review questions  
Correctly apply information to case studies and role plays

**RESOURCES:** ASE Model Curriculum  
ASE Model Student Workbook  
ASE Case Studies & Role Plays teaching aid  
ASE Virtual Reality teaching aid  
ASE visual aids

**TOPIC:** Checking ID

**OBJECTIVE:** Demonstrate knowledge, understanding, and skills in the following areas:

1. Common methods of falsifying and altering ID
2. Common methods of identifying false and altered ID
3. Importance of establishing a routine for checking ID

**ASSESSMENT:** Correctly answer direct questions, quiz questions, and unit review questions  
Correctly apply laws to case studies and role plays  
Demonstrate ability to identify false or altered ID

**RESOURCES:** ASE Model Curriculum  
ASE Model Student Workbook  
ASE Case Studies & Role Plays teaching aid  
ASE Virtual Reality teaching aid  
ASE Mapping ID teaching aid  
ASE Reading ID teaching aid  
ASE False ID teaching aid  
ASE visual aids

## Unit 3

### Minors and Checking ID

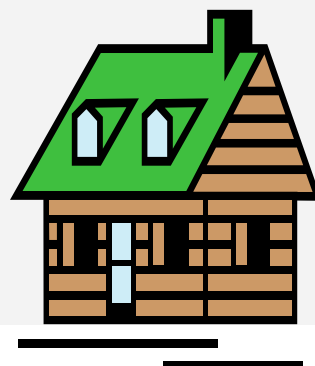
#### Minors

***It is illegal to serve, sell, or give alcohol to any person under 21.***

In Oregon, the **only** two exceptions to this law are:

- (1) parents or guardians may provide alcohol to their own minor children in a private residence; and
- (2) minors may drink sacramental wine in a religious ceremony.

***Extra Information!*** The law now makes property owners responsible for underage drinking. If the owner of a house, apartment, or other property is present and knowingly allows the illegal alcohol use, they may be fined up to \$5,000 and be placed in jail for up to one year. Anything used for a party where alcohol was furnished to a minor, such as furniture, stereo equipment, or refrigerators, can be seized by the police. In addition, Oregon's liability laws make adults who provide alcohol to a minor potentially liable for any damages that one of their minor guests may cause to a third party.



#### Minor Postings

Minor postings are signs the Commission places in licensed businesses to tell the public where minors are and are not allowed. Generally, minors are allowed on licensed premises for the purpose of consuming food in areas where food service is the predominate activity. Minors are prohibited from areas where drinking predominates. Typical minor postings say such things as “No Minors Permitted Anywhere On These Premises” (for a tavern or nightclub) or “No Minors Permitted In This Portion Of The Premises” (for the bar or lounge area of a restaurant or hotel).

***It is illegal to allow minors to enter areas of licensed premises prohibited to them.***



## **Minors Allowed In Prohibited Areas In Some Instances**

In some instances, people under the age of 21 may be allowed in areas of a licensed premises normally prohibited to minors.

**MINOR PATRONS** may be in areas of licensed premises normally prohibited to minors in two circumstances:

- 1) A minor patron may be in the immediate company of his or her spouse who is at least 21 years old. The minor must not buy, have, or drink alcohol. *However, licensees may adopt a house policy which **prohibits** minor spouses from entering prohibited areas.*
- 2) A minor patron may be in a posted area which permits minors during specified meal hours *only* for the consumption of food.

**MINOR ENTERTAINERS** may perform in prohibited areas. When not performing, minor entertainers must stay in an area where minor customers are allowed or in a break or dressing room. If the business does not have an area where minors are allowed or a break or dressing room, then minor entertainers must stay in a designated area approved by the OLCC where there is no alcohol.

**MINOR VENDORS OR CONTRACTORS** (such as plumbers or electricians) who have a legitimate business purpose may be in a prohibited area only long enough to perform their business duties.

**MINOR EMPLOYEES WHO DO NOT HAVE SERVICE PERMITS** may be in a prohibited area (such as a bar) only if the business also has an area that permits minor customers (such as a dining room) and only during the hours that minor customers are permitted in the business. Minor employees may enter a prohibited area only to restock supplies and do food service related activities such as setting and clearing tables and delivering food.

## **Identification**

You need to **accurately check ID** to keep from breaking the law by serving, selling or making alcohol available to persons under 21 years of age. But what does a 21 year old person look like? It is often hard to correctly guess a customer's age.

Appearance and mannerisms give good clues about the customer's age. Ask yourself questions like:

- *How old does the customer appear?* Look at facial features, facial hair, hair style, makeup, etc.
- *How is the customer dressed?* Is she or he wearing clothes or apparel that hides her or his appearance, such as a hat, sunglasses, etc.?
- *Does the customer appear unsure, nervous, or afraid of eye contact?*

If you have *any* doubt about the person's age or that the identification is valid, **do not** sell alcohol to that person.

The last thing a business wants to do is turn away customers. But if the business were to make a mistake and sell or serve alcohol to someone under the age of 21, they could be fined heavily or even lose their license to sell alcohol. In addition, the server and business could be held liable under Oregon's third party liability laws.

## **Check ID of anyone who looks under 26**

***In Oregon, the law requires you to check the ID of any customer who looks younger than 26 before selling or serving them alcohol or allowing them in a prohibited area.***

Under this law, four conditions must be met for the OLCC to fine or suspend a licensee, server, or seller:

1. The customer **looks under the age of 26.**
2. The customer **is under the age of 21.**
3. The licensee, server, or seller **fails to check or does not properly check the ID.**
4. The customer **buys, is served, or drinks alcohol or is in an area prohibited to minors.**

If the customer appears to be under the age of 26, but is actually age 21 or older, the OLCC will not issue a violation, but it may give the licensee or server a warning. [See OAR 845-006-0335 (2).]

## Acceptable ID to Verify Age in Oregon

There are 4 types of acceptable identification to verify age in Oregon:

**4** are known as **stand-alone** because each alone is sufficient.

You need to be familiar with all of these IDs to adequately check that they are valid and that the person is at least 21 years of age. The **4** types of **stand-alone ID** are:

### **1. Driver License With A Photo**

A valid driver license from any state **with a photo** is acceptable. All states issue licenses with photos.

### **2. State Issued ID Card**

A valid ID card from any state is acceptable as long as it includes the person's **photo, name, date of birth, and physical description.**

**CAUTION:** Beware of mail order ID cards that say "State Resident" or "Personal ID." These cards are made to look like official IDs, but they are not. If you can't tell whether the card was issued by a state agency, don't accept it.

### **3. US Military ID**

Valid US military ID now comes in two forms. The **old-style ID** says "ARMED FORCES OF THE UNITED STATES" across the top and has a black and white photo. The service seal is to the right of the photo and will vary by branch of service (Army, Navy, etc.). The signature is on the front of the card; date of birth and physical description are on the back. Active duty cards are green; reserve forces cards are red; retiree cards are blue; and dependant cards are tan.

#### ***HOUSE POLICIES & ID***

The law says businesses *may* accept all of these IDs, but they are *not required* to do so. To make the server's job easier, a business can set a house policy that limits the ID it will take. For example, because alternative ID is very time consuming, a business can choose not to accept it. A business could choose to accept only stand-alone ID.

Know your house policies on acceptable ID and suggest to your employer that they be posted where customers can see them too.

The **new-style ID** is a smart card with an embedded computer chip. The card has a portrait (rather than landscape) format, a white background, and a color photo. Issue and expiration dates are on the front of the card; birth date, magnetic strip, and bar code are on the back. The ID does not contain a visible physical description or signature.

Both the old-style and new-style military ID are acceptable stand-alone ID.

#### **4. Passport**

A valid passport that you can *read* and *understand* is acceptable identification. Valid passports issued by any country will have at least the following:

- the name of the issuing country
- the person's full name
- a passport number
- the person's nationality
- date of birth
- sex
- date of expiration
- photograph
- signature (on US passports)

**If you have any hesitancy about the validity of the ID, do not serve the person.**

**Remember that all forms of ID you accept must be valid and readable. Expired ID is not valid and is not acceptable as legal proof of age. And if you can't read the ID because it's worn or damaged, do not accept it.**

Minors using fake ID often hide it or take it back to their car once they are in a business to protect themselves from being caught with fake ID. They may also tell you that someone else already checked it.

## **Checking ID**

*I.D. Checking Guide* is a useful guide covering the licenses and other IDs of all fifty states as well as Canada and Mexico. It is published each year by the Drivers License Guide Company (1-800-227-8827). Some beer manufacturers also issue ID guides. Check with your local beer distributor for more information.

Here are some tips and techniques for checking ID.

### **“U-CARD” Identification Aid**

Think of the term “U-CARD” as a memory aid for the following procedure which can be used with most IDs.

#### **Unaltered:**

- Always have the customer remove the ID from his or her wallet and hold the ID with your index finger on the top edge and your thumb on the bottom edge. This prevents you from covering any of the information with your fingers.
- Use the fingers of your other hand to feel the ID. Feeling the ID can alert you to possible problems. By running your finger over the card, you will detect any raised edges around the photograph, bumpy surfaces by the picture, irregular lamination, obvious cuts or slashes, the thickness and quality of the ID, and more.
- Examine the ID in good light, using a flashlight if necessary. Hold the flashlight behind it to
- Turn the ID 90 degrees to look for number and letters that are out of line with the rest of the print.
- Refuse service if the ID has erasures, misaligned numbers, uneven lamination, cut outs, or other signs of alteration or anything suspicious.

#### **Current:**

- Check the expiration date first. Expired ID is not valid. You can not accept it as legal proof of age even if it looks like the person. If the ID is expired, you can stop right there. Return the ID and refuse service.

#### **Age:**

- Check the date of birth next. It must show the person as 21 or older. In 2007, the customer should have been born in 1986 and already had his or her birthday. In 2008, it will be 1987; in 2009, 1988; and so on. Look for any alterations of the date.

#### **Readable:**

- Be sure you can read and understand the ID. If you cannot read an ID in a foreign language or the ID is worn or damaged so that parts are unreadable, do not accept it.

#### **Description:**

- Compare the photo, and especially the height, weight, and physical description, to the person. Look back and forth from the photo to the person's face as often as necessary to make a good comparison. Does it look like the person before you?
- People can lose or gain weight, and their hair and eye color (with contact lenses) may change, but the height should be consistent with the information on the ID. Look closely at the distance between the person's eyes; this usually doesn't change even if the person's weight or hairstyle did.
- Refuse service if the photo or description do not match the person presenting the ID, even if they say they've changed their hairstyle, lost weight, etc. It's their obligation to present ID that verifies their age. They have to prove that they are 21 or older; you don't have to prove that they are not.

***You may ask for more than one piece of ID even if customers present stand-alone ID. People with false ID rarely carry back-up ID.***

### **Tips for Oregon IDs**

Oregon IDs are the IDs you will see most often, so you should become familiar with their layout. Both valid **Oregon driver licenses** and **Oregon DMV ID cards** have the features described below. Currently, there are two styles of ID in circulation:

- The 1<sup>st</sup> generation credit card style was introduced in 1996. The last of these will expire in 2012.
- The 2<sup>nd</sup> generation digital credit card style was introduced in late 2003.

Pull out your own driver license or DMV ID card and look for the following features.

<p><b>1<sup>st</sup> GENERATION CREDIT CARD STYLE</b></p>	<p><b>2<sup>nd</sup> GENERATION CREDIT CARD STYLE</b></p>
<p><b>PHOTO:</b> The background is blue and the photo is in the upper left corner on both adult and minor IDs.</p>	<p><b>PHOTO:</b> The background is blue and the photo is in the upper left corner on both adult and minor IDs.</p>  <p><b>POLAROID SAMPLE</b> Expires: 01-05-2000 REYNOLDS, JOHN CARL 5643 MAIN ST SALEM, OR 97303</p>
<p><b>LAMINATION:</b> Holographic lamination stops about 1/8 inch from the edge of the card; it does not completely cover the front of the card. No lamination on the back. Alternating rows of the state seal and the word "OREGON" cover the entire lamination.</p>	<p><b>LAMINATION:</b> Holographic lamination stops about 1/8 inch from the edge of the card; it does not completely cover the front of the card. No lamination on the back. Alternating rows of the state seal and the word "OREGON" cover the entire lamination.</p>  <p><b>POLAROID SAMPLE</b> Expires: 12-15-2007 SAMPLE, CARON SUSAN</p>  <p><b>POLAROID SAMPLE</b> Expires: 12-15-2007 SAMPLE, CARON SUSAN</p>
<p><b>HEADING:</b> "OREGON" appears</p>	<p><b>HEADING:</b> "OREGON" appears</p> 



<p><b>1<sup>st</sup> GENERATION CREDIT CARD STYLE</b></p>	<p><b>2<sup>nd</sup> GENERATION CREDIT CARD STYLE</b></p>
<p>at the top of the card and is in blue on driver licenses, green on identification cards, and red on commercial driver licenses.</p>	<p>appears at the top of the card and is in blue on driver licenses. The capitol building appears as a watermark under the data fields besides the photo.</p>
<p><b>DATES:</b> Years are given in 4 digits. Date of birth is just to the right of the photo. Expiration date is in red below the photo.</p>	<p><b>DATES:</b> Years are given in 4 digits. On adult IDs, the expiration date is just to the left of the photo immediately below the heading.</p>
<p><b>AGE NOTICES:</b> “MINOR UNTIL” date is in red on the right edge of the card.</p>	<p><b>AGE NOTICES:</b> “U 21 ar U in SU pl</p>
<p><b>SIGNATURE:</b> On back of card.</p>	<p><b>S D</b> back of card under lamination.</p>
	<p><b>OTHER:</b> Beginning Summer</p>





<b>1<sup>st</sup> GENERATION CREDIT CARD STYLE</b>	<b>2<sup>nd</sup> GENERATION CREDIT CARD STYLE</b>
	2007 – The card is thinner and more flexible because it is printed on more durable, tear-resistant plastic. The text and colors are clearer and more vibrant. The rainbow color on the side extends to the edge of the card. The laminate coating extends to the edge of the card on both sides.

**Interim Paper IDs**

Beginning in the summer of 2007, the Oregon DMV began issuing interim paper driver licenses and ID cards to new and renewing applicants. As part of a fraud-prevention effort, the DMV converted to centralized issuance of permanent IDs, so when applicants visit their local DMV office, they receive a temporary paper ID good for 30 days. Customers will carry this interim ID until they receive their permanent plastic card within 5 to 10 days.

The interim card looks like a black-and-white copy of the permanent ID. It is printed on plain paper and has all the same data as the permanent ID. Its only security feature is that attempts to photocopy it will produce the word “VOID” on copies.

The interim IDs are acceptable stand-alone identification because they contain all the information required on official ID. However, businesses may choose not to accept the paper cards without some other form of ID. Businesses have the ability to adopt house policies that are stricter than Oregon law, so it’s up to each business to decide whether or not to accept the interim IDs.

These features are common to all styles of Oregon ID:

- The photo is printed directly on the ID and will never be pasted on top of or added under the lamination.
- The month and day of the birth date and expiration date are the same:
  - Birth date **07-09-68** or **06-24-1971**
  - Expiration **07-09-96** or **06-24-2001**
- Capital letters are always used for names and addresses.
- The order of names is always: last name, first and middle names.

### **General tips for all IDs**

With any system of checking ID, you can ask the customer questions, such as:

- *What is your address?*
- *What is your zip code?*
- *What is your middle name?*
- *What is your date of birth?*
- *How old are you now?*
- *What is your astrological sign?*
- *How do you spell your first or middle or last name? (Use when there are different ways to spell the name: Linda vs. Lynda, Jeffrey vs. Geoffrey, Cindy vs. Cindi, etc.)*
- *Are you an anatomical donor*
- *Do you have a second piece of ID? (If they say no, but you were observant and noticed other ID in their wallet when they gave you the ID you are checking, you can assume the one in your hand is not valid.)*

Even if you do not know the answer to a question, the way they answer (are they confident or nervous?) can give you clues to whether they are lying or not.

- **Remember, if you have *any doubt* that a piece of ID is valid, do not accept it and do not serve alcohol to that person.**

If you want more information on identifying minors and checking ID, call your local OLCC office. Your local office will provide training for you at your place of business if you request it.

***Pick a method for checking ID that works for you and follow the same procedure each time you check ID. Establishing a pattern will help insure that you don't leave a step out and it will make checking ID easier and faster.***

## **Confiscating False ID**

Should you confiscate ID you believe is false?

You do not have a legal duty to confiscate ID you believe is false, and the OLCC does not recommend it.

Whether you do or do not confiscate false ID:

- you must not allow the customer to have any alcohol, and
- you must not allow the customer to stay in an area where minors are not allowed.

If owners choose to develop a policy on confiscating a false ID, here is some important information:

- Don't place yourself or your customer in danger when you confiscate the ID. Avoid injury or the risk of injury to yourself and your customer.
- Turn over the confiscated ID to the OLCC, your local police, or the Oregon Department of Motor Vehicles as soon as possible. Include the name and address of your business, and the date, time, and reason the ID was taken. For example, the picture on the ID did not match the person presenting it, the ID is torn, the person could not accurately repeat information on the ID such as birth date, address, etc.
- **Note the incident in your incident log.** Incident logs will be discussed in greater detail in Unit 6.

## **Minor Decoy Program**

Oregon, like many other states, uses minor decoys to assure that licensed businesses don't sell alcohol to minors. The OLCC has 18, 19, or 20-year-old volunteers, who look younger than 26, attempt to buy alcohol at liquor stores, supermarkets, restaurants, bars, and special events. If carded, the decoys either show their own valid identification, which clearly indicates they are underage, or they say they have no identification with them.

OLCC minor decoy operations follow clear standards:

- (1) The minor decoy must be under 21.
- (2) The minor decoy must look younger than 26.
- (3) The minor decoy may not use false ID.
- (4) The minor decoy may not lie about their age (if asked how old they are, the decoy may say, "How old do you think I am?" but they will not give a false age).

Local law enforcement agencies also conduct minor decoy operations, and the OLCC often coordinates decoy visits with local police. All licensees, liquor store agents, and their employees are subject to a decoy visit. The OLCC selects businesses for decoy visits either on a random basis, which means every licensed business or liquor store has an equal chance of being selected, or on a targeted basis if there is a documented compliance problem with a specific business.

Servers can avoid being stung by a minor decoy operation if they follow one simple rule: always obey the laws on minors:

- Card everyone who looks younger than 26
- Look, really look, at the ID
- Don't serve or sell to someone who looks younger than 26 but doesn't have ID
- Never serve or sell alcohol to a minor.

## Unit 3 Review

Choose just one answer.

1. The law says you must check the ID of:
  - A) customers who are visibly intoxicated.
  - B) only those customers who look younger than 21.
  - C) only those customers whose ID was not checked by a door checker.
  - D) any customer who looks younger than 26.
  
2. What are acceptable stand-alone IDs in Oregon?
  - A) Any valid state driver license with a photo.
  - B) A valid DMV ID card with photo, name, date of birth, and physical description from any state.
  - C) A valid US military ID card or a valid passport.
  - D) All of the above.
  
3. During an OLCC minor decoy operation, the decoy is allowed to:
  - A) lie about their age.
  - B) present false ID.
  - C) A & B.
  - D) None of the above.
  
4. How can a server avoid being stung by a minor decoy operation?
  - \_\_\_\_\_ A) Card everyone who looks younger than 26.
  - \_\_\_\_\_ B) Don't serve to someone you looks younger than 26 and doesn't have ID.
  - \_\_\_\_\_ C) Look, really look, at the customer's ID.
  - \_\_\_\_\_ D) All of the above.
  
5. Two customers who look younger than 26 order a beer. When you ask to see their ID, one customer produces a valid ID showing that he's 25. The other customer says he forgot his ID at home, but the bartender knows him and will vouch that he is over 21. As a server, you must:
  - A) Check with the bartender and serve the customer when the bartender confirms he's seen the customer's ID before.
  - B) Serve the customer because his friend is over 21 and people over 21 never socialize with people under 21.
  - C) Ask the customer to sign a written statement that he's 21 before you serve him.
  - D) Never serve alcohol to someone who looks younger than 26 and doesn't have valid ID.

*Unit 4*  
**Visibly Intoxicated Persons**

**Learning & Behavioral Objectives**

- TOPIC:** Visibly Intoxicated Persons
- OBJECTIVE:** Demonstrate knowledge and understanding of the following information:
1. It is illegal to serve alcohol to a VIP
  2. It is illegal to allow a VIP to continue to consume alcohol
  3. Common likely signs of visible intoxication
  4. Servers look for a combination of signs or changes in behavior
  5. Servers must make a “good faith effort” to remove alcohol from a VIP; definition of “good faith effort”
  6. Visible intoxication, not BAC, is the standard of intoxication that servers are required to recognize; BAC is the standard used by the police and the courts
  7. Drink equivalency guidelines and why counting drinks, not glasses, is important
  8. How to estimate BAC using the BAC chart and how it can help servers monitor a customer’s consumption
- ASSESSMENT:** Correctly answer direct questions, quiz questions, and unit review questions  
Correctly apply information to case studies and role plays
- RESOURCES:** ASE Model Curriculum  
ASE Model Student Workbook  
ASE Case Studies & Role Plays teaching aid  
ASE Virtual Reality teaching aid  
ASE visual aids

*Unit 4*  
**Visibly Intoxicated Persons**

**Visible Intoxication**

**Visible intoxication** is intoxication others can observe. This is the standard servers use to decide if a customer is intoxicated.

Servers are not expected to know a customer's blood alcohol content as determined by a breathalyzer test, but *they are required to recognize visible intoxication*. If you can tell on sight that a person has been drinking or using other drugs, the person is visibly intoxicated.

- 1. It is illegal to serve alcohol to a visibly intoxicated person (or a VIP)**
- and**
- 2. It is illegal to allow a VIP to continue to consume alcohol.**

As a server, you must observe and talk with your customers to determine whether they are visibly intoxicated. As you serve your customers, look for signs of impairment and changes in behavior from when you first began serving them.

There are many signs of a VIP. See the list for 50 easy to recognize signs of a VIP. If a person shows just one or two of these signs, that may not by itself mean the person is intoxicated. If the person shows a **combination** of several of these signs, or has a significant **change** in behavior, that could be a strong sign that the person is a VIP.

You must use your skills and experience to decide whether a customer is intoxicated. For example, a quiet person who becomes loud while drinking might be a VIP. However, a person who is always loud and outgoing might not be a VIP.

The 50 likely signs of visible intoxication are guidelines for servers. These guidelines are the same signs an OLCC inspector or police officer watches for in your customers to see if you are serving a VIP, but the list is not inclusive.

*Table 2*

**50 LIKELY SIGNS OF VISIBLE INTOXICATION**

<p><u>Appearance</u></p> <ol style="list-style-type: none"> <li>1. Bloodshot, glassy or watery eyes</li> <li>2. Flushed face</li> <li>3. Droopy eyelids</li> <li>4. Blank stare or dazed look</li> <li>5. Twitching or body tremors</li> <li>6. Disheveled clothing</li> </ol> <p><u>Speech</u></p> <ol style="list-style-type: none"> <li>7. Thick, slurred speech</li> <li>8. Loud, noisy speech</li> <li>9. Speaking loudly, then quietly</li> <li>10. Rambling train of thought</li> <li>11. Unusually fast or slow talking</li> <li>12. Slow response to questions or comments</li> <li>13. Repetitive statements</li> <li>14. Bravado, boasting</li> <li>15. Making irrational statements</li> </ol> <p><u>Attitude</u></p> <ol style="list-style-type: none"> <li>16. Annoying other guests and employees</li> <li>17. Argumentative</li> <li>18. Aggressive or belligerent</li> <li>19. Obnoxious or mean</li> <li>20. Inappropriate sexual advances</li> <li>21. Overly friendly to other guests or employees</li> <li>22. Boisterous</li> </ol> <p><u>Behavior</u></p> <ol style="list-style-type: none"> <li>23. Swaying, staggering, or stumbling</li> <li>24. Unable to sit straight</li> </ol>	<p><u>Behavior (cont.)</u></p> <ol style="list-style-type: none"> <li>25. Careless with money</li> <li>26. Difficulty making change</li> <li>27. Restless</li> <li>28. Depressed or sullen</li> <li>29. Crying or moody</li> <li>30. Extreme or sudden change in behavior</li> <li>31. Overly animated or entertaining</li> <li>32. Crude, inappropriate speech or gestures</li> <li>33. Drowsiness or falling asleep</li> <li>34. Lack of focus and eye contact</li> <li>35. Difficulty standing up</li> <li>36. Unusual walk</li> <li>37. Can't find mouth with glass</li> <li>38. Falling down or falling off of chair</li> <li>39. Difficulty lighting cigarettes</li> <li>40. Lighting more than one cigarette</li> <li>41. Clumsy</li> <li>42. Difficulty remembering</li> <li>43. Spilling drinks</li> <li>44. Disoriented</li> <li>45. Agitated, anxious</li> <li>46. Grinding teeth</li> <li>47. Vomiting</li> </ol> <p><u>Other</u></p> <ol style="list-style-type: none"> <li>48. Odor of alcohol, marijuana or chemicals</li> <li>49. Excessive perspiration</li> <li>50. Repeated trips to rest room or outside area</li> </ol>
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Remember, just because a person is exhibiting one or more of these signs does not necessarily mean the person is intoxicated. But if the person shows a **combination** of several signs or has a significant **change** in behavior, that could mean the person is intoxicated and you must use your judgment to decide whether the customer is intoxicated. Remember, too, that intoxication can result from the use of drugs other than alcohol.

Which *combinations* of these signs have you observed in customers? Talk about some of the *changes in behavior* you have noticed.



## **Visible Intoxication and Non-Alcohol Drugs**

It is illegal to serve alcohol to a visibly intoxicated person (VIP) or to allow a VIP to continue to consume alcohol. *It does not matter if the person became intoxicated from alcohol, another drug, or a combination of alcohol and another drug.*

Servers need to remember some customers are using other drugs that impair. Many prescription drugs, over-the-counter medications, and illegal drugs impair the user. Alcohol increases the impairment caused by these drugs. (Note: It is NOT a good idea to offer aspirin or any other type of over the counter medication to a customer.)

Servers observe customers for signs of intoxication and impairment. **They must not serve alcohol to anyone showing signs of visible intoxication no matter which drug the person used to become intoxicated.**

It is against the law to allow the use of **illegal drugs** in a licensed establishment. House duties should include procedures to ensure that illegal drugs are not used in or around the establishment. If there is reason to believe a customer is using illegal drugs, the customer should not be served and should not be allowed to remain on the premises.

## **Good Faith Effort Law**

We have learned that it is illegal to serve alcohol to a visibly intoxicated person. The **good faith effort law** says you must not “knowingly allow” a person to drink or continue to consume alcohol after you have observed that the person is visibly intoxicated. It does not matter if the person is driving or not. It also does not matter if the person became intoxicated because of alcohol, another drug, or a combination of intoxicants.

The law also says servers must make a good faith effort to remove a drink from a patron who has become visibly intoxicated. See ORS 471.412.

***“Good faith effort” means placing your hand on the drink and trying to remove it or making a verbal request for the drink if you think touching it may cause a disturbance.***

Servers are not required to first give a verbal warning to the visibly intoxicated person (VIP) when removing the alcohol.

*It is legal* to allow an intoxicated person to remain on the premises. He or she must not consume alcohol or even have an alcoholic beverage in front of them.

## Measuring Intoxication

The common measures of intoxication are **blood alcohol content** (BAC) and **visible intoxication**. You learned earlier that visible intoxication is the standard servers must use in determining intoxication. BAC is the legal standard *police and courts* use to determine levels of intoxication. As a server, you can't know a customer's BAC, so you must rely on what you can see.

***In Oregon, it is illegal to drive with  
a BAC of .08% or higher.***

## Estimating Intoxication

However, even if you can't know a customer's BAC, being able to estimate BAC is an important *professional duty* for servers because of **tolerance**, the body's ability to hide the visible signs of intoxication. Customers with high tolerance can drink large amounts of alcohol and not show signs of visible intoxication, yet still be legally intoxicated because of their BAC level. Servers can estimate BAC by **counting drinks** and being familiar with the BAC chart. This responsible alcohol service leads to responsible alcohol consumption.

To see how this works, pretend that a customer comes in to your establishment that you guess weighs about 160 pounds (your guess is based on comparison with your weight or someone whose weight you know that is about the same size). This person appears to be an average, healthy person. It appears from what the person says and the way he or she acts that they have not consumed any alcohol that day. The customer orders a double scotch upon coming in, and another one half an hour later. Remembering that these two drinks are each doubles, that person has consumed 4 drink equivalencies within an hour. Referring to the BAC chart, what would you presume the BAC would register at this point?

According to the chart, the BAC in an average, healthy person would register **.09%** after 4 drinks in the first hour. **It is illegal in Oregon to drive with a .08% or greater BAC.**

We know that servers are held to the standard of **visible intoxication**, or intoxication others can observe, to decide if a customer is intoxicated. This means that servers are not expected to know a customer's BAC, but they are required to recognize visible intoxication. **If you can tell on sight that a person has been drinking or using other drugs, the person is visibly**

## **intoxicated.**

- Remember: It is illegal to serve alcohol to a visibly intoxicated person.

But does the customer that drank the two double scotches appear to be intoxicated?

*If yes*, you must by law make a **good faith effort** to remove any alcoholic drink remaining and not serve him or her any other alcoholic beverage.

*If no*, you have a decision to make. By counting drinks and checking the BAC chart, you can presume that this person is legally drunk. You may legally continue to serve alcohol, because you have not seen any visible signs of intoxication. But to serve alcohol in the most responsible manner, you may choose (and your establishment may have a house duty) to not serve the person any more alcohol based on the number of drinks already consumed. It would also be appropriate to suggest that the person order food and a non-alcoholic beverage to provide time for the alcohol already consumed to metabolize, then serve them an alcoholic beverage later (as long as they are still not exhibiting any visible signs of intoxication). At the very least, you should consider *slowing down service* and monitoring the customer very carefully to insure they don't begin showing signs of intoxication.

## **BAC Chart**

This Blood Alcohol Content chart is based on the official BAC standard of the National Safety Council. Because law enforcement agencies commonly use breath analysis to determine alcohol content, you will also see these charts labeled Breath Alcohol Content.

This is a *guideline* to estimate intoxication. The **effects of alcohol vary with each individual** and the many factors that influence intoxication. In Oregon, a BAC of .08% or more is direct evidence that a driver is intoxicated. A .08% BAC means there are eight parts of alcohol per 10,000 parts of blood.

Again, there are many factors that affect BAC and this chart will not work for every person. To show how the BAC chart works for an average, healthy person, think about one of the customers you have recently served. Compare their height and weight to your own to decide about how much they weigh. Find that weight (or the closest to that weight) on the chart. How many drinks in an hour could that customer probably have before he or she reaches .08% BAC? Even if that customer is not exhibiting signs of visible intoxication after that many drinks, there is a chance they are legally intoxicated.

- Remember, **visible intoxication** is intoxication others **can observe** and is the standard servers must use to decide if a customer is intoxicated.

Although you are not expected to know a customer's BAC, you *are* required to recognize visible intoxication.

Customers with high tolerance can drink large amounts of alcohol and not show signs of intoxication, yet still be intoxicated. Counting drinks and estimating BAC helps servers to serve alcohol responsibly, which promotes responsible alcohol consumption.



*Table 3*  
**BAC AND ITS EFFECTS**

<b>Approximate Blood Alcohol Percentages</b>									
Drinks	<i>Body Weight in Pounds</i>								
	100	120	140	160	180	200	220	240	
1	.04	.03	.03	.03	.02	.02	.02	.02	Caution
2	.08	.06	.05	.05	.04	.04	.03	.03	
3	.11	.09	.08	.07	.06	.06	.05	.05	Driving impaired
4	.15	.12	.11	.09	.08	.08	.07	.06	
5	.19	.16	.13	.12	.11	.09	.09	.08	Legally intoxicated
6	.23	.19	.16	.14	.13	.11	.10	.09	
7	.26	.22	.19	.16	.15	.13	.12	.11	
8	.30	.25	.21	.19	.17	.15	.14	.13	
9	.34	.28	.24	.21	.19	.17	.15	.14	
10	.38	.31	.27	.23	.21	.19	.17	.16	
11		.40	.34	.30	.27	.24	.22	.20	
12			.38	.33	.29	.26	.24	.22	
13			.40	.36	.32	.29	.26	.24	
14				.38	.34	.31	.28	.26	
15					.37	.33	.30	.28	

A drink is defined as 1½ ounces of 80 proof hard liquor or 12 ounces of 5% beer or 5 ounces of 12% wine. Remember that each person's response to alcohol will vary, based on individual tolerance to alcohol, food intake, fatigue, and other factors. **A person's driving can be impaired after only one drink.**

***1½ oz. distilled spirits = 12 oz. beer = 5 oz. wine***

## Drink Equivalency

Drink equivalency is important for you to understand in order to serve alcohol responsibly. It means there is about the same amount of alcohol in a 12-ounce bottle of 5% beer, a 5-ounce glass of 12% wine, and a straight shot of 1½ ounces of 80 proof liquor (or a mixed drink containing 1½ ounces of 80 proof liquor). An easy way to remember this is:

**A drink (distilled spirits) is a drink (beer) is a drink (wine)  
or  
1½ oz. distilled spirits = 12 oz. beer = 5 oz. wine**

As a server, you want to count drinks and not glasses, because a glass can contain more than one drink. A mixed drink like a Long Island Ice Tea usually contains shots of at least 4 kinds of hard liquor, which means that one glass you put in front of a customer could contain the equivalent of 4 drinks.

You might think that a pint glass of beer contains 16 oz., or 1-1/3 drinks, but most pint glasses used for beer actually hold about 20 oz., or 1-2/3 drinks, because these glasses use the British system of measurement. A British pint is larger than an American one. Beer, wine, and cocktail glasses come in a wide range of shapes and sizes. As a server, it's important that you know how much the glasses hold at your particular establishment, so you can better estimate how much alcohol you are serving your customers.



## Unit 4 Review

Choose just one answer.

1. The good faith effort law:
  - A) does not apply if the customer is intoxicated from drugs other than alcohol.
  - B) requires you to place your hand on the drink and try to remove it or make a verbal request for the drink if you think touching it may cause a disturbance.
  - C) does not apply to employees and regular customers.
  - D) requires you to remove the drink from an intoxicated customer no matter what the situation.
  
2. Which of the following statements is true?
  - A) A server must not serve alcohol to a known alcoholic.
  - B) A 12-ounce bottle of beer, a 5-ounce glass of wine, and 1½ ounces of 80 proof liquor contain the same amount of alcohol.
  - C) Drink equivalency means that people who weigh the same amount will always become intoxicated after the same number of drinks.
  - D) It takes alcohol approximately 1½ hours to enter the bloodstream after it has been consumed.
  
3. Which answer is not true? Visible intoxication is:
  - A) the standard to which servers are held.
  - B) what a server uses to know when to make a good faith effort to remove a drink.
  - C) when a server can tell on sight that a person has been drinking or using drugs.
  - D) counting drinks and checking the BAC chart.
  
4. What is the BAC limit in Oregon?
  - \_\_\_\_\_ A) .8%
  - \_\_\_\_\_ B) .08%
  - \_\_\_\_\_ C) 8%
  - \_\_\_\_\_ D) None of the above
  
5. Servers are allowed to serve alcohol to a visibly intoxicated person (VIP):
  - \_\_\_\_\_ A) If there is a designated driver who will be taking the VIP home.
  - \_\_\_\_\_ B) If the staff knows the VIP lives nearby and will be walking home.
  - \_\_\_\_\_ C) If the VIP orders food with the drink.
  - \_\_\_\_\_ D) It is never legal to serve alcohol to a VIP or to allow a VIP to continue to drink alcohol.

## *Unit 5*

# **Intervention Techniques for Dealing with Visibly Intoxicated Persons and Minors**

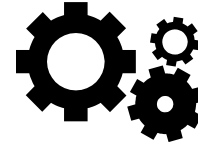
### Learning & Behavioral Objectives

- TOPIC:** Intervention Techniques for VIPs and Minors
- OBJECTIVE:** Demonstrate knowledge, understanding, and skills in the following areas:
1. Definition of “intervention” as the server’s plan of action for preventing service to minors and VIPs and deterring VIPs from driving
  2. Servers have a professional duty, but not a legal obligation, to deter a VIP from driving
  3. Effective intervention attitudes
  4. Techniques for refusing service to minors and VIPs
  5. Techniques for removing a drink from a VIP
  6. Techniques for dealing with difficult customers
  7. Suggested house policies
  8. Management commitment to responsible alcohol service and ongoing employee training
  9. Responsible marketing strategies
  10. Food service contributes to responsible alcohol service
- ASSESSMENT:** Correctly answer direct questions, quiz questions, and unit review questions  
Correctly apply laws to case studies and role plays  
Demonstrate skill in performing specific intervention techniques
- RESOURCES:** ASE Model Curriculum  
ASE Model Student Workbook  
ASE Case Studies & Role Plays teaching aid  
ASE Virtual Reality teaching aid  
ASE False ID teaching aid



*Unit 5*  
**Intervention Techniques for Dealing with  
Visibly Intoxicated Persons and Minors**

**Intervention Issues**



**Intervention** is action you take as a server that:

- prevents customers from drinking to intoxication,
- prevents minors from drinking and
- deters intoxicated persons from driving.

**Intervention is responsible alcohol service that promotes responsible drinking.**

If you fail to intervene, you could lose your job, be arrested, be fined, or even have someone sue you. By not having an intervention plan of action you may be allowing more intoxicated drivers on the road.

Intervention includes legal duties, house duties, and professional duties. You are required by law to follow legal duties and by your management to follow house duties. You decide which professional duties you will do because you feel something is ethically or socially important.

Intervention is a **plan of action** that includes duties such as asking young people for ID, slowing service when a customer may be nearing intoxication, or calling the police when an intoxicated customer insists on driving.

As a server, you have the right to refuse alcohol to anyone, as long as you don't break any anti-discrimination law. **Your establishment might have a house duty that refuses service in certain situations**, such as refusing to serve alcohol to anyone under the age of 25 (or some other age more than 21) or refusing to allow minor spouses to enter areas prohibited to minors, even though the law allows it under certain circumstances.

In which situations does the law **require** you to refuse alcohol? **The law requires you to refuse to serve alcohol to visibly intoxicated persons and to minors.**

**It is a professional and social duty to do what you can to stop an intoxicated person from driving.** It is easier to plan and practice actions you will take and what you will say **before** you have to actually deal with that situation at work.

## **Professional Intervention Attitudes**

A professional attitude and approach when cutting off or refusing service keeps you in control of the situation. Can you think of any time when you lost control of a situation? Are there different ways you could have acted or things you could have said differently that would have allowed you to stay in control?

Many professional servers use these guidelines:

**Be courteous and concerned.** People are more cooperative when they feel they are being respected and helped, rather than being put down. You might try a statement such as “I want to see that you get home safely.”

**Be confident.** Confidence convinces people you are doing the right thing. Act confident even if you don't feel especially confident--no one will know the difference!

**Be tactful.** Never accuse a customer of being intoxicated. State simply that you cannot serve more alcohol and offer an option, such as, "Why not make this one coffee?"

**Be discreet.** Make every effort not to embarrass the customer in front of friends or business associates. If possible, speak to the person privately.

**Be firm.** Do not allow the impaired customer to talk you out of the rational decision you have made. Use a phrase that gets the message across and stops an argument in its tracks like, “I'm sorry I can't serve you anymore--it's against the law”.

Occasionally it is difficult to cut off service. By being prepared, you can keep control of the situation even though an intoxicated customer may be hostile, threatening, and irrational. Three reminders for dealing with difficult customers are:

- **Remain calm.** It helps to remember that the customer is the one with impaired judgment, not you.
- **Get help.** Tell the manager or other servers. Sometimes even the hostile customer's friends can help diffuse the situation. Occasionally you may even need to call the police.
- **Avoid a fight.** Fights are bad for business and could result in a lawsuit.

## Intervention Techniques

There are many intervention techniques and systems to count drinks and evaluate customers. Establishments and servers develop techniques that are effective and appropriate for them. The following guidelines will help you develop successful intervention practices.



1. **Smile, make eye contact** with your customers, and **take time** checking ID.
2. **Chat** with customers **before** serving them and **each time** you go to their table **to determine** if they are intoxicated or at increased risk of intoxication because of mood, fatigue, medications, etc., or because they have been drinking somewhere else.
3. **Know and watch** for the 50 likely **signs of visible intoxication, combinations of the signs, and changes in behavior.**
4. Know the general **drink limits** based on the BAC chart.
5. Know how much alcohol the **glasses** in your business hold.
6. Count the **number of drinks, not glasses**, each customer has.
7. Wait until a customer **finishes** a drink **before** offering another.
8. Serve **one drink** per person at a time.
9. Do **not push** drinks.
10. **Check with co-workers** before serving a customer they served before.
11. **Watch** the customer who orders **doubles** or more than one drink at a time.
12. **Slow alcohol service** when a customer orders and drinks rapidly.
13. Encourage customers to **order food** and non-alcohol drinks.
14. **Offer water, coffee, or other nonalcoholic spacers** between drinks.
15. **Give last call in person** only to customers who are not approaching intoxication.
16. **Announce closing time instead of last call.**
17. When you cut off a customer, **tell your manager and co-workers.**
18. When appropriate, **take a co-worker** with you when you have to refuse service or pull a drink.
19. Make it clear **you are in control** without being overbearing and scaring off customers.
20. Use **peer pressure** if possible by asking for support from the customer's friends.

21. If you have to remove a drink, remember the two parts of the **good faith effort** law: either **touch** the drink or make a **verbal request**.
22. When you attempt to pull the drink, use **distraction** to divert the customer's attention: use the **wipe-and-swipe** method, or tell the customer they have a **phone call** at the bar, or ask the customer if that's their money or jewelry **under the chair**, and so on.
23. When you pull the drink, have something to **replace it** with: a glass of pop, a cup of coffee, a plate of food, even just a glass of water is better than nothing.
24. If at all possible **detain** the intoxicated customer who intends to drive by offering them food and non-alcoholic drinks to allow time to sober up.
25. Offer **alternative transportation** to keep intoxicated customers from driving.
26. If an **intoxicated customer** insists on **driving** threaten to **call the police** and identify the driver and the vehicle.
27. Follow through on your threat if the intoxicated customer drives away.

## Intervention Scripts

Every situation is different and every difficult customer is unique, but here are examples of phrases you can use when you have to tell a customer you cannot serve them another drink. Variations of these statements may also work when you have to make a good faith effort to remove a drink or when you're dealing with a minor. Modify the details to fit the specific circumstances of your place of business and its customers.

Keep two principles in mind in choosing your words:

1. **Avoid "you" statements** that sound accusatory or judgmental ("You're drunk," "You're cut off," "You've had too much") and provoke
2. **Use "I" statements** instead that put the focus on

**Do not:**  
**bargain**  
**debate**  
**get defensive**  
**give lengthy explanations**

Statements that focus on the law and the limits and consequences of your ability to serve the customer more alcohol

“I’m not able to bring you another drink tonight. I could get into trouble with the law and lose my service permit or liquor license if I serve you more alcohol. How about I bring you a cup of coffee and get you something to eat.”

“Our company policy doesn’t allow me to serve you any more alcohol. We could get into trouble with the OLCC and lose our liquor license. I’ll bring you a Coke and how about a basket of French fries or a plate of Buffalo wings to go with it?”

“Listen, I could get fired if I serve you another drink. The OLCC could fine the business and me, and I could lose my job. I’ll bring you a soda or a cup of coffee instead.”

*Statements that express concern and focus on the customer’s well-being*

“Look, I’m concerned about your safety. I want to be sure you get home okay tonight. Why don’t I bring you a glass of our fresh lemonade while you look at our appetizer menu and choose something to eat? Customers tell me that our chicken strips are the best in town.”

“I know this is frustrating, but I want to be sure you don’t get into trouble tonight. The cops have been patrolling the area a lot the last few weeks and pulling over people for DUII. I don’t want to see you get caught in their dragnet. Instead of another beer, I’ll bring you a glass of ginger ale.”

“Legally, I’m not allowed to serve you another drink. This glass of water will help you avoid getting a hangover tomorrow, and in the meantime, I’ll bring you a bowl of peanuts and some bread sticks.”

**Suggested House Policies**

Each establishment needs to develop its own effective intervention policies and procedures for responsible alcohol service. Remember, house policies can be stronger than what the law allows but can never allow any illegal activity. (You cannot have a house duty, for instance, that allows a 20-year old to consume alcohol).

When you look through your incident log, note situations in your establishment that could use a house policy. For instance, if you see that your establishment frequently has to deal with VIPS, you should include house policies that will cut down on over-service by limiting or slowing service.

The following list contains suggested house policies that many establishments successfully use:

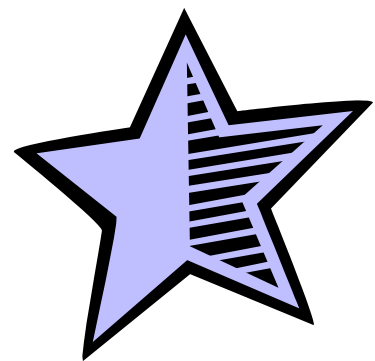
1. Managers and servers will take good care of our customers and protect them from the effects of misusing alcohol, not only because it is our legal obligation and constitutes good business, but because it is also a moral imperative.
2. All employees will understand and obey liquor laws and house duties.
3. Employees will take the required alcohol server education class within the first two weeks of employment.
4. Managers will always support servers in refusing alcohol to minors and visibly intoxicated customers.
5. All on duty employees must be notified when a customer is refused service or cut off.
6. Servers will not encourage excessive drinking, such as offering "two-fers" or other bargain rates.
7. We will serve individual customers no more than 2 (Long Island Ice Teas or similar high alcohol volume drinks).
8. The signs of visible intoxication will be posted.
9. Minor spouses will not be allowed in areas prohibited to minors.
10. For proof of age, servers will only accept stand-alone identification. Customers offering any alternative form of identification will be refused service.
11. Patrons will respect the establishment, customers, and staff or will be required to leave.
12. Servers will not push alcoholic drinks.
13. Servers will offer food and non-alcoholic drinks.

14. Servers will offer a non-alcoholic “spacer” drink between alcohol drinks.
15. Pitcher service will be to groups only.
16. Rather than announcing “last call” near closing time, servers will announce that drinks will be picked up in 5 (or 10 or 15) minutes.
17. No alcohol will be served the last hour the establishment is open.
18. We will support the Designated Driver Program by offering free (or low-cost) non-alcoholic beverages and snacks.
19. We will make every effort to keep intoxicated customers from driving, including offering free food to encourage them to stay longer, providing alternative transportation, and arranging overnight accommodations.
20. If an intoxicated customer insists on driving, the manager will immediately notify the police.
21. Servers will notify the manager of incidents such as cutting off or refusing service to a patron, confiscating ID, or ejecting a patron. The manager will make daily entries in an incident log and each employee will initial the log at the end of his or her shift regardless of whether an incident occurred.
22. Servers will not allow drinks to stack up in front of a customer.

Again, these are suggestions for house policies. Each business is different and needs to come up with house policies that fit its own needs.

### **Management Commitment and Ongoing Training**

As an alcohol server, **you** are the person who decides when a customer should not be served alcohol. Your decision should prevail over the customer, the manager, and the owner. Effective intervention depends on your having a positive attitude and a sense of being in control. It is essential that your manager will support your decisions.



Management commitment is essential to provide a supportive environment that encourages responsible employee practices. Managers have a responsibility to support servers' efforts to obey the law and provide responsible alcohol service.

Ongoing training helps ensure that employees consistently practice establishment policies and procedures and are up-to-date on laws. Consistent training reinforces effective intervention skills and enhances professionalism. Thorough training in house duties and procedures for new employees is essential to responsible service. Regular staff meetings provide a forum to evaluate service, exchange ideas, solve problems, and promote team spirit.

Although many establishments cannot make a time for all employees to meet, some successfully keep employees informed and up-to-date with an employee bulletin board.

### **Responsible Marketing Policies**

If businesses develop house policies that limit the amount of alcohol being sold, such as a policy to not push drinks, how will they make money? Establishments can develop marketing strategies that target profits in food, low or non-alcoholic drinks, and other promotions that will guarantee a healthy business. Some ideas for promoting business and responsible service:

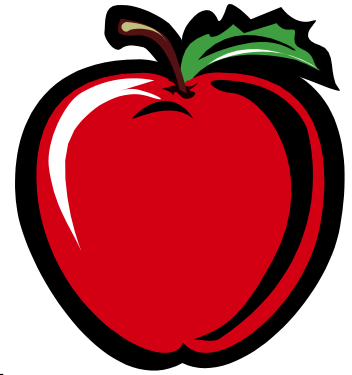
1. New pricing profiles that promote the sale of food and non-alcoholic beverages.
2. Unique and novel food menus.
3. Specialty menus of low-alcohol and non-alcohol drinks.
4. Special food promotions.
5. Promotion of high profit, premium drinks.
6. Special events and entertainment to draw customers.
7. Employee incentives for high volume sale of food and non-alcohol beverages.
8. Cover charge for entertainment.
9. Efficient use of space to increase seating.
10. Community relations to inform the public of the commitment to responsible service.

Which of these marketing strategies does your establishment use? Can you think of other ways your establishment can increase revenues?



## **Food Service**

Food has been mentioned several times in this class, because **food service contributes to responsible alcohol service**. In fact, having food service is one of the best ways to help serve alcohol responsibly. The time a customer spends eating is time they are not drinking alcohol and time their body is using to metabolize, or break down, the alcohol.



***Time is the only factor that reduces intoxication.***

Food also buys time because food slows the absorption, or entry, of alcohol into the bloodstream.

It is a good policy for servers in *any* business selling alcohol for drinking on premises to encourage food service to customers who are drinking alcohol.

However, Oregon law requires food to be readily available only in businesses that serve hard liquor. Businesses with Full On-Premises Sales licenses must have food available at all times they are serving alcohol. The specific food requirements for these businesses will be covered in Unit 7.

## Unit 5 Review

Choose just one answer.

1. Which of the following is a legal requirement?
  - A) Confiscating and destroying altered ID.
  - B) Calling the police when an intoxicated customer insists on driving.
  - C) Refusing alcohol service when a customer appears intoxicated.
  - D) Refusing to allow minor spouses to enter areas prohibited to minors.
  
2. Which of the following are good intervention techniques?
  - A) When you cut off someone, tell your co-workers.
  - B) Count the number of drinks, not glasses, you serve each customer.
  - C) Slow alcohol service when a customer orders and drinks rapidly.
  - D) All of the above.
  
3. Which is not a professional intervention attitude?
  - A) Being courteous and concerned.
  - B) Being confident and tactful.
  - C) Being hostile and bossy.
  - D) Being discreet, firm, and calm.
  
4. Businesses with hard liquor, or Full On-Premises Sales licenses, must have food available:  
 A) only when a cook is on duty.  
 B) only during its posted meal hours.  
 C) only after 5 p.m.  
 D) at all times when alcohol service is available.
  
5. In choosing your words when you have to refuse service, you should:  
 A) avoid “you” statements that sound judgmental  
 B) use “I” statements  
 C) focus on the law and the consequences of not following the law  
 D) all of the above.

*Unit 6*  
**Third Party Liability and  
Drinking and Driving Laws**

**Learning & Behavioral Objectives**

**TOPIC:** Third Party Liability and Drinking and Driving Laws

**OBJECTIVE:** Demonstrate knowledge and understanding of the following information:

1. Oregon's third party liability laws
2. How third party liability laws protect servers if they obey the law
3. Keeping an incident log
4. It is illegal to drive in Oregon with a BAC of .08% or higher
5. A driver can be convicted of DUI even when their BAC is less than .08%
6. DUI includes driving under the influence of other intoxicants, not just alcohol
7. The implied consent law
8. Basic DUI penalties
9. Notifying establishments of a DUI crash
10. The designated driver program
11. Alcohol and boating

**ASSESSMENT:** Correctly answer direct questions, quiz questions, and unit review questions  
Correctly apply laws to case studies and role plays

**RESOURCES:** ASE Model Curriculum  
ASE Model Student Workbook  
ASE Case Studies & Role Plays teaching aid  
ASE Virtual Reality teaching aid  
ASE visual aids

*Unit 6*  
**Third Party Liability and  
Drinking and Driving Laws**

It is illegal to drive while intoxicated because it is unsafe. Impairment due to intoxication from alcohol and other drugs causes crashes, injuries and death. This is a special concern to you as an alcohol server because through **liquor liability laws** you can be held liable for any damages if you do not follow the law.

**Third Party Liability**

Liquor liability is commonly called **third party liability** because the lawsuit involves three parties:

- 1st party – The server and/or licensee
- 2nd party – The intoxicated driver
- 3rd party – The victim

Liquor liability is controversial because many people think it unfairly punishes alcohol servers for the actions of others. However, our society has always had laws to address the fact that an intoxicated person can be dangerous.

Third party liability lawsuits normally involve car crashes. Oregon courts have expanded the law to include deaths, injuries, and damages caused by intoxicated persons even when an automobile crash is not involved.

The plaintiff in a third party liability lawsuit must prove by **clear and convincing evidence** that the customer was served alcohol while visibly intoxicated. If the injury was caused by a minor, the plaintiff must prove that **a reasonable person** would have asked the minor for ID or would have known that the ID was false or altered.

**Protect yourself** by learning to **recognize and identify VIP signs**. You can also protect yourself by **not serving minors**.

The intent of third party liability is to make servers responsible for their own actions. If a server obeys the laws, he or she is not liable.

Many licensees and servers believe they are not liable because they think:

"I wasn't negligent."

"I didn't know the person was driving."

"I thought the person was 21."

"I can't know what a person's BAC is."

None of these are valid defenses, however. In recent years, judicial decisions and laws have expanded third party liability in Oregon. Private hosts, as well as liquor licensees and servers, are subject to third party liability.

Court decisions and state laws hold that:

- Negligence is irrelevant. The sole issue is violation of the law that prohibits serving alcohol to a minor or a VIP.
- Driving to and from drinking establishments is commonplace. It is known or should be known that a customer will leave and operate a vehicle.
- A reasonable person would have asked for ID or known that the ID presented was false or altered.
- A person who is visibly intoxicated is under the influence of intoxicants. Visible intoxication—not BAC—is the issue.



The laws against serving alcohol to **visibly intoxicated persons** (VIPs) or to **minors** are meant to protect everyone. Liquor liability laws allow the victims of intoxicated drivers or minors under the influence of alcohol to sue servers and licensees for damages and injuries resulting from the actions of their customers. Anyone who serves a minor or a VIP can be held liable for injuries resulting from the intoxicated person's actions.

**But liability applies only when servers and licensees violate the law. If servers and licensees follow the law, they are protected from liability.**

Servers who serve alcohol to VIPs or to minors expose themselves and their employers to liquor liability lawsuits. Because licensees are responsible for the actions of their employees, *they can also be sued.*

**Servers and establishments that do not serve alcohol to visibly intoxicated persons or to minors help protect themselves from third party liability lawsuits.**

## **Incident Log**

The best protection against liability lawsuits is to not serve alcohol to visibly intoxicated persons or to minors. For additional protection, licensees and servers should keep a daily record of events in their businesses.

An incident log is a written record of any event such as a fight, refusing service to a minor or intoxicated person, confiscating ID, and calling the police. The log provides documentation to help build a defense in case a lawsuit is filed.

### **Information to record in an incident log includes:**

- Names and addresses of customers, employees, and any other witnesses. If you do not know someone's name, describe them.
- License plate number if an automobile is involved. |
- Date and time of day.
- Describe events before, during, and after the incident.



Daily, consistent entries--even when there are no problems--demonstrate responsible business practices. **The records should be kept for over two years because lawsuits can be filed up to two years after an event.** Servers should consider keeping an individual incident log that they can take with them if they go to work at a different business. A daily record provides other valuable business information, such as customer trends, requests or complaints, employee relations, and more. This can be a useful tool in improving the business.

An incident log should be a bound booklet rather than a binder where pages can be added and taken out. Table 4 shows an incident log format that includes the information that has proven useful.

**Table 4**  
**SAMPLE INCIDENT LOG**

<b>INCIDENT LOG</b>	
NAME OF ESTABLISHMENT	PHONE
CITY, STATE, ZIP	
1.	Date and time of incident (if no incident occurred, please note).
2.	Describe incident in detail (if more then one patron was involved, complete a report for each patron).
3.	Name (or description), address, and phone number of patron.
4.	Name, address, and phone number of employees involved.
5.	Name, address, and phone number of all witnesses.
Signature of Person Making Report	Date of Report

1. This form was designed to assist those in the food and beverage serving industry in controlling premises and liquor liability claims. Employees should be instructed how to properly complete it.
2. Many claims and lawsuits are brought against business owners years after the incident. One of your best defenses is to produce accurate and complete data gathered immediately after an incident. Photographs may be helpful.

3. Record an incident whether or not you expect a claim to be filed. It's also a good idea to report it to your insurance agent or carrier.
4. Attach additional data or documentation that may be available (such as newspaper clippings and telephone conversation notes).
5. Store completed form in a safe place where it can be retrieved easily. Because the statute of limitations is 2 years, you should keep your completed logs over 2 years.



## Driving Under the Influence of Intoxicants (DUII)

In Oregon, a person can be convicted of DUII if he or she drives:

- Under the influence of alcohol and/or other drugs. A person can be arrested and convicted of DUII even when the Blood Alcohol Content (BAC) is less than .08%.

or

- With a BAC of .08% or higher with no other evidence.

When the police suspect a driver is under the influence they observe the individual while performing a field sobriety test. If the officer is convinced that the driver is impaired, he or she places the individual under arrest for DUII. If the driver's BAC is low and there are signs of impairment, the officer may request a urine test. If a driver is involved in a crash or property damage, the officer may ask the person to have blood drawn from a hospital. So breath, blood, or a urine test may be conducted to provide further support that the driver was under the influence of intoxicants.



## DUII and Non-alcohol Drugs

DUII is **driving under the influence of intoxicants**--alcohol, other drugs, or a combination.

A driver can be arrested and convicted of DUII even when the BAC is less than .08%

A driver impaired by pain pills or marijuana, for example, is driving under the influence. Although the drug does not register in a BAC test, the driver is impaired.

Police officers observe drivers for signs of intoxication and impairment. They ask drivers who appear intoxicated to perform field sobriety tests, such as reciting the alphabet and touching the nose. If the driver performs poorly, the officer has reasonable cause to arrest the driver for DUII. While non-alcohol drugs do not show up in BAC tests, the officer documents the driver's performance and signs of impairment to support the arrest. Officers call a DRE (Drug Recognition Expert) to an impaired driver's location to help assess the behavior of the driver and identify drugs that are compared with blood or urine test results.



## **Implied Consent Law**

Any person driving on Oregon's roads is deemed to have given their consent to take a breath, blood, or urine test when the police have reasonable grounds to believe the driver is intoxicated. This **implied consent** gives legal authority to suspend the license of drivers who refuse to be tested for intoxication. Those who refuse the test lose their license for at least a year (with a 90-day wait for a hardship permit) and could face fines of \$500 to \$1,000 in addition to the DUII penalties.

A police officer can ask a driver to take these tests only after they put the driver under arrest for DUII. The officer can arrest a driver for DUII only when there is observable evidence that makes the driver appear to be intoxicated.

## **Automatic License Suspension**

The DMV automatically suspends the license of any driver arrested for DUII.

- If the BAC is .08% or higher, suspension is a minimum 90 days for the first offense and at least one year for subsequent arrests. There is a 30-day wait for a hardship permit for the first offense; no hardship permit is allowed for a repeat test failure.
- If a driver refuses the breath, blood, and/or urine test, the license is suspended for **at least one year** for the first offense, and at least three years for subsequent offenses. There is a 90-day wait for a hardship permit for the first offense, and a 1 year wait for a repeat refusal.

**People under 21 will automatically lose their license for at least 90 days if testing shows a BAC of more than .00 (zero) percent.** As with all drivers, a refusal to take the breath test results in loss of their license for at least a year. There is a \$250 fine for a minor in possession of alcohol.

Commercial truck drivers are held to a higher standard and are guilty of DUII if they have a BAC of .04% or higher.

- If the driver has a BAC of .04% or higher, the license is suspended for one year; lifetime suspension for a subsequent arrest.
- If the driver refuses the breath, blood, and/or urine test, the license is suspended for three years.

## **More DUI Penalties**

The following happens to a person convicted of DUII:

1. Pay a minimum fine of \$1,000 for the first conviction, \$1,500 for the second, \$2,000 for the third. Fines could be as much \$10,000.
2. Pay fines up to \$10,000 and possibly lose eligibility for the diversion program if passengers under age 18 were in the vehicle and were 3 or more years younger than the driver.
3. Serve a minimum of 2 days in jail or perform 80-250 hours of community service for the first conviction.
4. Complete an evaluation to determine whether they have an alcohol or other drug problem.
5. Complete a treatment program at their own expense. If they are dependent on alcohol or other drugs, the treatment is rehabilitation.
6. Lose their driver license for 1 year for the first conviction, 3 years for repeat convictions, and permanently for the third misdemeanor DUII conviction. There is no wait for a hardship permit for a first conviction, but there is a 90 day wait for a second conviction and a 1 year wait for subsequent convictions. Third time offenders may petition the court for reinstatement of driving privileges no sooner than 10 years after parole or post-prison supervision.

## **Establishments and DUII**

When an intoxicated driver crashes and reports drinking at a licensed establishment, the police notify the OLCC. The OLCC notifies the establishment of the crash. This early notification benefits licensees and servers who might need to prepare a defense for a third party liability lawsuit. This law also applies to package stores and hosts of private parties. When the alleged provider of alcohol is a private host, the police notify the person directly. The law applies when there is an alcohol-related crash and:

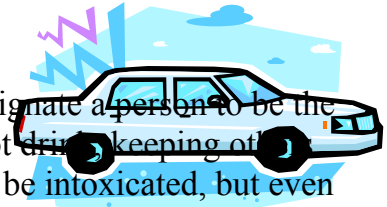
- Anyone other than the driver is injured or incurs property damage.

or

- The driver is cited for an alcohol-related offense, or could have been if he or she had survived.

## The Designated Driver Program

The **designated driver program** encourages every party to designate a person to be the driver for the others in the party. The designated driver does not drink, keeping others who are drinking from driving. The others may not necessarily be intoxicated, but even a small amount of alcohol causes impairment. This excellent program has contributed to the reduction in deaths. Establishments can reduce their chances of being held liable for an alcohol related accident by encouraging parties to designate a driver. Providing free or low cost non-alcoholic drinks to a designated driver is a good way to support this idea.



Sometimes a group of your customers with a designated driver will think they can drink as much alcohol as they want just because they have a designated driver. However, the law states that you cannot serve or sell alcohol to any customer who is visibly intoxicated, whether the customer is driving or not. Also, if the customer becomes visibly intoxicated, you must make a good faith effort to remove their drink even if they have a designated driver.

## Alcohol and Boating



Alcohol servers and sellers must also practice responsible alcohol service with patrons operating a boat. Factors commonly associated with boating, such as noise, wind, sun, vibration, current, and wave action significantly slow reaction time, especially when combined with alcohol.

Operating a boat under the influence of intoxicants is a crime in Oregon. The boat operator is subject to criminal penalties if an analysis of the person's breath, blood, and/or urine shows that the person is under the influence of intoxicants.

Persons operating a boat in Oregon waters have given consent to submit to field sobriety tests and BAC, blood, and urine tests upon the request of a peace officer.

If the amount of alcohol in the boat operator's blood is less than .08%, it is indirect evidence that may be used with other evidence to determine if the operator was under the influence of intoxicants. The operator is under the influence if the amount of alcohol is .08% or above.

## Unit 6 Review

Choose just one answer.

1. Third party liability laws:
  - A) unfairly punish alcohol servers for the actions of others.
  - B) are intended to make servers responsible for obeying liquor laws by not serving alcohol to VIPs and minors.
  - C) do not apply if a customer is not driving.
  - D) are intended to make servers liable for the actions of their customers.
  
2. Which is true? A person can be convicted of DUII if they drive:
  - A) under the influence of alcohol and/or other drugs even if their BAC is less than .08%.
  - B) with a BAC of .08% or higher.
  - C) while impaired by pain pills, marijuana, or other drugs.
  - D) All of the above.
  
3. How is BAC determined?
  - A) By asking the driver how many drinks they had.
  - B) By a breath, blood, or urine test.
  - C) By asking the driver to walk a straight line and count backwards from 100.
  - D) By asking the driver to hold out their arm and touch their nose.
  
4. Which is not true? The designated driver program:
  - A) has contributed to the reduction in deaths due to alcohol-related crashes.
  - B) encourages every group to designate one person who doesn't drink alcohol to be the driver for the group.
  - C) is helpful to establishments because you can serve all members of the group except for the designated driver all the alcohol they want.
  - D) encourages businesses to provide free or low-cost non-alcohol drinks to designated drivers.
  
5. An incident log:
  - \_\_\_\_\_ A) is a written record of events such as a fight, refusing service to a VIP or minor, calling the police, etc.
  - \_\_\_\_\_ B) offers protection because it documents how you obeyed the law.
  - \_\_\_\_\_ C) should have daily and consistent entries to demonstrate responsible business practices.
  - \_\_\_\_\_ D) is all of the above.

*Unit 7*  
**Oregon's Basic Retail Liquor Laws**

**Learning & Behavioral Objectives**

**TOPIC:** Oregon's basic retail liquor laws

**OBJECTIVE:** Demonstrate knowledge and understanding of the following laws:

1. Most common retail liquor licenses and their privileges
2. Hours alcohol may be served, sold, or consumed on a licensed premises
3. The kind of alcohol allowed on a licensed premises
4. Removing a partially consumed bottle of wine from the premises
5. The open container law
6. Servers must not drink alcohol or be under the influence of intoxicants while on duty; definition of "on duty"
7. Duties a minor permittee may and may not perform
8. Licensees responsibility for the conduct of employees
9. Unlawful activities on and around a licensed premises
10. It is illegal to allow the use of illegal drugs in a licensed business
11. Neighborhood livability
12. Certified security
13. Cooperating with OLCC regulatory employees, especially in allowing access to the premises and calling the police if directed to do so
14. Liquor as a prize
15. Prohibited drink promotions
16. Minimum food service requirements for Full On-Premises Sales licenses
17. Common penalties for major liquor law violations

**ASSESSMENT:** Correctly answer direct questions, quiz questions, and unit review questions  
Correctly apply laws to case studies and role plays

**RESOURCES:** ASE Model Curriculum  
ASE Model Student Workbook  
ASE Case Studies & Role Plays teaching aid  
ASE Virtual Reality teaching aid  
ASE visual aids

*Unit 7*  
**Oregon's Basic Retail Liquor Laws**

Any business person wanting to sell or serve alcoholic beverages in Oregon must first be licensed by the OLCC. Anyone can apply for a **liquor license**, but approval is granted only after the Commission has made a thorough investigation of the application.

**The Most Common Liquor Licenses**

**| Full On-Premises Sales (F)**

ORS 471.175

*Examples: Fine dining establishments, neighborhood or family restaurants, nightclubs, hotels, and private clubs*

A Full On-Premises Sales, or F, license allows the sale by the drink of hard liquor (distilled spirits), beer, wine, and cider for drinking only on the licensed premises. Full On-Premises licenses may not sell alcohol to go unless the business also has an Off-Premises Sales license. However, there are two exceptions:

- Customers may take from the premises a partially consumed bottle of wine if the wine is served in conjunction with the customer's meal.
- Customers may purchase beer for consumption off the premises in securely covered containers provided by the customer (commonly called "growlers") in quantities up to 2 gallons.

**Food must be available at all times when alcohol is sold.** It is illegal to discourage customers from ordering food in a Full On-Premises business, even if the customer is ordering only food and not any alcohol.

Minor service permittees may work here under certain circumstances.

Under strict conditions, Full On-Premises licenses may be used at catered and temporary events away from the licensed premises if the licensee first satisfies prior notice and approval requirements. Contact your local OLCC office for details.

## **Limited On-Premises Sales (L)** ORS 471.178

*Examples: Family restaurants, cafes, pizza parlors, delicatessens, and taverns*

A Limited On-Premises Sales, or **L**, license allows the sale by the drink of beer, wine, and cider for consumption only on the licensed premises. Limited On-Premises licenses may not sell alcohol to go unless the business also has an Off-Premises Sales license. However, there are three exceptions:

- Customers may take from the premises a partially consumed bottle of wine if the wine is served in conjunction with the customer's meal.
- Customers may purchase beer for consumption off the premises in securely
  - covered containers provided by the customer (commonly called “growlers”) in
  - quantities up to 2 gallons.
- Customers may purchase beer in factory-sealed kegs (holding 7 or more gallons).

Limited On-Sales licenses are not required to offer food.

Minor service permittees may work here under certain circumstances.

Under strict conditions, Limited On-Premises licenses may be used at catered and temporary events away from the licensed premises if the licensee first satisfies prior notice and approval requirements. Contact your local OLCC office for details.

## **Brewery-Public House (BP)**

ORS 471.200

A Brewery-Public House, or **BP**, license is granted to a business to manufacture and sell beer (malt beverages up to 14% alcohol) and sell wine and cider for drinking *on* or *off* the premises.

BP businesses selling alcohol for **off-premises drinking** may do so in the following ways:

- Package sales of beer, wine, and cider in factory-sealed containers. This includes kegs of beer.



- Malt beverages in securely covered containers supplied by the customer (commonly called “growlers”).

BP licenses are not required to offer food.

Minor service permittees may work here under certain circumstances.

BP businesses may qualify to make same-day or next-day delivery of beer and wine under strict conditions. The licensee must receive prior approval before making deliveries. Contact your local OLCC office for details.

### **Winery (WY)**

ORS 471.223

A Winery, or **WY**, license allows a business to manufacture and wholesale wine and cider. A winery may also sell wine, cider, and malt beverages at retail for drinking on or off the licensed premises.

Winery employees who solicit wholesale orders or who only make to go retail sales do not need to have a service permit. But any winery employee who serves alcohol for on-premises consumption and at special events, including tastings on or off the Winery premises, must have a service permit.

Winery licenses are not required to offer food.

Minor service permittees may work here under certain circumstances.

### **Off-Premises Sales (O)**

ORS 471.186

*Examples: Supermarkets, grocery stores, and convenience stores*

An Off-Premises Sales, or **O**, license allows the sale of beer, wine, and cider in factory-sealed containers to go only. Alcohol must not be consumed on the premises. To sell alcohol, employees must be at least 18 and must read and sign an OLCC brochure entitled “What Every Store Clerk Needs to Know about Selling Alcohol.”

Off-Premises businesses may offer sample tastings of beer and wine, but they must first request and receive OLCC approval. Employees who serve tastings must have a service permit.

Off-Premises businesses may also make next-day delivery of beer and wine if they have filed the necessary forms with the OLCC.

## Hours

Alcohol may be sold, served, or consumed on a licensed premises only from **7:00 a.m. to 2:30 a.m.** There are special times when some licensees may close their entire premises to cater to private parties. Licensees must first talk with their local OLCC office before closing for a private party.



If you are entitled to a “shift drink,” you must drink it after 7:00 a.m. and before 2:30 a.m., but **not** while you are on duty, on a break, or about to go on duty.

## Alcohol in a Licensed Premises

**Only the kind of alcohol the licensee is allowed to sell may be sold or served on the licensed premises.** For example, an establishment with a license to sell only beer and wine may not allow either servers or customers to bring hard liquor onto the premises. On the other hand, a licensee may allow a patron to bring in a bottle of alcohol **if** the license is allowed to sell that type of alcohol. For example, a restaurant could allow a patron to bring in any wine containing up to 21% alcohol by volume. It doesn't matter whether the patron purchased the wine in Oregon or if the particular label has ever been sold in Oregon.



The licensee or permittee must be involved in the service of the alcohol brought in by a customer, and a service fee may be charged. This service would be met if the permittee opened the bottle of wine and poured the first glass. The law does not prohibit patrons from pouring additional glasses of wine or beer, but the server must pour all hard liquor.

Licensees and permittees who permit patrons to bring alcohol into the premises are still responsible for violations such as consumption by a minor or serving a visibly intoxicated person. Licensees may refuse to let patrons bring alcohol into their place of business, and, in fact, many licensees have a house policy against it.

## Wine from a Partially Consumed Bottle

Businesses with Full On-Premises Sales and Limited On-Premises Sales licenses may allow a customer to carry out a partially consumed bottle of wine, but never bottles of beer or hard liquor.

The wine must be served in conjunction with a meal. These businesses may allow a customer to take home an unfinished bottle of wine as long as the patron is not a minor and is not exhibiting signs of visible intoxication.

Although it is not a legal requirement, before the patron leaves you could, as a professional duty:

- Tell the customer it is illegal in Oregon to have an open container of alcohol in the occupant section of a vehicle (the Open Container Law). A partially consumed bottle of wine, even though it's resealed, is still an open container of alcohol.
- Advise the customer to put the wine in the vehicle's trunk, or, if the vehicle has no trunk, to place the bottle in the farthest area out of reach of the driver or other passengers.
- Put the bottle in a bag and staple the bag closed.

It's a good idea to record this in your incident log.

## **Drinking On Duty**

***Licensees and servers must not consume alcohol or be under the influence of intoxicants while on duty.***

**On duty** means from the **beginning** of a work shift that involves the sale or service of alcoholic beverages, checking identification or controlling conduct on the premises, or supervising employees who perform these duties to the **end** of the shift *including coffee, meals, and all breaks*

**Servers are held to the standard of not being under the influence of intoxicants rather than the standard of not being visibly intoxicated.**

There is a good reason servers are held to this standard. People can be under the influence of intoxicants long before they show visible signs. **Judgment** is the first ability to be impaired after drinking alcohol, therefore, a server under the influence of intoxicants might not notice that a customer is visibly intoxicated or may not properly check identification, which could result in serving alcohol to a minor. An impaired server might make an error of judgment that could endanger the customer, the licensee, and others. Exercising good judgment is a critically important part of a server's job.

The safest approach is not to drink any alcohol at all before going on duty. If a server does choose to drink shortly before going on duty, he or she **must not go on duty while under the influence of intoxicants**.

### **Minor Service Permittees**

Generally, alcohol servers must be 21 years old. Minors 18 to 20 years old may take orders for, serve, or sell alcohol, but **only** in areas where the minor posting allows them. (See ORS 471.482.) Minors **must** get a minor service permit. On their 21st birthday, this same permit provides all the privileges of an adult service permit.

All liquor licenses that allow retail sales privileges may employ minors in areas and during hours when minor patronage is allowed unless otherwise prohibited by OLCC rules.

Minor service permittees may **NOT**:

- Serve alcohol or take food orders in areas prohibited to minors, such as a bar or lounge.
- Function solely as a bartender or cocktail server.
- Mix drinks.

Minor permittees **MAY**:

Take orders for and serve alcohol in areas not prohibited to minors, such as a dining room or hotel lobby.

Pour wine or beer as a service to patrons at their tables in areas not prohibited to minors.

Draw alcohol from the tap if the drawing is done in areas not prohibited to minors.

Enter areas prohibited to minors, such as the bar or lounge, to:

- 1) Order and pick up drinks for service in non-prohibited areas.
- 2) Restock supplies.
- 3) Set and clear tables.
- 4) Deliver food, but not take food orders.

Minors must leave the prohibited areas after performing these limited duties. Minor service permits allow young people to work in businesses as food servers, but not primarily as alcohol servers.

## **Licensee Responsibility for Conduct of Employees**

Licensees are responsible for the conduct of employees and may be held responsible if their employees violate liquor laws on the licensed premises. Licensees may be held accountable for the criminal acts of employees, even if the licensee instructed the employee not to engage in the criminal activity or was not aware of the criminal conduct.

To avoid the risk of a violation on their records, licensees must make a **serious effort** to be aware of what is happening at their place of business. Licensees must take necessary steps to **prevent** criminal activity by employees. They must also take immediate **corrective** action when they suspect criminal activity.

To further minimize risk for licensees who aren't ordinarily on the premises, these **licensees should make occasional visits to personally observe activities of both employees and patrons**. It's probably a good idea to visit during all shifts and sometimes after hours.

Licensees and permittees must prepare to act when they see “red flags” or indicators that some sort of criminal activity may be occurring at the business. A red flag could be a variety of things, such as syringes found in the building or parking lot, frequent trips by certain individuals to the restroom or parking lot, etc. **A licensee or permittee may be subject to fines or suspension if they know of criminal activities by co-workers and fail to take steps to deter or report it.**

If a licensee or permittee suspects a problem and requests police assistance, the OLCC is less likely to hold them responsible or impose a severe sanction. Asking for police assistance, however, does not excuse licensees from the responsibility to personally monitor their businesses. **Licensees should institute management practices and house policies to help avoid such problems.**

### **Unlawful Activity**

Just as licensees and permittees must take action when they suspect a co-worker is involved in any criminal activity, they are also **responsible for the actions of their customers**. Licensees and permittees **must not permit any unlawful activity** on the licensed premises or in areas outside the premises that the licensee controls, including the parking lot. Unlawful, or illegal, activities include prostitution, public indecency, illegal gambling, or illegal drug use or sales in or near the establishment.

In order to host legal gambling activities in their place of business, licensees must be sure the type of gambling they're considering falls into the lawful category. To determine which gambling activities are legal in their community, licensees should call their local

district attorney.

## **Orderly Premises and Neighborhood Livability**

Licenses and permittees are responsible for customer behavior which affects the neighborhood's livability. No licensee or permittee will permit **on or in the immediate vicinity** of the licensed premises noisy or disorderly activities.

- **Noisy activities** are those that a reasonable person would conclude interfere with normal living or business activities. Violations of state or local noise pollution standards may be considered evidence of noisy activities.
- **Disorderly activities** are those that harass, threaten, or physically harm another person. This may include abusive language, fights, or threatening behavior.



**Licenses and permittees are responsible for customer disturbances in the immediate vicinity of the business if the disturbances are related to the sale or service of alcohol.**

**Immediate vicinity usually goes beyond the parking lot** and may be as much as two or more blocks away from the establishment in some cases. Disturbances are defined as serious and persistent problems caused by customers who are noisy, disorderly, or involved in illegal activities. Examples :

- excessive noise
- public drunkenness
- unlawful drug sales
- trespassing on private property
- fights
- alcohol or related litter
- public urination.

If an establishment has a history of serious and persistent patron-related problems, the licensee will receive a fine or other sanctions.

The majority of licenses' customers do not cause any problems for neighbors. Some licenses have occasional problems. Most often, prompt attention and cooperative efforts with the OLCC can help prevent continuing disturbances or resolve problems to the mutual satisfaction of those involved.



## **Certified Security**

Oregon law requires that individuals who function primarily as security personnel must be certified by the Oregon Department of Public Safety Standards and Training (DPSST). A person may be subject to this requirement if their primary responsibility includes any one or combination of the following duties: observing and reporting unlawful activity; preventing theft or misappropriation of items of value; protecting individuals and property from harm or misappropriation; controlling access to a premises being protected; detaining or placing persons under arrest; or providing canine services to guard a premises or detect unlawful substances or devices.

Police and other law enforcement officers, when they visit licensed premises, may issue citations for failure to have the necessary certification. Fines range from \$250 to \$1,500. OLCC Inspectors also have the authority to cite licensees for violating this law, although the Commission will usually wait until the police issue a citation before taking action.

Licensees and servers should check with DPSST for further information at 503-378-2100 or [www.oregon.gov/DPSST/index.shtml](http://www.oregon.gov/DPSST/index.shtml).

## **Cooperating with OLCC Regulatory Employees**

The OLCC normally examines premises when they are open to the public. OLCC officials may inspect a business after hours only when they have reason to believe a violation of liquor laws is occurring. Licensees and permittees must not refuse to promptly admit an OLCC regulatory employee or a police officer when the officials identify themselves and ask to enter to conduct a reasonable search to ensure compliance with alcohol regulations.

A licensee or permittee must never incite or encourage customers or co-workers to not cooperate with an OLCC regulatory employee. If the OLCC employee directs a licensee or permittee to **call the police**, they must do so **immediately**. Also, no licensee or permittee must ever:

1. **Destroy, damage, alter, remove, or conceal potential evidence**
2. **Refuse to give** an OLCC regulatory employee or police officer this **evidence** when the OLCC employee or officer lawfully requests it.
3. **Ask or encourage another person** to do 1 or 2 above.



## **Liquor as a Prize**

No licensee or permittee will give or permit any alcohol to be given as a prize, premium, or consideration for any lottery, contest, game of chance or skill, or any competition of any kind on the licensed premises. (The law provides exceptions for charitable, nonprofit, religious, and fraternal organizations under certain conditions. See ORS 471.408.)



## **Prohibited Drink Promotions**

Oregon law prohibits the following alcoholic drink promotions:

- “All-you-can-drink” offers (an unlimited number of drinks for a fixed price during a set period of time)
- “Drinking contests” or “drinking games” that increase consumption at an extraordinary speed or in increased quantities or in more potent forms
- Happy hour after midnight
- Advertising happy hour outside the premises. On-premises businesses may post signs referring to temporary price reductions on alcohol inside the business as long as the signs are not visible from the outside.

## **Food Service Requirements**

Oregon law **requires** food to be readily available only in businesses that serve hard liquor. Businesses with Full On-Premises Sales licenses must have food available at all times they are serving alcohol.

**It is *illegal* to discourage a customer from ordering food in one of these businesses, even if the customer is ordering only food and not ordering any alcohol.**

The minimum required food service depends on the type of operation. Commercial Establishments and Private Clubs are the two most common.

## Extra Information!

### **Commercial Establishments**

*Such as fine dining and family restaurants, nightclubs, bars, etc.*

The requirements are:

- 5 distinctly different regular meals during the dinner meal period
- 3 hour minimum dinner meal period
- 5 different substantial food items at all other times when alcohol is available (Examples: sandwiches, pizza, soup, sausages. Snack items such as popcorn, peanuts, chips, and crackers do not qualify, and different sizes of the same item do not qualify as different items).

\*If the business is not open for dinner, it must offer 5 distinctly different regular meals during the lunch meal period which must be at least 2 hours long.

Other general requirements include minimum number of dining seats, which is determined by the size of the business, and adequate kitchen facilities and food service employees. For more details, contact your local OLCC office.

### **Private Clubs**

*Such as fraternal and veterans organizations.*

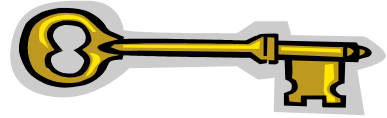
The requirements are:

- 3 different substantial food items prepared on the premises  
(Examples: Sandwiches, pizza, soup, appetizers, sausages. Snack items such as popcorn, peanuts, chips, and crackers do not qualify, and different sizes of the same item do not qualify as different items).

Other general requirements include suitable and adequate space (including dining seating), equipment, implements, facilities, and employees for serving food. For details contact your local OLCC office. If the club is open to the public, it must comply with the food service requirements for Commercial Establishments.

For information about the food requirements for other types of operations, contact your local OLCC office.

## In-Room Supply of Alcohol



A hotel or an arena (such as the Rose Garden in Portland) with a Full or Limited On-Premises Sales license may provide in-room supplies of the kind of alcohol allowed to be sold under its license. These in-room supplies are kept in small cabinets or refrigerators, often called **minibars**, which must be kept locked. Licensees must get authorization in writing from the OLCC before offering this service.

### Extra Information!

**Hotels** with minibars must follow these conditions:

- | Only service permittees or similarly trained employees may give mini-bar keys to guests.
- | Keys may not be given to minors, VIPs, or guests accompanied by minors who are not their children.
- | An employee must be 18 years or older to perform routine restocking of the mini-bar.
- | Only a service permittee may perform immediate restocking in response to a guest's request. (This is the equivalent of selling and serving alcohol).
- | A service permittee will not restock if:
  - There are VIPs or minors unaccompanied by their parents in the room.
  - It is between the hours of 2:00 a.m. and 7:00 a.m.
  - The liquor requested is more than the people in the room could reasonably consume by 2:30 a.m.
- | The number of alcohol containers in the minibar must not exceed 30.
- | The size of the containers is no larger than 50 milliliters for distilled spirits, 12 ounces for malt beverages, and 375 milliliters for wine or cider.
- | Each mini-bar must have a sign announcing these prohibitions:
  - Minors and VIPs may not consume alcohol.
  - Alcohol may not be consumed between 2:30 a.m. and 7:00 a.m.
  - Alcohol may not be taken off the premises.
- | At a minimum, a variety of snacks must be available during the hours that a guest may lawfully access the minibar. (OAR 845-006-0433)

**Arenas:** The conditions for minibar service in arena suites are different and more complicated. Contact your local OLCC office for details. (OAR 845-006-0434)

Licensee responsibility for liquor law compliance is the same under minibar service as it is under lounge or restaurant liquor service.

## Liquor Law Violations

**Alcohol sales and service laws exist to protect the public.** Because a liquor law violation is a serious offense, the **consequences are *substantial***.

The OLCC may suspend or revoke a liquor license or service permit for liquor law violations. A suspended license or permit can result in a significant loss of income because licensees lose profits and servers lose wages and tips. Licensees and permittees may also be fined for violations. Licensees and managers may be suspended and/or fined if a server violates a liquor law. Licensees or permittees may request a hearing to contest the violation charges.



The suspension and/or fine for the first major violation is:

**Licensee**    10 days    *and/or*    \$1650

**Server**        10 days    *and/or*    \$250

Additional violations increase the suspensions and fines.

Examples of major violations are:

- Selling or making alcohol available to a minor or visibly intoxicated person
- Disorderly establishment
- Allowing an employee to serve alcohol without a permit

When in doubt about whether something is allowed or not, call the OLCC and ask. It is never a good idea to guess and risk the possibility of a fine or suspension.

## Unit 7 Review

Choose just one answer.

1. When may a customer take home an unfinished bottle of wine?
  - A) When the customer has a designated driver.
  - B) When the bottle costs \$50 or more.
  - C) When the business has a Full On-Premises or Limited On-Premises license, the wine was served in conjunction with a meal, and the customer is not visibly intoxicated.
  - D) When the wine was made by an Oregon winery.
  
2. Which of the following is not true?
  - A) Licensees are responsible for the conduct of their employees.
  - B) OLCC regulatory officials have the right to examine a business at any time.
  - C) Unlawful activity in a business may be overlooked as long as it doesn't involve over-serving alcohol.
  - D) Liquor may not be given as a prize for games, contests, or competitions of any kind at a business.
  
3. Alcohol may be served or consumed on a licensed premises:
  - A) from 7:00 a.m. to 3:00 a.m.
  - B) any time the business is open to the public.
  - C) from 7:00 a.m. to 2:30 a.m.
  - D) whenever a bartender is on duty.
  
4. Liquor law violations:
  - A) may result in payment of a fine or suspension of a liquor license or service permit.
  - B) may result in increasing penalties with additional violations.
  - C) may result in a 10-day suspension for the first violation.
  - D) all of the above.
  
5. Licensees and servers may not consume alcohol or be under the influence of intoxicants while on duty:
  - A) except during breaks.
  - B) unless they have a house policy allowing them to drink on duty.
  - C) because exercising good judgment is a critically important part of a server's job and because it's against the law.
  - D) because people are not under the influence of intoxicants until they show visible signs.

Table 5

<p><b>MAIN OFFICE - PORTLAND/MILWAUKIE</b> 9079 SE McLoughlin Blvd. PO Box 22297 Portland, OR 97269-2297 503-872-5070 or 1-800-452-6522 Fax 503-872-5074 <b><u>Counties</u></b> Clackamas, Columbia, Hood River, Multnomah, Washington (Clatsop &amp; Tillamook: Licensing Issues)</p> <p><b>BEND</b> Deschutes Business Park 20360 Empire Ave., Suite B-3 Bend, OR 97701 541-388-6292, Fax 541-388-6321 <b><u>Counties</u></b> Crook, Deschutes, Harney, Jefferson</p> <p><b>COOS BAY</b> 500 Central PO Box 1176 Coos Bay, OR 97420 541-266-7601, Fax 541-266-7234 <b><u>Counties</u></b> Coos, Curry</p> <p><b>EUGENE</b> 927 Country Club Road, Suite 200 Eugene, OR 97401 541-686-7739, Fax 541-687-7381 <b><u>Counties</u></b> Benton, Lane</p> <p><b>KLAMATH FALLS</b> 107 South 7<sup>th</sup> Klamath Falls, OR 97601 541-883-5600, Fax 541-883-5507 <b><u>Counties</u></b> Klamath, Lake</p>	<p><b>MEDFORD</b> 15 Crater Lake Ave. Medford, OR 97504 541-776-6191, Fax 541-776-6188 <b><u>Counties</u></b> Jackson, Josephine</p> <p><b>NEWPORT</b> 715 SW Fall St. Newport, OR 97365 541-265-4522, Fax 541-265-4522 <b><u>County</u></b> Lincoln</p> <p><b>PENDLETON</b> State Office Building 700 SE Emigrant St., Suite 140, #12 Pendleton, OR 97801 541-276-7841, Fax 541-278-4086 <b><u>Counties</u></b> Baker, Gilliam, Grant, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco</p> <p><b>ROSEBURG</b> 251 NE Garden Valley Blvd., Suite A-3 Roseburg, OR 97470 541-440-3362, Fax 541-440-3361 <b><u>County</u></b> Douglas</p> <p><b>SALEM</b> 213 Madrona St., SE Salem, OR 97302 503-378-4871, Fax 503-378-4594 <b><u>Counties</u></b> Linn, Marion, Polk, Yamhill</p> <p><b>WARRENTON</b> 10050 Hwy. 101, Suite A PO Box 967 Warrenton, OR 97146 503-861-3912, Fax 503-861-6074 <b><u>Counties</u></b> Clatsop, Tillamook (Compliance Issues)</p>
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## OLCC Offices