



## NOTICE OF RULE MAKING – Proposed Rules #12-12

The Washington State Liquor Control Board would like your input on the attached proposed rules for **Compliance Checks**.

This rulemaking is necessary to establish rules for alcohol compliance checks involving minors purchasing alcohol

This notice can be found at <http://www.liq.wa.gov/laws/laws-and-rules> under Proposed Rules.

The Liquor Control Board encourages you to give input on the attached rules for compliance checks. Following the comment period, the agency will send out and publish the proposed rules, establish a comment period on the proposed rules, and hold at least one public hearing before the rules are adopted.

### Public Comment

Please forward your initial comments to the Liquor Control Board by mail, e-mail, or fax by **August 15, 2012**.

<b>By mail:</b>	Rules Coordinator Liquor Control Board P.O. Box 43080 Olympia, WA 98504-3080	<b>By e-mail:</b>	<a href="mailto:rules@liq.wa.gov">rules@liq.wa.gov</a>	<b>By fax:</b>	360-360-664-9689
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<b>Public Hearing:</b>	<b>August 15, 2012</b> <b>10:00 a.m.</b> Washington State Liquor Control Board – Board Room 3000 Pacific Ave. S.E, Olympia, WA
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## What changes are being proposed?

A new chapter is created: WAC 314-31 Compliance Checks

### NEW SECTION

**WAC 314-31-005 Liquor compliance checks.** (1) The Washington state liquor control board authorizes enforcement officers and investigative aides working with enforcement officers to conduct liquor compliance checks at any location where alcohol is sold, served or provided.

(2) Investigative aides working at the direction of enforcement officers during a liquor compliance check are considered agents of the Washington state liquor control board.

(3) Violations involving a licensee, its employee, or a member of the public that result from a liquor compliance check are subject to criminal arrest and/or administrative action by the liquor control board.

### NEW SECTION

**WAC 314-31-015 What are the guidelines for liquor compliance checks?** Enforcement officers conducting liquor compliance checks must comply with the following conditions:

(1) An investigative aide must:

(a) Be at least eighteen years of age and under twenty-one years of age;

(b) Transfer any physical evidence to the enforcement officer(s) at the conclusion of each compliance check during which alcohol is acquired; and

(c) Complete a written statement on a form provided by the enforcement officer(s) at the conclusion of each compliance check during which alcohol is acquired.

(2) During a compliance check, an investigative aide may not:

(a) Be directly related to the enforcement officer(s) conducting the compliance check; or

(b) Possess any funds other than the funds provided by the agency for the compliance check.

(3) An enforcement officer shall photograph the investigative aide prior to conducting a compliance check. At least one photograph shall be taken of the investigative aide's face and at least one photograph shall be taken of the investigative aide from head to toe.

(4) An investigative aide is not required to possess identification during a compliance check, provided that if identification is possessed during the compliance check, the identification must be the investigative aide's lawfully issued identification.