



Washington State Liquor and Cannabis Board

Acceptable Forms of Identification Rulemaking Public Meeting

Monday, January 21, 2025
9:00 a.m. – 11:00 a.m.

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Meeting Agenda

Time	Topic
9:00 a.m. – 9:05 a.m.	Welcome & Introduction
9:05 a.m. – 9:10 a.m.	Brief Overview of the Scope of Rulemaking
9:10 a.m. – 10:55 a.m.	Review and Discuss Draft Rule Language
10:55 a.m. – 11:00 a.m.	Questions & Next Steps



Today's Goals

1. Gather constructive feedback on draft rules to update the acceptable forms of ID for alcohol sales.
2. Gain and understanding of what issues are important to consider in the rule development.
3. Start conversations about topics and points of consideration.
4. Provide some understanding about our thinking and intent.
5. Hear from interested parties.



Engagement Format (*virtual only*)

Microsoft Teams

- Raise your hand to speak. You will not be able to mute/unmute your mic.
- You have the option to turn your camera on and off.
- The chat function is available.



Awareness and Expectations

1. The session is being recorded.
2. All comments and chat entries are subject to public disclosure.
3. The MS Teams chat will be open for comments and questions, if the chat is not being used to attack people, or their position on an issue.
4. Be respectful and constructive.
5. Any abusive language and/or profanity will not be tolerated.



How to Provide Constructive Feedback

- 1. Understand the Objective:** Ensure feedback directly contributes to achieving the intended outcomes. Understanding the objective in context of providing feedback on draft rules is crucial for ensuring that the input you provide is relevant, actionable, and aligns with the overall goals.
- 2. Be Specific:** Quote exact passages or points in the draft when discussing them.



Examples of Specific Feedback:

- “The term _____ in subsection x is ambiguous. Please provide further clarity about what the term means.
- “The requirement in subsection x regarding _____ doesn’t address _____. I suggest the requirement be _____.”



Examples of Non-specific Feedback:

- “This part needs more work.”
- “I don’t like how this section is written.”
- “The rule is too complicated.”



Scope of Rulemaking

- Modifications to WAC 314-11-025 to update the acceptable forms of ID that an alcohol licensee may accept to verify the age of a customer.
- Other changes are planned for WAC 314-01-005, WAC 314-17-025, and WAC 314-17-110 to correct outdated references to RCW 66.16.040 and update gender-specific language in WAC 314-17-025.



Overview of Draft Proposed Changes

1. Expands the types acceptable forms of ID in WAC 314-11-025 to include U.S. Government identification or documents, foreign government identification, and the “identocard” issued by Washington State.
2. Updates several outdated links RCW 66.16.040 to WAC 314-11-025.
3. Updates gender specific language in 314-17-025.



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Proposed Changes to WAC 314-11-025

(3) Acceptable forms of identification include, but are not limited to:

(a) A driver's license, instruction permit, or identification card ~~((of))~~ or document of the U.S. government, any state, ((province of Canada,)) U.S. territory, ((or)) the District of Columbia, or foreign government, including an "identocard" issued by the Washington state department of licensing per RCW 46.20.117;

(b) A United States armed forces identification card issued to active duty, reserve, and retired personnel and the personnel's dependents;

(c) A passport, passport card, or NEXUS card;

(d) A Merchant Marine identification card issued by the United States Coast Guard; or

(e) An enrollment card issued by the governing authority of a federally recognized Indian tribe, if the enrollment card incorporates reasonable security features sufficient to deter counterfeiting, which may include features similar to those used by the department of licensing for standard Washington driver's licenses.



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Proposed Changes to WAC 314-01-005

WAC 314-01-005 Definitions. The following definitions apply to Title 314 WAC. Additional definitions are in RCW 66.04.010.

(1) "Licensed premises" or "premises" means all areas of a premises under the legal control of the licensee and available to or used by customers and/or employees in the conduct of business operations. Specific alcohol consumption areas of a licensed premises shall be approved by the board.

(2) "Card of identification" means the forms of identification that are acceptable to verify a person's age per ~~((RCW 66.16.040))~~ WAC 314-11-025.

(3) "Employee" means any person performing services on a licensed premises for the benefit of the licensee.

(4) "Liquor enforcement officers" means any individual designated as a liquor enforcement officer by the board, and any peace officer as defined by RCW 9A.04.110(15) as it now exists or may later be amended.

(5) "Liquor" means beer, wine, or spirits ~~((per RCW 66.04.010(19) - Definitions))~~ as defined in RCW 66.04.010.



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Proposed Changes to WAC 314-17-025

**WAC 314-17-025 ((Does a)) Requirement for permit holders
((have)) to carry ((his or her)) their class 12 or 13 permit((?)).**

(1) Any time a licensee or an employee performs the duties outlined in WAC 314-17-015 at a retail licensed premises, a licensee or an employee must have:

(a) ~~((His or her))~~ Their class 12 or 13 permit on the retail licensed premises; and

(b) One form of identification (see ~~((RCW 66.16.040))~~ WAC 314-11-025 for acceptable forms of identification).

(2) Both a class 12 or 13 permit and a form of identification must be available for inspection by any representative of the board, peace officer or law enforcement officer.

(3) A person shall be in violation if ~~((he or she falsifies))~~ they falsify a class 12 or 13 permit or keeps or possesses a class 12 or 13 permit contrary to the provisions of this title.

(4) The name and personal identifying characteristics on a class 12 or 13 permit must match with those on a permit holder's form of identification.



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Proposed Changes to WAC 314-17-110

~~WAC 314-17-110 ((May the board impose)) Sanctions or penalties ((other than)) beyond those described in WAC 314-17-105((?)).~~ (1)
Based on aggravating or mitigating circumstances, the board may impose a different penalty or suspension than the standard penalties and suspensions described in WAC 314-17-105.

(2) Examples of aggravating and mitigating circumstances include, but are not limited to:

(a) Examples of aggravating circumstances that may cause a more severe penalty:	(b) Examples of mitigating circumstances that may allow a less severe penalty:
<ul style="list-style-type: none">• Patron's identification not checked;• Noncooperation with or obstruction of any law enforcement officer;• Permit holder did not call law enforcement officer when requested by a customer or a board employee.	<ul style="list-style-type: none">• Permit holder checked one of the acceptable forms of identification (see ((RCW 66.16.040)) <u>WAC 314-11-025</u>);• Cooperation with law enforcement officer(s);• Permit holder used a licensee certification card (see RCW 66.20.190).



Next steps

1. Update draft based on today's feedback
2. CR-102 Filing
 - Formal public comment period begins
3. Public Hearing:
 - Formal public comment period ends
4. CR-103 Filing:



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Contacts and Resources

- Current and upcoming engagement opportunities:
https://lcb.wa.gov/laws/outreach_and_public_engagement.
- Rules team email: rules@lcb.wa.gov.
- Learn about the rulemaking process and ways to engage:
<https://lcb.wa.gov/laws/rulemaking-overview>.



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Questions?



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Thank You!