

**THESE ARE DRAFT CONCEPTUAL RULES DESIGNED FOR DISCUSSION
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WAC 314-02-1071 ~~What is "trade area"?~~Trade Area

-(1) (a) "Trade area" as used in RCW 66.24.630 means an area where there is no spirits retail license within a ~~twenty~~ mile~~twenty-mile~~ travel distance at the time of license application or an area located on Indian Country as defined by 18 U.S.C Section 1151, including Reservation and all lands held in trust by the United States for the Tribe and its members.

(b) "Tribal Enterprise" means a wholly owned business enterprise of the Tribe.

(2) ~~The board will use the following criteria when determining to accept~~ For a spirits retail license application where the proposed premises ~~location~~ is less than ten thousand square feet of fully enclosed retail space, the board will determine if there ÷

~~-(a) There is no an existing spirits retailer license holder or auction title holder within twenty travel miles at the time of license application, and.~~

~~-(b) The board will determine travel distance by a publicly available mapping tool which may be accessed on the board's website. The web address of this site at the time of rule adoption is <http://wslcb.maps.arcgis.com/home/>.~~

(3) Former contract or state liquor store s ~~and title holders by those owners who purchased a state store at auction~~

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are exempt from the ten thousand square foot minimum required by law. ~~Should-If~~ either entity chooses to locate within ~~an~~ established a trade area as defined in this section, they may be issued a license ~~and-as long as~~ they are in compliance with ~~board~~-relocation criteria established by the board., ~~they may be issued a license.~~

(4) The board may make an exception to the ~~twenty~~ mile~~twenty-mile~~ travel distance for the following:

(a) A spirits retail license application is for a location where ~~the significant mode~~ access if by means of travel ~~is~~ other than ~~by~~-automobile-; or

(b) A spirits retailer owned by a Tribal Enterprise located on Indian Country as defined by 18 U.S.C. Section 1151, including Reservation and all lands held in trust by the United States for the Tribe or its members.

[Statutory Authority: RCW 66.08.030. WSR 13-20-148, § 314-02-1071, filed 10/2/13, effective 11/2/13.]