

Alcohol Delivery and Takeout

Best Practices for On-Premises Licensees

Alcohol Delivery and Takeout

The Liquor and Cannabis Board recently adopted rules around <u>Senate Bill 5448</u>. The new law impacts alcohol delivery and takeout requirements for liquor licensees that hold the following temporary <u>endorsements</u>:

- Factory sealed products for takeout/delivery
- Premixed cocktails, wine by glass, premixed wine and spirits cocktails, premixed wine drinks for takeout/delivery
- Growlers for takeout/delivery

Effective Until July 1, 2025:

- Alcohol delivery must be performed by a direct employee who is 21 years of age or older, in accordance with <u>RCW 66.20.310</u>.
- The use of a third-party delivery service is not allowed.
- Curbside service is not allowed.
- Spirits, beer, and wine restaurant licensees are not allowed to sell cocktail kits with minibottles for takeout or delivery, but can sell ready-to-drink cocktails, in accordance with WAC 314-03-500.

Delivery Service Requirements:

- Delivery employees must have Class 12 Alcohol Server Training Permit.
 - All employees must be provided training on the requirements and best practices for delivering alcohol.
- Alcohol delivery and takeout services by restaurant licensees must include a purchased meal prepared and sold by the license holder.
- Any alcohol product sold for takeout or delivery must be in a factory-sealed container or a tamper-resistant container.
- When any alcohol product is delivered, the licensee's employee must get the signature of the person age 21 or over who received the delivery.
- Alcohol orders that cannot be delivered must be returned to the licensee.

The authorization to sell alcohol for delivery is a temporary privilege extended only until July 1, 2025. No alcohol products may be sold by delivery under these endorsements after July 1, 2025.

Takeout Guide

Details on requirements for delivering of factory sealed containers, growlers, premixed drinks please click <u>here</u>.

For non-factory sealed containers, below are examples of allowable and non-allowable containers:

Allowed:



Not Allowed:



Best practices for compliant takeout and delivery of alcohol for licensees:

- Develop and provide ongoing delivery training in employee training manual and program.
- Provide situational safety training, including:
 - Confrontation management;
 - Personal safety; and
 - When to involve law enforcement.
- Ask LCB officer about responsible liquor sales class, ID and over service.
- Let the customer know they have to be 21+ in order to receive delivery of alcohol.
- Articulate a refund policy when customer is placing order (if the delivery cannot be made reiterate if store policy provides refund).

Best practices for compliant takeout and delivery of alcohol for delivery drivers:

- ID verification:
 - Utilize ID scanning software to verify age; and
 - Physically hold and check the ID according to house policy. Look for signs of tampering and compare the ID to the person receiving delivery.
- Contact law enforcement if:
 - o Theft of product occurs while making delivery; and
 - Product is abandoned due to personal safety risk.
- Check the delivery address prior to leaving the licensed premises. Do not deliver to locations such as a school, public parks and other public facilities, etc.
- In scenarios where you suspect someone of age is purchasing alcohol for minors check IDs of all persons present.
- If the recipient appears intoxicated, do not leave alcohol with any other individuals, and return it.
- For personal safety, be aware of where alcohol is stored in delivery vehicle when making deliveries as it may be a target of theft.

Relevant WACs and RCWs

RCW 66.20.320: Alcohol Servers, Education program, Fees, and Issuance of permits

<u>RCW 66.20.310</u>: Alcohol Servers, Permits, Requirements, Suspension, Revocation, Violations, and Exemptions.

RCW 66.04.010: Definitions

WAC 314-11-025: Acceptable forms of Identification

RCW 66.44.200 and WAC 314-11-035: customers showing signs of intoxication

Any questions regarding delivery and takeout of alcohol, reach out to your LCB Enforcement Officer.