

# OREGON LIQUOR & CANNABIS COMMISSION

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# Enrollment Agreement

The State of Oregon requires that all bartenders, servers, and all persons who serve, sell, or mix alcohol drinks at on-premise licensed locations (including volunteers), and managers who oversee these staff, complete an OLCC certified Alcohol Server Education (ASE) course and apply and pay for their alcohol server permit. This includes hosts and hostesses who ring up alcohol and/or help waitstaff by serving, mixing, and/or pouring drinks must have a Service Permit. Volunteers must also have an ASE Permit. Only instructors and providers who are certified by the Oregon Liquor & Cannabis Commission (OLCC) may offer these ASE courses.

Oregon's Mandatory Alcohol Server Education program is in response to the fact that one in twelve people who drink alcohol in the US is an alcoholic and alcohol is the nation's number one drug problem. By instilling a Responsible Alcohol Server Program for those who serve alcohol, our mission is to impact the OLCC's commitment to reducing public safety hazards by reducing intoxicated driving and underage drinking.

Oregon's Mandatory Alcohol Server Education was initiated by the hospitality industry. In 1985, Oregon's Hospitality Industry sponsored legislation to establish Mandatory Alcohol Server Education for owners and employees of licensed businesses that serve alcohol by the drink. The OLCC then worked with the Industry to develop the ASE course and exam.

This seminar does not represent all legal issues concerning liquor laws in Oregon State. For any questions you may have concerning additional laws not covered in this seminar, we encourage you to contact the OLCC at the phone number below. While attending this seminar, you agree to not consume alcohol or be under the influence of alcohol or any other intoxicants.

If you have any comments, questions or concerns about this seminar please call the OLCC at (800) 452-6522 Ext. 5133 / (503) 872-5133

Americas Alcohol Certified Education Association (888) 865-1900 [www.aacea.com](http://www.aacea.com)

# Alcohol Service Permit Requirements and Procedures

To receive an Alcohol Service Permit you must create/complete an account through the OLCC's CAMP portal and complete an Alcohol Server Education Course. You must be a minimum of 18 years of age to hold a Service Permit.

1. Apply and pay for your permit to serve alcohol through the OLCC CAMP portal.
2. Complete a course through a third party instructor.
3. Pass the OLCC final exam through the OLCC CAMP portal.
4. Most people have access to a temp permit to serve while OLCC staff reviews the application for the five year permit.
5. Once approved the server will receive an email with the 5 year permit attached.
6. If your permit becomes lost, stolen, or destroyed, or if your name changes, you are required to apply for a replacement permit immediately. You can request a replacement permit through your OLCC account.
7. It is illegal for anyone to serve or sell alcohol at an on-premise licensed location without an ASE permit. It is important to note that not all who apply for an ASE Permit are approved.

## Application Denials

Your application could be denied if you have:

- felony convictions for drug or violence crimes
- instances of driving after your license was suspended or revoked
- convictions or diversions for Driving Under the Influence of Intoxicants (DUII)
- had a liquor license or permit canceled for liquor law violations

## Overlooking History

The OLCC can consider overlooking your history if:

- you were addicted to alcohol or drugs at the time of the incident/s
- if you were diagnosed addicted to alcohol or drugs as a result of the incident/s.

In order for the OLCC to consider overlooking your history, you are required to provide a sworn statement and additional documents proving:

- That you have not used or consumed drugs or alcohol for 24 months
- That you are participating in or have completed a drug or alcohol treatment program
- That you have completed all parole or probation requirements

## Permit Rules and Maintenance

6. 1. Your Service permit is your property, not your employer's property. We recommend making a copy for your employer.
7. You must have your permit and identification on you at all times you are working and make it available for inspection by a liquor enforcement agent or law enforcement officer.
8. Your Service Permit is valid for 5 years from the date it is issued. Once your permit has expired, you must retake a certified ASE course, start an application through the OLCC CAMP portal which will include a final 50 question test.
9. Your permit may be used for multiple establishments.
10. If the server has a valid permit they can log into the OLCC CAMP portal to get a copy of the permit free of charge at any time or contact the OLCC for information on how to get a copy.

## Frequently Asked Questions

11. **How long will it take to get my five-year permit?** Staff review of Alcohol Service Permit applications can vary depending on the number of applications OLCC received. You will be notified by email when your application is approved or denied. If your application is approved, your 5 year Alcohol Service Permit will be attached to the approval email.
12. **I changed my legal name, how do I change it on my Alcohol Service Permit?** By logging into your account in the Alcohol Service Permit OLCC CAMP portal, you have options of changing your information and reprinting your valid Alcohol Service Permit, once a five year Alcohol Service Permit has been issued. Name changes require the Service Permittee to also upload updated photo identification reflecting the name change. Requests to change account profile information can take a minimum of 10 business days for processing. Please check your OLCC CAMP portal dashboard within 10-14 business days to print a revised Alcohol Service Permit, if approved.

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## Seminar Objectives

To provide you with valuable education regarding responsible alcohol service and to educate you on the below topics:

- How to anticipate problems before they arise
- How to prevent minors from entering prohibited areas
- How to ensure that minors do not consume alcohol
- How to recognize VIPs (Visibly Intoxicated Persons)
- How to prevent customers from becoming intoxicated
- Techniques for handling VIPs
- Your legal duties (The duties the law requires you to perform)

- Your professional duties (The duties you choose to perform which go above and beyond legal duties)
- Your house duties & policies (Policies that are developed by an establishment to help its staff maintain public safety)
- Acceptable customer conduct and employee conduct
- Alcohol and how it affects the drinker
- The consequences of combining alcohol and drugs
- And last but not least, to always have fun while working!

# **Unit One: RESPONSIBLE ALCOHOL SERVICE AND OREGON'S ALCOHOL SERVER EDUCATION PROGRAM**

## **COURSE GOALS**

The goals of this course are:

- To promote responsible alcohol consumption through responsible alcohol service
- To give you the knowledge and skills to prevent alcohol sales to minors and visibly intoxicated persons and avoid third-party liability lawsuits
- To help you realize that your actions can reduce the number of intoxicated drivers, deaths, injuries, and other costs resulting from alcohol abuse
- To give you practice in checking ID and stopping service to visibly intoxicated persons.

This workbook is yours to keep and use as a workplace reference guide.

## **COURSE REQUIREMENTS**

- Students must complete the entire class before taking the OLCC final exam through the portal.
- Students may not drink alcohol or be under the influence of intoxicants during the class and exam.

If you have questions, complaints, or comments about the class, call the OLCC at 503-872-5133 or 1-800-452-6522, extension 25133.

If you have questions about service permits, call 503-872-5200 or 1-800-452-6522, extension 25200.

The OLCC has 11 field offices. Call the main office in Milwaukie for the phone number and location of the office for your county: 1-800-452-6522, extension 25252.

For more information, visit the OLCC's Web site at [www.oregon.gov/olcc](http://www.oregon.gov/olcc).

## **THE OLCC**

The Oregon Liquor and Cannabis Commission is the state agency responsible for regulating the manufacture, sale, and use of alcoholic beverages. The OLCC issues liquor licenses and service permits; it monitors and regulates the Alcohol Server Education program; and it enforces liquor laws.

## THE PROBLEM

Alcohol abuse is the nation's # \_\_\_\_\_ 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 a leading cause of death among teenagers and young adults.

Recent statistics on the misuse of alcohol:

One in 12 drinkers in the U.S. is an alcoholic.

## THE SOLUTION

Responsible alcohol service promotes responsible drinking. By participating in the Alcohol Server Education course, you will realize your ability to:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

## COURSE ORIGIN

The idea for this mandatory Alcohol Server Education program came from the \_\_\_\_\_. It was requested by business owners to protect alcohol servers, businesses, and society in general from the problems associated with alcohol abuse. The idea behind the law is to teach alcohol servers liquor laws and how to serve alcohol responsibly.

## LEGAL DUTIES

These are duties the law requires you to perform. Some examples are:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

## HOUSE DUTIES

These are duties set by your place of business and are equal to or stricter than legal duties. Some examples are:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

## PROFESSIONAL DUTIES

These are duties you personally choose to perform because you want to do more than the law requires to protect your customers, yourself, and your community. Some examples are:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

## LIQUOR LICENSEE

This is the person or business entity licensed to sell alcoholic beverages. Owners of businesses that sell alcohol by the drink must take a server education class and have a permit to serve alcohol before being issued a liquor license.

## SERVICE PERMITS

Anyone who participates in any manner in mixing, selling, or serving alcohol for drinking on the premises, and anyone who manages these people, must have a valid liquor license or service permit issued by the OLCC. Additionally, anyone who fills "growlers" for Off-Premises locations also needs a permit.

1. A service permit is good for \_\_\_\_\_ years from the date it is issued.
2. It must be available for immediate inspection at all times while on duty.
3. It belongs to the \_\_\_\_\_, not the employer.

## STEPS TO GET A SERVICE PERMIT

You must submit an application through the OLCC CAMP portal, complete a course through a 3<sup>rd</sup> party instructor, and return and pass the final test through the OLCC CAMP portal **before your first day of mixing, selling, or serving alcohol.**

1. Go to the OLCC CAMP website at the following link:  
[Oregon Liquor and Cannabis Commission : Alcohol Service Permits : State of Oregon](#)  
Here you will create your online account, apply and pay 23 dollars for your service permit application. This is separate from the fee that you will pay for your required course through a 3<sup>rd</sup> party instructor.
2. Complete a course through an approved 3<sup>rd</sup> party instructor.
3. Once you have finished your course, the record of completion will be sent to the OLCC electronically and matched with your application as long as your name and DOB match exactly. You will then receive an email asking you to return to the OLCC CAMP portal to take the 50-question required test through the state. Once the test is passed by scoring 70% or better, most people are eligible for a temporary permit to work under while the OLCC reviews their application for a 5-year permit to serve alcohol. \*\*If you did not start an application prior to

completing the course, you must do that now in order to move on to the final 50 question test.

# Unit Two: ALCOHOL THE DRUG

## ALCOHOL THE DRUG

Alcohol is a legal drug. It is a depressant and produces intoxication and impairment by depressing the mental and physical functioning of the central nervous system (CNS). Alcohol is dangerous when consumed in excess and when taken with other legal or illegal drugs.

## ALCOHOL IN THE BODY

Alcohol is absorbed into the bloodstream almost immediately after it is consumed.

The liver is the body's detoxification organ. It breaks down or metabolizes about one average drink per hour. The only factor that reduces intoxication is time. Intoxication results when

\_\_\_\_\_.

## BAC

BAC stands for blood alcohol content. It is the measure of the amount of alcohol in the blood. In Oregon, it is illegal to drive with a BAC of \_\_\_\_\_% or higher.

## FACTORS AFFECTING BAC AND IMPAIRMENT

Alcohol impairs the mental and physical functions needed to drive safely. Judgment is the first function impaired. Reaction time, coordination, and vision are also quickly affected. Many nonalcoholic drugs also impair the ability to drive safely.

### **These factors influence a person's reaction to alcohol consumption:**

- Quantity of alcohol
- Time spent drinking
- Tolerance to alcohol
- Food consumption
- Other drugs
- Fatigue and stress
- Body type
- Age
- Mood
- Gender
- Carbonation, temperature, sugar
- General health
- Altitude

## ALCOHOL AND PREGNANCY



Establishments  
Liquor License

**MINOR  
POSTING**

Drinking during pregnancy may cause birth defects, but it is not known how much alcohol may cause harm. In Oregon, it is not against the law for a pregnant woman to consume alcohol nor is it against the law to serve her. In fact, it may violate anti-discrimination laws to refuse service based on a gender-related condition like pregnancy.

Retail licensees are required to post warning signs about the risks of alcohol consumption during pregnancy. These signs are available from your local OLCC office.

### ALCOHOL MYTHS

**Myth:** Alcohol is a stimulant. **Fact:** \_\_\_\_\_

**Myth:** A drink may help a person relax and drive better. **Fact:**  
\_\_\_\_\_

**Myth:** Beer and wine are less intoxicating than distilled spirits. **Fact:**  
\_\_\_\_\_

**Myth:** It's easy to spot an alcoholic. **Fact:** \_\_\_\_\_

**Myth:** Drink coffee to sober up. **Fact:** \_\_\_\_\_

**Myth:** If you have a designated driver, you may drink all you want. **Fact:**

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**Myth:** Alcohol will warm your body if you're cold. **Fact:**

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# Unit Three: MINORS AND CHECKING ID

## THE LAWS ON MINORS

- It is illegal to serve, sell, or give alcohol to any person under **21**.
- It is illegal to allow any person under 21 into areas prohibited to minors.
- Oregon law requires you to check the ID of every customer who looks younger than **26** before serving or selling them alcohol and before allowing them into prohibited areas.

## WHEN MINORS ARE ALLOWED IN PROHIBITED AREAS

Minors may be in prohibited areas in these instances:

1. A minor customer may be in the immediate company of a spouse or Domestic Partner who is at least 21 years old. The minor may not buy, have, or drink alcohol. Most house policies choose to prohibit this.
2. Minor customers may order and eat meals in an area which permits minors during specific posted hours.
3. Minor entertainers may perform in prohibited areas. When not performing, they must stay in a break or dressing room, in an area where minor customers are allowed, or in a designated area approved by the OLCC where there is no alcohol.
4. Minor contractors or vendors who have a legitimate business purpose may be in a prohibited area long enough to perform their business duties.
5. Minor employees who do not have service permits may enter prohibited areas only long enough to restock supplies and do food service related activities (such as set and clear tables).

## IDENTIFYING MINORS

The law says you must check the ID of anyone who looks younger than 26, but your house policy may set a higher age.

Appearance and mannerisms provide clues about the customer's age. Ask yourself:

- How old does the customer look? Look at facial features, facial hair, hair style, makeup, etc.
- How is the customer dressed? Are they wearing clothes or apparel that hides their appearance, such as a hat, sunglasses, etc.?
- How does the customer behave? Do they appear ill at ease, unsure, or afraid of eye contact? Do they stay together in a group, giggling, looking nervous?

## ACCEPTABLE ID

There are 6 stand-alone types of acceptable identification in Oregon. These are known as stand-alone ID because each alone is sufficient proof of age - must be non-digital, unexpired and unaltered.

1. **DRIVER LICENSE** issued by U.S. state, District of Columbia, or province or territory in Canada
2. **ID card** issued by a U.S. state or U.S territory, District of Columbia, or a province or territory in Canada with photo, name, date of birth, and physical description
3. **ID card** issued by federally recognized Indigenous American tribe with photo, name, physical description, and date of birth
4. **PASSPORT or PASSPORT ID CARD**
5. U.S. MILITARY ID card (including CAC cards)
6. **NEXUS or SENTRI card**

## CHECKING ID

Valid means the ID is readable, unaltered, and unexpired. Expired ID is not acceptable as legal proof of identity or age. You are responsible for checking the ID of your own customers, even if a co-worker or door checker has already checked it.

## GENERAL TIPS

- Always have the customer remove the ID from their wallet.
- Check the expiration date first. Expired ID is not valid ID.
- Look carefully at the most commonly altered areas: expiration date, birth date, "Minor Until" date, and photo.
- Have a flashlight handy and hold it behind the ID to look for cuts, punch outs, or pin holes.
- Check the lamination on Oregon IDs: Mid 2007- present: Lamination completely covers back and front. The plastic is thinner, but stronger.
- Turn the ID 90 degrees to look for numbers and letters that are out of line.
- Ask for a second piece of ID if you have doubts about the first. People with false ID rarely carry back-up ID.

## U-CARD Memory Aid

- **U - Unaltered:** Feel for cuts, bumps, uneven lamination
- **C - Current:** Check expiration date: expired ID is not valid
- **A - Age:** Birth date must show the person as 21 or older
- **R - Readable:** You must be able to read and understand the ID
- **D - Description:** Compare photo with the person: height, weight, facial structure, etc.

## T-L-A Memory Aid

- **T - Touch:** Touch for alterations: bumps, cracks, slits
- **L - Look:** Really look, don't just glance, at ID
- **A - Ask:** Ask questions: What's your zip code? How do you spell your middle name? What year did you graduate high school?

Pick a method for checking ID and use it consistently. Having a system will make checking ID easier and faster. Remember: if you have any doubts about the ID, **DON'T ACCEPT IT!**

## CONFISCATING FALSE ID

You do not have a legal duty to confiscate false ID, and the OLCC does not recommend it. If your house policy says you should confiscate false ID, turn it over to the police, DMV, or OLCC. Record the incident in your incident log.

## MINOR DECOY PROGRAM

To test how well businesses obey the laws on minors, the OLCC has 18 to 20-year-old volunteers attempt to buy alcohol at liquor stores, supermarkets, restaurants, bars, and special events. If carded, the minors 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).

**Servers can avoid selling alcohol to a minor decoy 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 alcohol to someone who looks younger than 26 but doesn't have ID
- Never serve or sell alcohol to a minor.

# Unit Four: VISIBLY INTOXICATED PERSONS

## VISIBLE INTOXICATION

Visible intoxication is the standard servers must use to determine if someone has had too much to drink. If you can tell on sight that a person has been drinking or using other drugs, the person is visibly intoxicated.

### VIP = Visibly Intoxicated Person

- It is illegal to serve alcohol to a VIP and
- It is illegal to allow a VIP to continue to consume alcohol.

If a person shows just one or two of these signs, that may not mean the person is intoxicated. But if the person shows a \_\_\_\_\_ of signs or has a significant \_\_\_\_\_ of behavior it could be a strong indication that the person is intoxicated.

### 50 SIGNS OF VISIBLE INTOXICATION

Appearance	Behavior (cont.)
1. Bloodshot, glassy, or watery eyes	25. Careless with money
2. Flushed face	26. Difficulty making change
3. Droopy eyelids	27. Restless
4. Blank stare or dazed look	28. Depressed or sullen
5. Twitching or body tremors	29. Crying or moody
6. Disheveled clothing	30. Extreme or sudden change in behavior

<b>Speech</b>	31. Overly animated or entertaining
7. Thick, slurred speech	32. Crude, inappropriate speech or gestures
8. Loud, noisy speech	33. Drowsiness or falling asleep
9. Speaking loudly, then quietly	34. Lack of focus and eye contact
10. Rambling train of thought	35. Difficulty standing up
11. Unusually fast or slow talking	36. Unusual walk
12. Slow response to questions or comments	37. Can't find mouth with glass
13. Repetitive statements	38. Falling down or falling off of chair
14. Bravado, boasting	39. Difficulty lighting cigarettes
15. Making irrational statements	40. Lighting more than one cigarette
<b>Attitude</b>	41. Clumsy
16. Annoying other guests and employees	42. Difficulty remembering

17. Argumentative	43. Spilling drinks
18. Aggressive or belligerent	44. Disoriented
19. Obnoxious or mean	45. Agitated, anxious
20. Inappropriate sexual advances	46. Grinding teeth
21. Overly friendly to other guests or employees	47. Vomiting
22. Boisterous	<b>Other</b>
<b>Behavior</b>	48. Odor of alcohol, marijuana or chemicals
23. Swaying, staggering, or stumbling	49. Excessive perspiration
24. Unable to sit straight	50. Repeated trips to rest room or outside area

#### VISIBLE INTOXICATION & OTHER DRUGS

You must not serve alcohol to anyone showing signs of visible intoxication, no matter what drug the person used to become intoxicated.

#### GOOD FAITH EFFORT LAW

The law says you must make a "good faith effort" to remove a drink from a customer who has become visibly intoxicated.

"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 the drink may cause a disturbance.

You are not required to first give a verbal warning to the VIP when removing the alcohol. It is legal for an intoxicated person to remain on the premises, but they must not consume alcohol or have an alcoholic drink in front of them.

## BAC CHART

### Approximate Blood Alcohol Content Percentages

Men										Women												
Approximate Blood Alcohol Percentage										Approximate Blood Alcohol Percentage												
Drinks	Body Weight in Pounds								Sample Behavioral Effects	Drinks	Body Weight in Pounds								Sample Behavioral Effects			
	100	120	140	160	180	200	220	240			90	100	120	140	160	180	200	220		240		
0	.00	.00	.00	.00	.00	.00	.00	.00	.00	Only Completely Safe Limit	0	.00	.00	.00	.00	.00	.00	.00	.00	.00	Only Completely Safe Limit	
1	.04	.03	.03	.02	.02	.02	.02	.02	.02	Impairment Begins	1	.05	.05	.04	.03	.03	.03	.02	.02	.02	Impairment Begins	
2	.08	.06	.05	.05	.04	.04	.03	.03	.03	Driving Skills Significantly Affected; Information Processing Altered	2	.10	.09	.08	.07	.06	.05	.05	.04	.04	Driving Skills Significantly Affected; Information Processing Altered	
3	.11	.09	.08	.07	.06	.06	.05	.05	.05		3	.15	.14	.11	.10	.09	.08	.07	.06	.06		
4	.15	.12	.11	.09	.08	.08	.07	.06	.06		4	.20	.18	.15	.13	.11	.10	.09	.08	.08		.08
5	.19	.16	.13	.12	.11	.09	.09	.08	.08		5	.25	.23	.19	.16	.14	.13	.11	.10	.09		.09
6	.23	.19	.16	.14	.13	.11	.10	.09	.09	Legally Intoxicated; Criminal Penalties; Reaction Time Slowed; Loss of Balance; Impaired Movement; Slurred Speech	6	.30	.27	.23	.19	.17	.15	.14	.12	.11	.11	Legally Intoxicated; Criminal Penalties; Reaction Time Slowed; Loss of Balance; Impaired Movement; Slurred Speech
7	.26	.22	.19	.16	.15	.13	.12	.11	.11		7	.35	.32	.27	.23	.20	.18	.16	.14	.13	.13	
8	.30	.25	.21	.19	.17	.15	.14	.13	.13		8	.40	.36	.30	.26	.23	.20	.18	.17	.15	.15	
9	.34	.28	.24	.21	.19	.17	.15	.14	.14		9	.45	.41	.34	.29	.26	.23	.20	.19	.17	.17	
10	.38	.31	.27	.23	.21	.19	.17	.16	.16		10	.51	.45	.38	.32	.28	.25	.23	.21	.19	.19	
10	One drink is 1.5 oz. shot of hard liquor, 12 oz. of beer, or 5 oz. of table wine.																					

Your ability to drive safely is directly related to the percent of alcohol in your bloodstream. One drink per hour is the lifesaving limit for drivers.

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

This chart is based on the official BAC standard of the National Safety Council. BAC levels indicated are based on the average response to alcohol. The chart is only a guide. Individual BAC levels will vary.

## ESTIMATING INTOXICATION

By counting drinks, not glasses, you can keep track of how much alcohol you are serving your customers. Using the BAC Chart, you can estimate the Blood Alcohol Content of your customers.

Visible intoxication is the standard for servers. BAC is the standard for police and the courts. As a server, you're not expected to know a customer's BAC, but you are required to recognize visible intoxication.

## DRINK EQUIVALENCY

There is approximately the same amount of alcohol in:

1.5 oz. of 80-proof distilled spirits = 5 oz. of 12% wine = 12 oz. of 5% beer

or

A drink is a drink is a drink. One form of alcohol is no more intoxicating than another.

# **Unit Five: INTERVENTION TECHNIQUES FOR DEALING WITH VISIBLY INTOXICATED PERSONS AND MINORS**

## **INTERVENTION**

Intervention is the plan of action you take as a server that:

- Prevents a customer from drinking to intoxication
- Prevents minors from drinking
- Deters intoxicated persons from driving.

It is your plan for bringing together your legal, house, and professional duties.

## **INTERVENTION ATTITUDES**

A professional attitude and approach when cutting off or refusing service keeps you in control of the situation. Intervene early - don't let a problem develop. Here are some guidelines:

- Be courteous & concerned
- Be tactful
- Be firm: remain calm & don't back down
- Be confident
- Be discreet

## **INTERVENTION TECHNIQUES**

1. Smile, make eye contact, and take your time checking ID.
2. Chat with customers to determine their status.
3. Watch for signs of visible intoxication.
4. Know general drink limits based on the BAC Chart.
5. Know how much the glassware in your business hold.
6. Count the number of drinks, not glasses.
7. Wait until a customer finishes a drink before offering another.
8. Serve one drink at a time.
9. Check with co-workers if they have served the customer.
10. Slow service to a customer who is drinking rapidly.
11. Encourage customers to order food.
12. Offer water, coffee, or other nonalcoholic spacers between drinks.
13. Give last call in person only to customers not approaching intoxication.
14. Announce closing time instead of last call.
15. When you cut off service, tell your manager and co-workers.
16. Take a co-worker with you when you have to refuse service or pull a drink.
17. Use peer pressure when appropriate by asking for support from the customer's friends.
18. Use distraction when you pull a drink (example: the wipe-and-swipe method).
19. Replace a pulled drink with something else: coffee, water, pop, food.

20. Offer alternative transportation for VIPs.
21. Detain the intoxicated customer if possible; threaten to call the police if necessary.
22. Do call the police if the intoxicated customer drives away.

The law requires you to refuse service to visibly intoxicated persons and minors, and your house policies may say that you should refuse service in other situations as well.

You have the right to refuse alcohol service to anyone as long as you don't violate anti-discrimination laws. Federal, state, and local laws say you may not discriminate based on race, religion, sex, sexual orientation, marital status, disability, color, or national origin.

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## **INTERVENTION SCRIPTS**

- Avoid "you" statements
- Use "I" statements

### **Focus on the law and the consequences you face**

- "I'm not able to bring you another drink tonight. I could get into trouble with the law and lose my service permit 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."

### **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 in trouble. 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."

**Do not:** bargain; debate; get defensive; or give lengthy explanations.

HOUSE POLICIES & MANAGEMENT COMMITMENT

Management commitment is essential to create a supportive environment that encourages responsible employee practices. Owners and managers have an obligation to support their servers' efforts to obey the law. The best way to do that is to establish house policies that promote responsible alcohol service.

List some sample house policies that would help you as a server do your job legally and responsibly:

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# Unit Six: THIRD PARTY LIABILITY AND DRINKING & DRIVING LAWS

## THIRD PARTY LIABILITY

As an alcohol server, you can be held responsible, or "liable," for damages caused by an intoxicated driver or a minor if you serve them alcohol. The intent of third party liability is to make licensees and servers responsible for their actions if they break the law.

Liability lawsuits involve three parties:

1st party - The server and/or licensee

2nd party - The intoxicated person or minor

3rd party - The victim

You can protect yourself by not serving visibly intoxicated persons and minors.

If servers obey the laws, they are NOT liable. Liability applies only when servers violate the law.

## INCIDENT LOG

An incident log is a written record of any problem or event such as a fight, refusing service to a minor or VIP, confiscating ID, or calling the police. Record the following:

1. Names and addresses of witnesses (customers & employees). Describe the person if you can't get a name.
2. License plate number if a car is involved.
3. Date and time of day.
4. Describe events before, during, and after incident.
5. Retain the record for at least two years.

The best style of log book is: \_\_\_\_\_

## DUII LAWS

Driving Under the Influence of Intoxicants. A person can be convicted of a DUII if:

- Their BAC is .08% or higher or
- Their BAC is lower than .08% but they fail a field sobriety test.

BAC is determined by chemical analysis of blood, breath, or urine. It is the legal standard police and the courts use to determine levels of intoxication.

## DESIGNATED DRIVER

This life-saving program encourages every party to designate a non-drinking person to be the driver for the group. However, the law states you cannot sell or serve alcohol to any customer who is visibly intoxicated whether or not the customer is driving.

# Unit Seven: OREGON'S BASIC RETAIL LIQUOR LAWS

## TYPES OF LICENSES

The most common liquor licenses are:

- **Full On-Premises Sales:** May sell beer, wine, cider, and distilled spirits by the drink. May sell "growlers" of beer, wine and cider. Food must be available.
- **Limited On-Premises Sales:** May sell beer, wine, and cider by the drink. May sell "growlers" of beer, wine and cider.
- **Brewery-Public House:** May sell beer, wine, and cider by the drink and for off-premises consumption. May manufacture malt beverages. May sell "growlers" of beer, wine and cider.
- **Winery:** May manufacture and wholesale wine and cider. May sell beer, wine, and cider by the drink and for off-premises consumption. May sell "growlers" of beer, wine and cider.
- **Off-Premises Sales:** May sell beer, wine, and cider for off-premises consumption only. May sell "growlers" of beer, wine and cider.

## HOURS OF ALCOHOL SERVICE

Alcohol may be sold, served, or consumed on a licensed premises from 7:00 a.m. to 2:30 a.m.

## ALCOHOL IN A LICENSED PREMISES

The only type of alcohol that may be on a licensed premises is the kind permitted by the license.

## WINE FROM A PARTIALLY CONSUMED BOTTLE

Businesses with Full On-Premises or Limited On-Premises licenses may allow a customer to take home an unfinished bottle of wine as long as the customer is not showing signs of visible intoxication and the wine was served in conjunction with a meal.

## OPEN CONTAINER LAW

This law states \_\_\_\_\_

## 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 \_\_\_\_\_ of the work shift to the \_\_\_\_\_ of the shift, including meals and all breaks. Servers are held to the higher standard of not being under the influence of intoxicants rather than not being visibly intoxicated.

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## MINOR SERVICE PERMITTEES

Minors, 18-20 years old, may take orders for, serve, or sell alcohol only in areas where the minor posting allows minor customers.

<b>Minor permittees MAY:</b>
Take orders for and serve alcohol only in areas not prohibited to minors, such as a dining room or hotel lobby
Pour beer or wine at a customer's table
Draw alcohol from a tap if the tap is not in a prohibited area
Fill growlers in premises with an Off-Premises license
Enter prohibited areas, such as a bar or lounge, to:
* Order and pick up drinks
* Restock supplies
* Set and clear tables
* Deliver food (but not take orders for food)
Minor permittees may be in prohibited areas only long enough to perform the above duties.

<b>Minor permittees may NOT:</b>
Serve or take alcohol orders in areas prohibited to minors, such as a bar or lounge
Take food orders in prohibited areas
Function solely as a bartender or cocktail server
Mix drinks.

## **LICENSEE AND PERMITTEE RESPONSIBILITIES**

### LICENSEE RESPONSIBILITY FOR EMPLOYEE CONDUCT

Licensees are responsible for any liquor law violations committed by their employees and may also be responsible for criminal acts committed by their employees on the licensed premises.

Licensees and permittees must take action when they suspect a co-worker is involved in criminal activity and are also responsible for the unlawful activity of customers. This would include prostitution, illegal gambling, or illegal drug use in or near the business.

### NEIGHBORHOOD LIVABILITY

Licensees and permittees may be held responsible for customer disturbances which affect a neighborhood's livability. They must not permit noisy or disorderly activities on or in the immediate vicinity of the licensed premises.

### CERTIFIED SECURITY

Individuals who function primarily as security personnel must be certified by the state. Licensees, managers, and servers should contact the Oregon Department of Public Safety Standards and Training (DPSST) for further information on which employees need certification at 503-378-2100 or [www.oregon.gov/DPSST](http://www.oregon.gov/DPSST). Failure to have the proper certification may result in fines of \$500 or more for the employee and \$1,650 or more for the licensee.

### COOPERATING WITH OLCC

OLCC regulatory officials normally inspect businesses when they are open to the public. OLCC officials may examine licensed premises after hours when they have reason to believe a violation of liquor laws is occurring. Licensees and permittees must cooperate with OLCC officials by:

- Promptly admitting them to the premises
- Calling the police when asked to do so
- Not destroying, damaging, altering, removing, or concealing evidence
- Giving OLCC or the police evidence when asked.

## LIQUOR AS A PRIZE

Alcohol may not be given as a prize, premium, or consideration for any kind of lottery, contest, game, or competition on a licensed premises. (Exceptions exist for charitable, nonprofit, religious, and fraternal organizations. See ORS 471.408.)

## PROHIBITED DRINK PROMOTIONS

The following promotions are prohibited:

- "All-you-can-drink" offers, including charging a cover fee and then offering "penny" (or other nominally priced) drinks
- Drinking contests, games, exhibitions, or competitions of any kind involving alcohol (for example, beer pong or "21 for 21")
- Pouring or serving alcohol directly into a person's mouth (including through any device such as a "bong")
- The use of any kind of alcohol vaporization device
- The sale or service of distilled spirits by the bottle for on-premises consumption
- Happy hour (or any price reductions) after midnight

## FOOD SERVICE REQUIREMENTS

Food service contributes to responsible alcohol service. The time a customer spends eating is time they are not drinking. Time is the only factor that reduces intoxication, and food buys time.

It is a good policy for servers in any business selling alcohol by the drink to encourage food service to customers. However, Oregon law requires food to be readily available only in businesses that serve distilled spirits (or hard liquor).

## LIQUOR LAW VIOLATIONS

Businesses with Full On-Premises Sales (or hard liquor) licenses must have food available at all times they are serving alcohol. It is illegal to discourage a customer from ordering food in any business licensed to sell distilled spirits by the drink.

The OLCC may suspend or revoke a liquor license or service permit for liquor law violations. For the first violation the license may be suspended for 10 days or fined \$1,650. A service permit may be suspended for 10 days or fined \$250. Fines increase for subsequent violations and may eventually result in the cancellation of the liquor license or service permit.

**PENALTIES FOR SALE TO A MINOR**

	<b>LICENSEE</b>	<b>SERVICE PERMITTEE (Store clerks)</b>	<b>CIVIL PENALTY</b>
<b>1st Sale</b>	\$1,650 or 10 day suspension	\$250 or 10 day suspension	\$500 fine, Criminal record
<b>2nd Sale</b>	\$4,950 or 30 day suspension	\$500 or 30 day suspension	\$1,000 fine, Criminal record
<b>3rd Sale</b>	Mandatory 30 day suspension	Mandatory 30 day suspension	\$1,500 fine & 30 days in jail, Criminal record

Other violations which could result in the same fines for licensees and service permittees include:

- Sold or served alcohol to a VIP
- Allowed sale without a service permit
- Failed to properly check ID
- Permitted unlawful or disorderly activities
- Drinking on duty.

The above fines are guidelines only. The OLCC may aggravate or mitigate sanctions based on the circumstances of the violation.

# ADDENDUM: PUBLIC SAFETY & MODERN SALES

## 1. HUMAN & SEX TRAFFICKING AWARENESS

*As of January 1, 2022, all alcohol service permittees are required by Oregon law to report suspected sex trafficking.*

**Your Responsibility** Hospitality venues like bars, restaurants, and hotels are common sites for human trafficking. As a server or bartender, you are the eyes and ears of your establishment. You are legally required to report any reasonable belief that sex trafficking is occurring on the licensed premises to law enforcement and the OLCC.

**What to Look For (Red Flags)** Trafficking victims can be any age, race, or gender. Watch for these signs:

- **Lack of Control:** The person is not allowed to speak for themselves; a companion controls their ID or money.
- **Scripted Responses:** Their answers seem rehearsed, inconsistent, or coached.
- **Signs of Abuse:** Visible bruising, fearfulness, submissive behavior, or signs of malnutrition/sleep deprivation.
- **Inappropriate Context:** A minor accompanying an adult in a setting that doesn't match their relationship (e.g., a young teenager with an unrelated older adult late at night).

### How to Report

- **Immediate Danger:** If you believe someone is in immediate physical danger, call **911**.
- **Report to OLCC:** Submit a report through the OLCC online portal (CAMP) or contact the OLCC directly.
- **National Hotline:** You can also contact the National Human Trafficking Hotline at **1-888-373-7888**.

**Consequences** Failure to report known or suspected trafficking activity can result in the suspension or revocation of your Service Permit and potential civil penalties.

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## 2. ALCOHOL DELIVERY & THIRD-PARTY SERVICES

*With the rise of delivery apps and "To-Go" cocktails, the point of service has moved from the bar to the customer's doorstep. The same laws apply.*

**The "Doorstep" is the New Bar** When delivering alcohol, the doorstep interaction is the moment of sale. You must verify two things before handing over the alcohol:

1. **Legal Age:** The recipient must be at least 21 years old.
2. **Sobriety:** The recipient must not be a Visibly Intoxicated Person (VIP).

## Delivery Rules & Procedures

- **Face-to-Face Requirement:** You cannot leave alcohol on a porch or doorstep. You must physically hand it to a person 21 or older.
  - **Check ID:** You are required to check the ID of the recipient, even if they look older.
  - **Refusal of Service:** If the recipient is a minor, cannot produce a valid ID, or shows signs of visible intoxication, you **MUST** refuse the delivery and return the alcohol to the licensed premises.
  - **Third-Party Facilitators:** If you drive for a Third-Party Delivery service (like DoorDash, UberEats, etc.), you must hold a valid delivery certification or service permit and adhere to the same checking standards as an in-house driver.
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## 3. TO-GO COCKTAILS & OFF-PREMISES SALES

*Oregon law now permits certain licensees to sell mixed drinks and single servings of wine for off-premises consumption (To-Go).*

**Container Requirements** To-Go drinks cannot be sold in a cup with a straw or a standard "coffee lid." They must be in a **Sealed Container:**

- The container must have a secure cap or lid that completely covers the opening.
- It must have a **Tamper-Evident Seal** (such as tape or a sticker) that makes it obvious if the container has been opened.

### Sales Limits & Food Requirements

- **Food is Required:** To-Go cocktails and single-serving wines must be sold in conjunction with a **substantial food item**.
- **Quantity Limits:** There is a limit on how much alcohol can be sold per meal (e.g., 2 mixed drinks per substantial food item).
- **No "Doubles":** You cannot put multiple servings (doubles) into a single To-Go container.
- **Manufacturing vs. Mixing:** You cannot "pre-fill" To-Go containers for display. The drink must be mixed and sealed *after* the customer places the order.

**Liability** Just like serving at a table, you are liable if you sell a To-Go drink to a minor or a VIP. If a customer is visibly intoxicated when picking up a To-Go order, you must refuse the alcohol sale.