Washington State
Liquor and Cannabis Board

Responsible Sale of Age-restricted Products

Promoting public safety and trust through fair administration and enforcement of Liquor and Cannabis laws.

Course Topics

- General information about **Age-Restricted Products**
- General information about laws and rules
- Who can purchase **Age-Restricted Products**
- What are the penalties for selling to a minor
- Checking Identification
- Acceptable forms of ID
- WA ID security features
- Fraudulent use of ID
- Compliance checks

What are the Age-restricted Products Regulated by the WSLCB?

Definition of Age-restricted Products: those goods for which there is a minimum **legal age** to buy them.

- Liquor (21+)
- Tobacco Products (18+, until 01/01/20, then it is 21+)
- Vaper Products (18+, until 01/01/20, then it is 21+)
- Marijuana Products (21+, except Medical Marijuana)

General Information About Laws and Rules

State law describes mandatory actions employees and the licensee must follow. State law is determined by the state legislature or an initiative. For purposes of this training, state law refers to the Revised Code of Washington (RCW) and Washington Administrative Code (WAC).

Example of state laws:

- RCW 66.44.270: "*It is unlawful for any person to sell… liquor to any person under the age of twenty-one years or permit any person under that age to consume liquor on his or her premise...* "
- RCW 26.28.080: "Every person who sells or gives, or permits to be sold or given, to any person under the age of eighteen years any*…tobacco in any form, or a vapor product is guilty of a gross misdemeanor."*

Please remember at all times you must obey state law!

General Information About Laws and Rules

Store policy dictates how employees will implement **state law**. Store policies are determined by the store's licensee or management. Store policies cannot be less restrictive than state law.

Example store policies:

- *Every employee is responsible to review identification and verify the age of every customer they contact before making a sale of age-restricted products*.
- *Employees are not allowed to accept expired or vertical format (issued prior to age 21) ID cards.*

Please remember at all times you must obey state law!

General Information About Laws and Rules

Question:

Is it a right or a privilege for customers to purchase age-restricted products?

a) It is a right, guaranteed by the law.
b) It is a privilege, with no legal right to buy.
c) It is both a right and a privilege.
d) It is neither a right nor a privilege to buy age-restricted products.

General Information About Laws and Rules

Is it a right or a privilege to purchase age-restricted products?

Answer:

(b) It is a privilege, with no legal right to buy.

You control and are responsible for every sale of age-restricted products you make. **If you are unsure about a person's age, do not sell!**

What are the Penalties for Selling to a Minor?

Selling age-restricted products to a minor may result in **criminal** charge(s) being filed against the person who sold!

- Reference RCW 66.44.270 and RCW 26.28.080

What does this mean to the employee?

- You may be placed under arrest and charged with a criminal offense.
- You may have to obtain a defense attorney to defend yourself.
- You may have to appear in court.
- You may be fined or imprisoned.
- Your may lose your job.

What are the Penalties for Selling to a Minor?

Selling age-restricted products to a minor, or allowing a minor to enter and remain upon the prohibited area of a premise may result in fines or suspension of the retail license.

- Reference WAC 314-29-020 and WAC 314-10-110

What does this mean to the licensee?

- They may receive a fine and/or suspension of their license.
- They may have to attend administrative hearings.
- Multiple violations may result in revocation of license.
- Financial hardship may affect business.
- They may need to lay off employees during a suspension.

Checking Identification: What if I am Unsure?

Question:

If you are ever *unsure* about the ID or age of a person purchasing age-restricted products, what should you do?

a) Ask a coworker to verify the ID or age before you sell.
b) See if someone else can “vouch” for the person being of age before you sell.
c) Ask the manager to decide if you should sell or not.
d) Do not sell.

Checking Identification: What if I am Unsure?

If you are ever *unsure* about the ID or age of a person purchasing age-restricted products, what should you do?

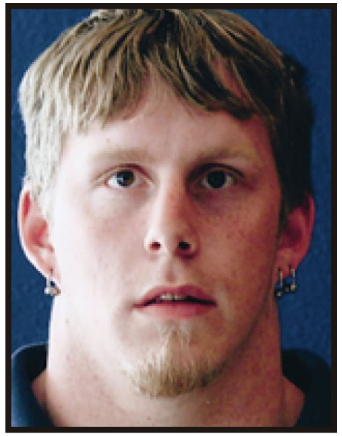
Answer:

d) Do not sell.

You are responsible for every sale of age-restricted products you make. **If you are unsure about a person's age, do not sell!**

Checking Identification: Determining Age

How old are these people? Would you sell or not?

1. 

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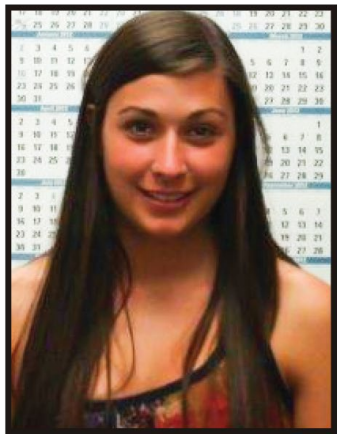
3. 

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Checking Identification: Determining Age

How old are these people? Do you sell or not?

1.

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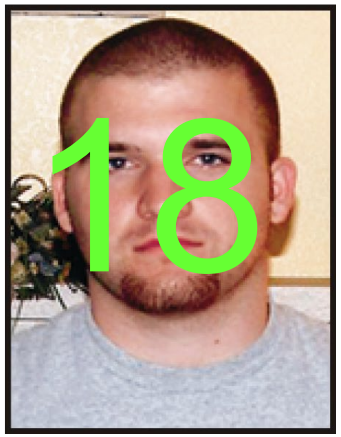
4. 

Checking Identification: Determining Age

When you looked at the persons in the previous slide did you have to guess their ages?

Of course you did, unless you knew them!

You need to check ID of **every** youthful appearing person, and as directed by **store policy**.

If you do not check ID… at some point you're going to sell to a minor.

Checking Identification: Who is Responsible for a Sale?

Scenario:

A youthful appearing person enters a retail store and approaches the sales counter attempting to buy an age-restricted product. A brand new employee in-training takes the ID, but not knowing how to check it, hands it to their trainer. The trainer glances at the ID and says the person is old enough to buy. The trainee then rings up the sale, takes the money, and provides the age-restricted product to the person. After the person leaves, a law enforcement officer enters the store and reports that the store failed a compliance check by selling to their minor.

Who do you think is *legally* responsible for selling to the minor?

Checking Identification: Who is Responsible for a Sale?

Who do you think is *legally* responsible for selling to the minor?

Answer:

The person who made the sale is legally responsible and could be charged with selling an age-restricted product to a minor!

You control every sale you make. **If you are unsure, do not sell!**

Checking Identification: When is ID Required?

Question:

Are people who want to buy age-restricted products *required* to have and present ID?

a) Everyone must present ID.
b) Only people that volunteer must present ID.
c) State law requires me to check ID.
d) There is no state law requiring ID be presented for purchases.

Checking Identification: When is ID Required?

Are people who want to buy age-restricted products *required* to have and present ID?

Answer:

d) There is no state law requiring ID be presented for purchases.

State law requires that you *do not sell* age-restricted products to persons who are not of legal age (21+, 18+ for tobacco and Vape products until 01/01/20).

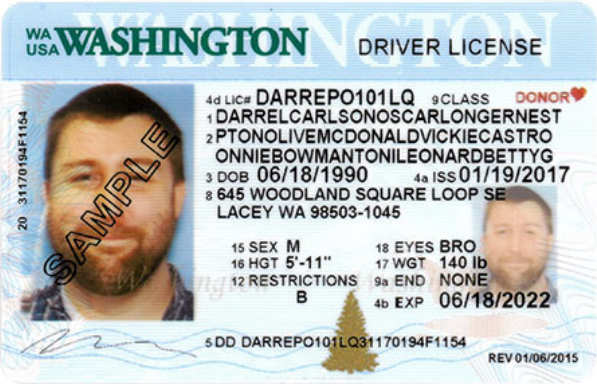
Store policy directs *which* customers are required to show ID. For example, store policy may require *all customers* to show ID (regardless of appearance) or only of customers who appear “youthful”.

It is the responsibility of the person making the sale to assure that the consumer is legally eligible to purchase age-restricted products.

Checking Identification: How to Check an ID

How to check an ID:

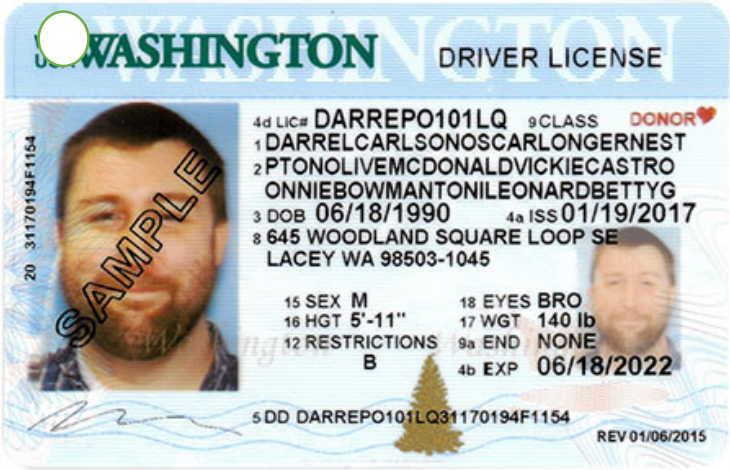
- Ask customer to hand you their ID card (not wallet or purse).
- Only accept authorized forms of ID.
- Verify the photograph on the ID matches the customer in front of you.
- Verify the date of birth on ID equals 21+ (18+) year of age.
- Check ID is not expired.
- Verify security features.



Checking Identification: What About Hole Punched ID?

At some time you may receive an ID with a hole punched in it. The ID may be legal, *provided* the punched hole does not obstruct review of any required identifying information, such as:

- Date of birth
- Physical description
- Expiration date
- Photo
- Signature



If you are in doubt about an ID, do not sell!

Checking Identification: ID Checking Technology

-Various phone apps

-ID Scanners

-Point of Sale verification systems

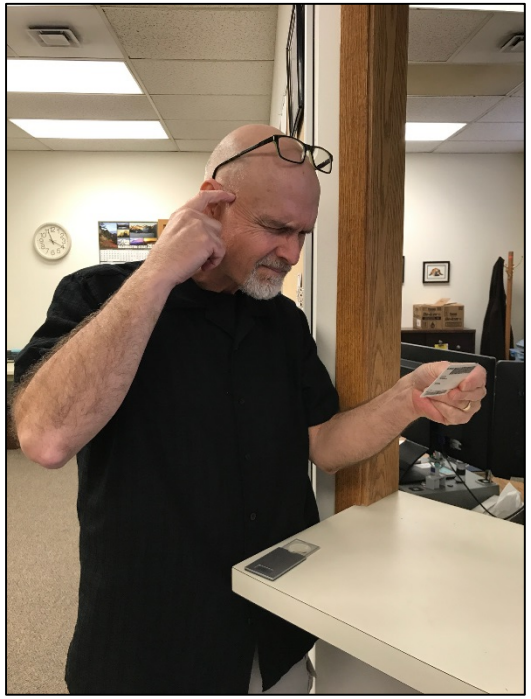
ID checking technology is a great tool for determining age and detecting fraudulent ID, **BUT** it does not tell you if the card belongs to the person who presented it! Use of technology alone puts you at risk of selling to a minor! Always verify the person presenting the ID matches the photo and description.

Checking Identification: ID Checking Tools

Being familiar with ID security features and the use of identification checking **tools** is critical to your success. You have to be able to see ID security features in order to check it properly.

Some ID checking tools are:

- The ID Checking Guide.
- Wearing your glasses.
- Using a magnifying glass, if needed.
- Date reminders for determining age 21+ or 18+
- Use of Black Lights.



Use of technology is not a substitute for checking someone's ID!

Acceptable Forms of ID: What are They?

By **state law** there are only specific forms of ID acceptable for the purpose of purchasing age-restricted products:

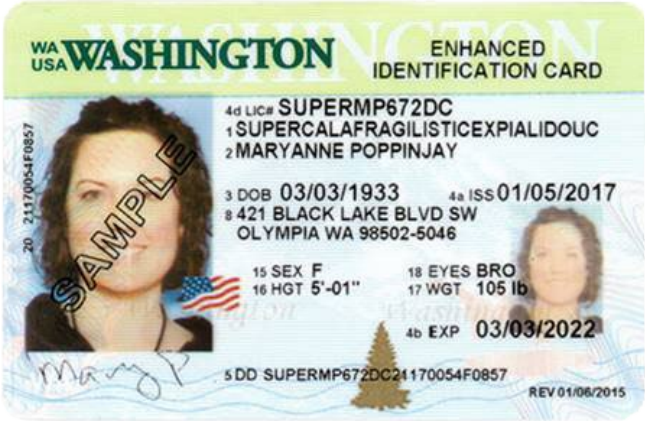
- Drivers License, Instruction Permits, Enhanced ID cards issued by any U.S. State, Territory, District of Columbia, or Canadian Province.
- Valid WA State Temporary Drivers License, **when presented** in conjunction with the corresponding expired WA Drivers License.
- U.S. Armed Forces ID Card
- Merchant Marine ID card issued by the U.S. Coast Guard
- Passports (including passport cards)
- WA State Tribal Enrollment Cards approved by the WSLCB
- Reference WAC 314-55-150

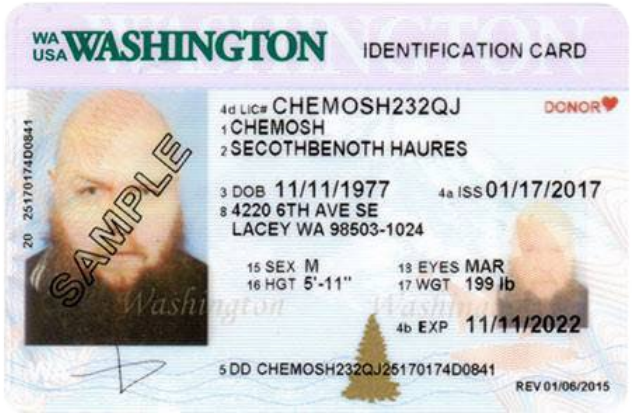
Acceptable Forms of ID: Washington's New Format

New Formats (Effective September 4, 2018):

- ID Card
- Driver's License (DL)
- Intermediate DL
- Commercial DL

ID cards and DLs can be either standard or enhanced format





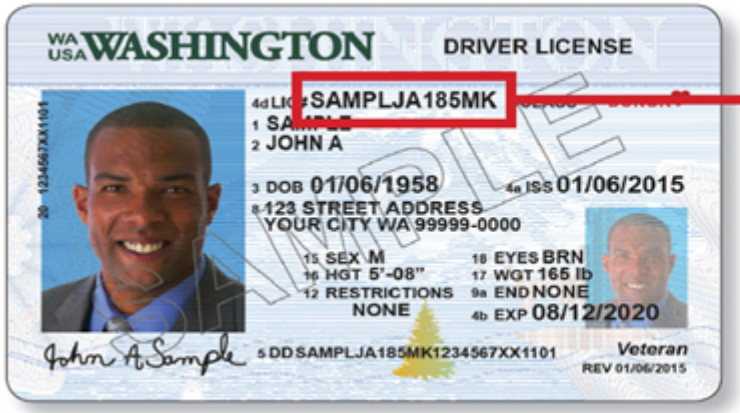
Acceptable Forms of ID: Washington's New Format

The Department of Licensing's (DOL) current driver's license number is called a Personal Identification Code (PIC). The current PIC is 12 characters long and includes data from the driver's name and date of birth.

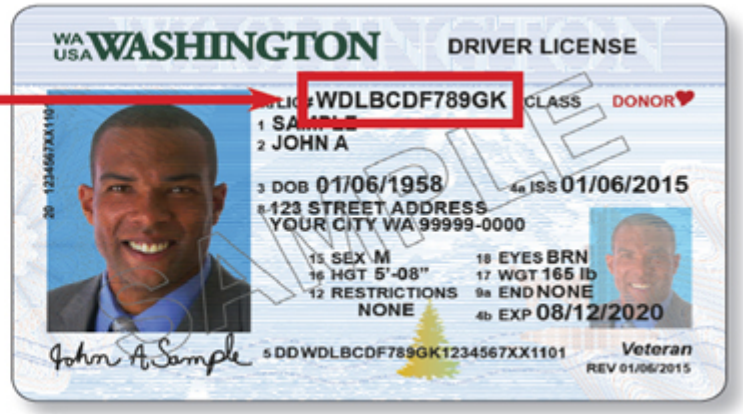
- DOL will no longer use the term "PIC." Instead, Driver's License Number (DLN) will be used.
- All cards issued after 9/4/2018 will have the WDL as the first three characters. This includes driver licenses (standard and enhanced), identification cards, and commercial driver licenses.

- DLNs start with seven alphabetical characters. All numbers in the current PIC will still be numbers in the new DLN format.
- Certain characters will not be used:
  - Special characters that are not standard (e.g. *)
  - Vowels (A, E, I, O and U)
  - The letters Q and V

- Each DLN will start with the letters WDL – this is how you can recognize the new format.
- More information: [License Changes](#).



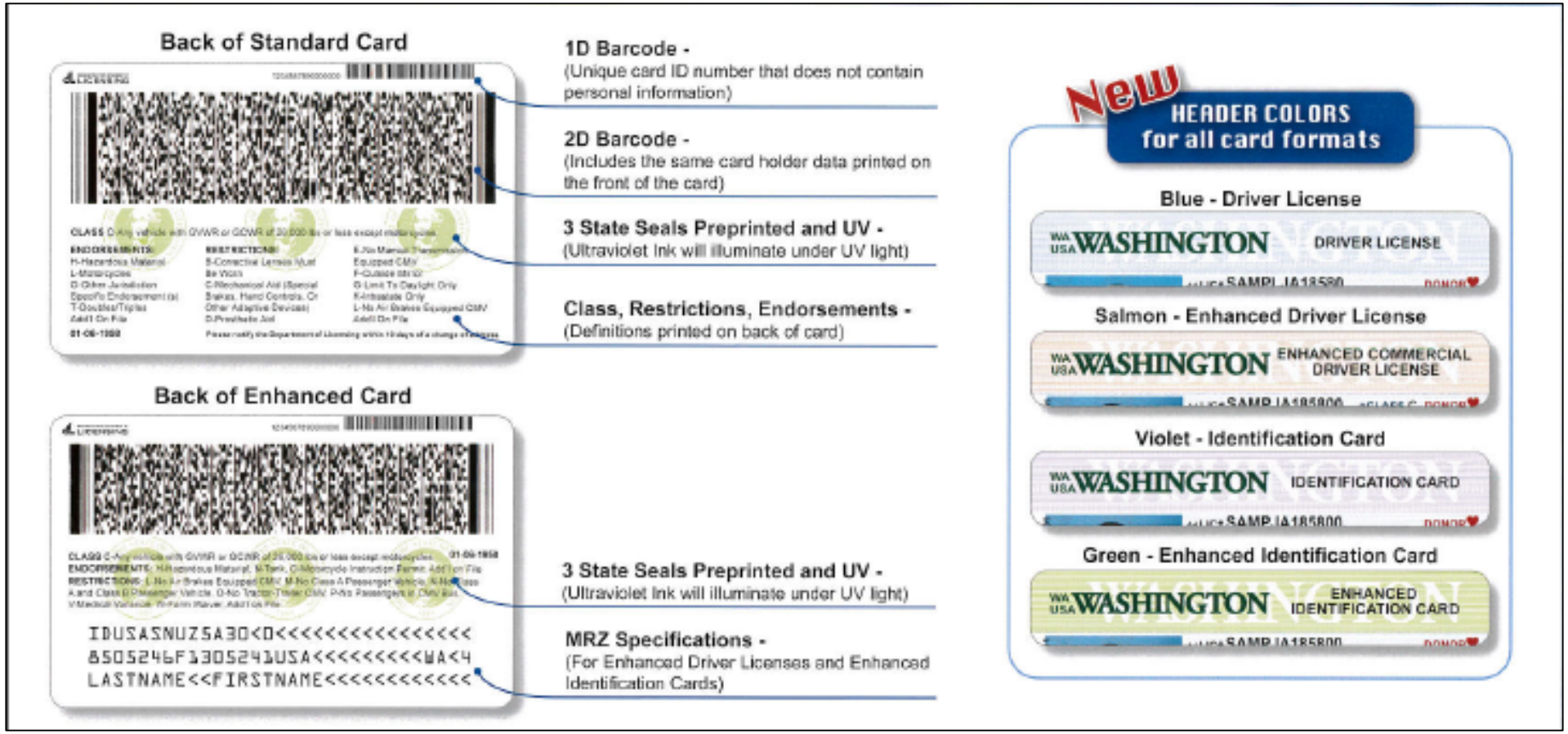
PIC



DLN

Information courtesy of the Washington State Department of Licensing and the Washington State Independent Auto Dealers Association.

Acceptable Forms of ID: Washington's New Format



Acceptable Forms of ID: Washington's New Format

The **Real ID Act 2020** is required by Federal Law:

- "**Federal Limits Apply**" means that the ID *does not* meet all Federal Real ID requirements, but is valid for cannabis purchases.
- **Enhanced ID** means that the ID *does* meet Federal Real ID requirements, and is valid for cannabis purchases.

Acceptable Forms of ID: Washington's New Format

Military personnel license/ID card expiration date:

"We no longer issue licenses with a 'Military' expiration date. They now show an expiration date…

When you're on active duty, the expiration date can lapse. This means if your license 'expires' it's still valid, regardless of the expiration date."

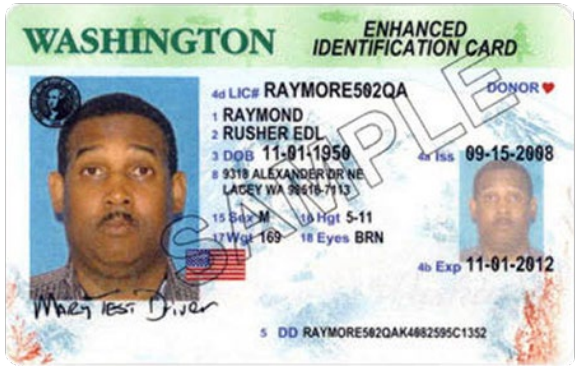
Washington State Department of Licensing (DOL)

Acceptable Forms of ID: Older Forms of Washington ID

Old Formats (prior to September 4, 2018):

- ID Card
- Driver's License (DL)
- Intermediate DL
- Commercial DL

ID cards and DL can be either standard or enhanced format



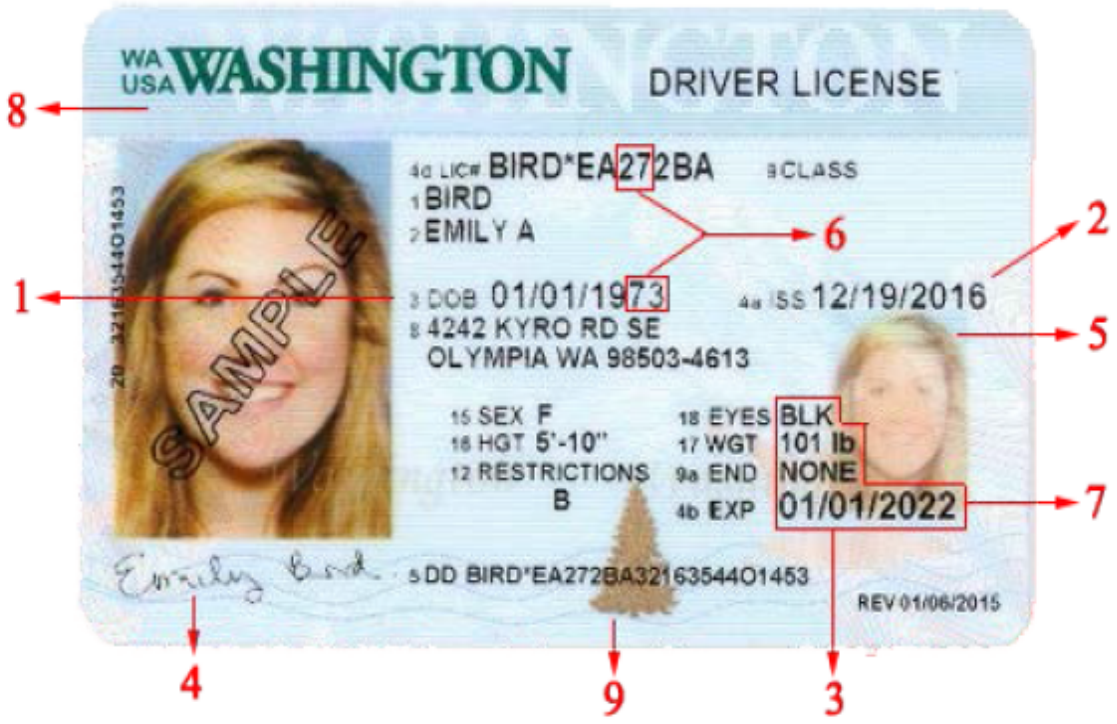
Acceptable Forms of ID: Older Forms of Washington ID

Horizontal format – 21+ Adult ID (prior to September 4, 2017):

Washington ID/Driver's License (02/2017 – Current)

1. Date of Birth
2. Issue date of ID
3. Expiration Date (on birth date, 6 yrs after issue)
4. Signature
5. Ghost portrait (faint version of the bearer's image) at bottom right of card.
6. 100 rule: the first two numerals in the driver's license # + the last two digits of the date of birth will add up to 100. (Example: 27+73=100).
7. Printed data overlapping the ghost image.
8. Fine line pattern on the front of the identification.
9. Foil printed tree.

- Washington hologram and state seal repeats across the front (state seal also on back) in ultraviolet ink that will illuminate under ultraviolet light.



Acceptable Forms of ID: Older Forms of Washington ID

Vertical format – Minor ID (prior to September 4, 2017):

Washington ID/Driver's License (02/2017 – Current)

1. Date of Birth
2. Issue date of ID
3. Expiration Date (on birth date, 6 yrs after issue)
4. Age 18 or 21 on date
5. Signature
6. Ghost portrait (faint version of the bearer's image) at bottom right of card.
7. 100 rule: the first two numerals in the driver's license # + the last two digits of the date of birth will add up to 100. (Example: 27+73=100).
8. Printed data overlapping the ghost image.
9. Fine line pattern on the front of the identification.
10. Foil printed tree.

- Washington hologram and state seal repeats across the front (state seal also on back) in ultraviolet ink that will illuminate under ultraviolet light.

Acceptable Forms of ID: Older Forms of Washington ID

Horizontal format – 21+ Adult ID (prior to February 2017):

Washington ID/Driver's License
(Still in use but issued prior to 02/2017)

1. Date of birth
2. Issue date of the ID
3. Expiration Date (on birth date, 6 yrs after issue)
4. State seal overlap photo
5. Washington hologram
6. Repeating "STATEOF WASHINGTON" in fine print
7. Ghost portrait (faint photo) at bottom right of card
8. 100 rule: the first two numerals in the driver's license # + the last two digits of the date of birth should add up to 100. (ex: 46+54=100)

- WA USA in the heading
- Printed data overlapping the ghost images
- Void appears if laminate is altered
- Branches overlap photos

Acceptable Forms of ID: Older Forms of Washington ID

Vertical format - Minor ID (prior to February 2017):

Washington ID/Driver's License
(Still in use but issued prior to 02/2017)

1. Date of birth
2. Issue date of the ID
3. Expiration Date (on birth date, 6 yrs after issue)
4. Age 18 or 21 on date
5. State seal overlap photo
6. Washington hologram
7. Repeating "STATEOF WASHINGTON" in fine print
8. Ghost portrait (faint photo) at bottom right of card
9. 100 rule: the first two numerals in the driver's license # + the last two digits of the date of birth should add up to 100. (ex: 46+54=100)

- WA USA in the heading
- Printed data overlapping the ghost images
- Void appears if laminate is altered
- Branches overlap photos

Acceptable Forms of ID: What About Temporary ID?

WA Temporary Drivers License:

- Effective February 2017
- Department of Licensing can email PDF
- **Not valid for sales by itself**
- **Must be verified with the expired valid ID**

WASHINGTON STATE

Temporary driver license

Temporary licenses issued **as of February 2017** are printed on paper and are to be used for driving purposes only. They are not valid for use as identification.

CIS**TR723DU CIS, TEST RECORD

This is your temporary document. Carry this with you until you receive your new one in the mail.

Your new card will show the last photo we took. If you don't receive your document in 45 days, please call us (360) 902-3900 or email drivers@dol.wa.gov

This Temporary Document Expires 4/2/2017

This document is intended to be used for driving purposes only. It is not valid for identification purposes unless accompanied by another piece of identification, like a recently expired driver license.

- PERSONAL INFORMATION -	
NAME	CIS, TEST RECORD
BIRTH DATE	03/31/1928
GENDER	M
HGT	1'-00"
WGT	200
EYES	DIC
RESIDENCE ADDRESS	421 BLACK LAKE BLVD SW OLYMPIA, WA, 98502-5046

- LICENSE INFORMATION -	
DOCUMENT TYPE	DRIVER LICENSE
LICENSE #	CIS**TR723DU
CONTROL #	311704745 1830
ISSUE DATE	02-16-2017
EXPIRATION DATE	03/31/2023
RESTRICTIONS	NONE
ENDORSEMENTS	NONE
CLASS	NONE
ORGAN DONOR	NO
VETERAN	NO

- MAILING ADDRESS -	
Your license will be mailed to:	421 BLACK LAKE BLVD SW OLYMPIA, WA, 98502-5046

Acceptable Forms of ID: Washington – Ultra Violet Ink

The ultra violet (UV) seal should be visible with a black light.

Fraudulent Use of ID: What is it?

There are two types of fraudulent ID use:

- Presenting another person's **real** ID as your own
- Presenting a manufactured (**fake or altered**) ID

Fraudulent Use of ID: Real ID Used Fraudulently

Fraudulent ID includes presenting **real** ID that belongs to another person:

Examples of fraudulent ID use:

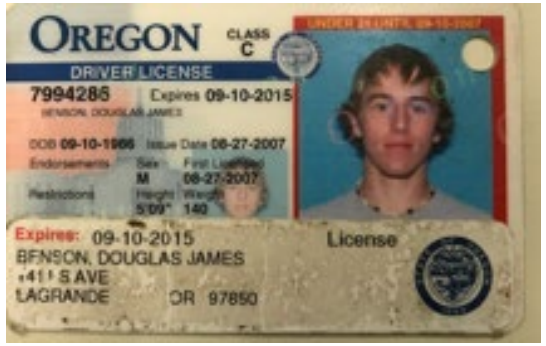
- Using a valid 21+ ID of an older sibling or friend.
- Using lost or stolen real 21+ ID of another.
- Using *expired* real 21+ ID of someone else.

Photo by Beth Segal

Fraudulent Use of ID: Manufactured ID

Fake ID may appear as **any** of the acceptable forms of ID.

- Many fake ID manufacturers offer ID from other states or countries.
- Out of state ID is often used because people are less familiar with the characteristics and security features.



Fraudulent Use of ID: How to Check for it

How do you identify fraudulent ID?

- Ask the customer to hand you their ID. Does it feel right?
- Verify the ID photo and description matches the person in front of you (eye color, height, weight, age, etc.) If not, ask why?
- Check if the ID is expired. Use of an older person's expired ID is one of the most common forms of fraudulent ID.
- Listen to your intuition. Does anything feel off about the person or ID?
- Ask unexpected questions, verify information, and observe their reaction. Example: "When did you obtain this ID?" or "What is the zip code on the ID?"

Fraudulent Use of ID: How to Check for it

How can you identify fraudulent ID? (continued)

- Ask for other documents with their name, address, or photo on it (like a Costco, credit, or student ID card). Watch for duplicate ID when they open their wallet or purse!
- Have the person sign their name on a separate piece of paper and compare it with the signature on the ID. Do signatures match?
- If available, use an *ID Checking Guide* to verify the security features listed for that type of ID.
- If in doubt, challenge the ID. Example: “This ID doesn’t look like you (or real)? Do you have another form of ID?”

Fraudulent Use of ID: How to Check for it

How can you identify fraudulent ID? (continued)

- Watch for photocopied IDs, which often have a pink hue.
- Be aware of cut off numbers or text around the photo.
- Feel for damage, like peeling, cracks, or split card edges.
- Look for misspelled words.
- Check for UV ink that fails to fluoresce under a black light.
- **Never over-ride a point-of-sale (POS) system**! Be extra alert when your technology signals a problem. Over-riding a POS warning is one of the most common errors we see clerks make, resulting in a sale to a minor.

Fraudulent Use of ID: Can I Confiscate Someone's ID?

Things to consider before you confiscate a fraudulent ID:

- An ID (real or not) is personal property.
- **State law** only allows law enforcement officers to detain persons (or seize property) to determine if they are of age to purchase age restricted products.
- If you believe a fraudulent ID was presented, you can record the ID and tell the person you are calling police to verify the ID. If the person flees or abandons the ID, you must turn it over to a law enforcement officer.

NOTE: It is never worth physical injury to hold onto a fraudulent ID card, so give it back if the person becomes confrontational!

Compliance Checks: What is the Purpose?

The WSLCB conducts compliance checks to promote public safety by testing whether retailers are following **state law** prohibiting minors from entering and remaining upon (frequenting) the restricted area of a premises and from minors being sold age-restricted products.

Compliance Checks: What are Investigative Aids?

The WSLCB employs minors (Investigative Aides) who attempt to purchase age restricted products from retail stores.

Investigative Aides:

- Are always under 21 years of age
- Do not look deceptively mature
- Do not use fake or altered ID
- Will present either their real ID or no ID at all
- Can say they are 21+ or 18+ years old

Compliance Checks: Why Failures Occur

People fail compliance checks for a number of preventable reasons:

- They did not know how to check ID properly
- They miscalculate the date of birth
- They were distracted, hurried, or inattentive
- They could not read the ID without their glasses on
- They did not use available ID checking tools
- They did not properly use ID checking technology

If you are unsure about the age of a person, do not sell!

For More Information:

LCB.WA.GOV

Enforcement Customer Service:

enfcustomerservice@lcb.wa.gov

(360) 664-9878

Or contact your local enforcement officer: lcb.wa.gov/enforcement/contact-your-officer