

CONCEPTUAL DRAFT RULES - NOT FOR FILING

AMENDATORY SECTION (Amending WSR 12-17-006, filed 8/1/12, effective 9/1/12)

WAC 314-11-040 What duties can an employee under ~~((twenty-one))~~ 21 years of age perform on a licensed premises? A person must be ~~((twenty-one))~~ 21 years of age or older to be employed in the sale, handling, or service of liquor, except as provided in this chapter.

(1) Per RCW 66.44.340 and RCW 66.44.350, persons between ~~((eighteen and twenty-one))~~ 18 and 21 years of age may perform the following duties:

	Duties 18, 19, and 20 year old employees may perform, as long as there is a person ((twenty-one)) <u>21</u> years of age or older on duty supervising the sale of liquor	Duties 18, 19, and 20 years old employees may not perform
(a) In a grocery store or beer/wine specialty shop:	<ul style="list-style-type: none"> ■ Sell, stock, and handle beer and wine; and ■ Deliver beer and/or wine to a customer's car with the customer (for the purposes of this rule, there is no minimum age requirement for an employee of a grocery store or a beer/wine ((specialty)) <u>specialty</u> shop to deliver beer and/or wine to a customer's car with the customer). 	Supervise employees who sell, stock, or handle beer and/or wine.
(b) In a spirits retail business:	<ul style="list-style-type: none"> ■ As long as there are at least two supervisors at least ((twenty-one)) <u>21</u> years of age on duty, persons 18, 19, and 20 years old may sell, stock, and handle spirits. ■ Deliver spirits to a customer's car with the customer (for purposes of this rule, there is no minimum age requirement for an employee of a spirits retailer to deliver spirits to a customer's car with the customer). 	Supervise employees who sell, stock, or handle spirits.
(c) In an establishment that sells liquor for on-premises consumption:	<ul style="list-style-type: none"> ■ Take orders for, serve, and sell liquor in areas classified as open to persons under ((twenty-one)) <u>21</u> years of age; and ■ Enter areas designated as off-limits to persons under ((twenty-one)) <u>21</u> years of age to perform duties such as picking up liquor for service in other parts of the establishment; cleaning up, setting up, and arranging tables; delivering messages; serving food; and seating patrons; provided the employee does not remain in the area any longer than is necessary to perform the duties. 	Functions of a bartender, including: <ul style="list-style-type: none"> ■ ((Mixing drinks)) <u>Pouring spirits or mixing cocktails;</u> ■ Drawing beer or wine from a tap <u>or spigot;</u> ■ <u>Opening or pouring beer or wine</u> ((anywhere except at the patrons table)) <u>in age-restricted areas;</u> and ■ Providing an employee spirits((s)) <u>or</u> beer by the pitcher or glass, or wine by the carafe or glass for delivery to a customer.
(d) In a spirits retail business:		Supervise employees who sell, stock, or handle spirits.

(2) Per RCW 66.44.316 and 66.44.318, the following persons that are ~~((eighteen, nineteen, or twenty))~~ 18, 19, or 20 years of age may remain on licensed premises or portions of premises that are restricted from persons under ~~((twenty-one))~~ 21 years of age, but only during the course of his or her employment:

- (a) Persons performing janitorial services during the hours when there is no sale, service, or consumption of liquor on the premises;
- (b) Employees of amusement device companies for the purpose of installing, maintaining, repairing, or removing any amusement device;
- (c) Security or law enforcement officers and firefighters during the course of their official duties and if they are not the direct employees of the licensee; and
- (d) Professional musicians, per WAC 314-11-045.

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AMENDATORY SECTION (Amending WSR 10-12-124, filed 6/2/10, effective 7/3/10)

WAC 314-17-015 What are the two types of alcohol server training permits? There are two types of permits for persons who serve, mix, sell, or who supervise the sale of, alcohol at a retail licensed premises.

Class 12 permit	Class 13 permit
(1) A class 12 permit holder must be at least (twenty-one) <u>21</u> years of age.	(5) A class 13 permit holder must be at least (eighteen) <u>18</u> years of age.
(2) A class 12 permit is required for any person who: (a) Manages a retail licensed premises licensed to sell alcoholic beverages for on-premises consumption; (b) Sells, mixes or draws from a dispensing device alcoholic beverages for on-premises consumption; or (c) Supervises a class 13 permit holder.	(6) A class 13 permit is required for any person who: (a) Takes orders for alcoholic beverages for on-premises consumption; (b) Delivers alcoholic beverages to customers for on-premises consumption; or (c) Opens or pours beer or wine into a customer's glass (at a customer's table) <u>without opening or pouring in an age-restricted area.</u>
(3) A class 12 permit includes all authorities granted under a class 13 permit.	(7) See RCW 66.20.310 for exceptions for grocery store employees.
(4) See RCW 66.20.310 for exceptions for grocery store employees.	

(8) Upon a temporary absence of a class 12 permit holder, a class 13 permit holder may perform the functions of a class 12 permit holder until a class 12 permit holder arrives to fulfill those duties provided that a class 13 permit holder:

(a) Is (~~twenty-one~~) 21 years of age or older; and

(b) Functions as a class 12 permit holder for no more than (~~thirty~~) 30 calendar days per year.

(9) See RCW 66.44.310, 66.44.316, 66.44.318, and 66.44.350 for additional information about permissions and restrictions for (~~eighteen to twenty~~) 18 to 20-year-old persons.