



Vermont Department of Liquor Control

In-House Training Booklet For Servers

**Training Material for employees
on alcohol laws**





**The Vermont Department of Liquor Control
Mission Statement:**

The Department of Liquor Control purchases, distributes, and sells distilled spirits through its agency stores; enforces Vermont’s alcohol and tobacco statutes, with a strong emphasis on limiting youth access; educates licensees; and promotes responsibility. An integral part of our mission is to control the distribution of alcoholic beverages, while providing excellent customer service and effective public safety, for the general good of the state.

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Introduction

The Vermont Department of Liquor Control (DLC) is a department whose main job is to enforce alcohol and tobacco laws in Vermont. The Liquor Control Board consists of five people who are appointed by the Governor. The Liquor Control Board makes rules regarding the sale or serving of alcohol. The Board also enforces laws and rules regarding the serving, and use of alcohol.

One of the branches of the Vermont Department of Liquor Control is the Enforcement Division, which consists of the Chief/Director, Sergeants, Field Investigators, Education Investigators, Training Specialist, and Office Support Staff. This division enforces the laws and regulations that cover serving, giving, and using alcohol and tobacco products in the State of Vermont. This includes investigating complaints, making on-site inspections, doing compliance checks of alcohol and tobacco retailers, and providing education programs for schools, restaurant/bars/hotels, police officers, and others.

In Vermont, Liquor Board Rules are almost like state laws and are commonly referred to as regulations. A violation of a regulation could result in a fine, suspension, or revocation of the liquor license.

Schedule of Fines

Certain violations will result in a fine for the business. Businesses will be given a ticket which they must send to the Department of Liquor Control within 10 days.

*The Department of
Liquor Control is the
state agency that
enforces Alcohol and
Tobacco Laws in
Vermont*



People who serve alcohol need to know what the alcohol laws and regulations are relating to the service of alcohol. Product categories covered during training sessions include malt beverages, beverages, and spirituous liquors. These are defined as follows:

Malt Beverages: beer, porter, ale and stout, or malt-ernatives such as hard lemonades or alcoholic energy drinks containing not more than sixteen percent alcohol by volume

Vinous Beverages: fruit and other agricultural product-based fermented beverages containing not more than sixteen percent alcohol by volume



Spirituos Liquors: beverages containing greater than one percent of alcohol by distillation and vinous beverages containing more than sixteen percent alcohol

If you break Vermont laws or regulations, the Liquor Board could suspend or revoke the business's alcohol or tobacco license if you are found guilty in a hearing, also, you personally could face a penalty.

Education Program

The purpose of Educational Programs is to provide training to the server of alcohol about Vermont's alcohol laws and regulations. People who understand these laws will have fewer problems while working. We feel that education is important and the legislature agreed when

Education Regulation

The Education Regulations apply to all servers of alcohol. The law requires that:

- * Liquor license applicants must be trained by a DLC Investigator or Training Specialist prior to a liquor license being issued and;
- * Every employee of the licensee who serves alcohol, including managers and owners must attend training prior to serving and once every two years thereafter.

*Every employee
who sells alcohol
or tobacco
products must be
trained prior to
serving*

If all employees are not trained the business will lose it's liquor license for one day.

Responsible servers need to make sure there are no violations of regulations or laws and if there are problems they must correct them quickly.

The Department of Liquor Control is responsible for enforcing alcohol and tobacco laws and regulations in the State of Vermont. In order to make sure everyone knows the laws, the Department of Liquor Control provides establishments with this Alcohol Servers Awareness Program book so all employees can be trained. The Department encourages those people who have liquor licenses to properly train their employees so that people will sell alcohol and tobacco responsibly.

The Vermont Department of Liquor Control also offers seminars conducted by a member of the department. Anyone is welcome to attend these classes. The Department also offers an online training for fee. To find out more information on these classes please go to our web page at <http://liquorcontrol.vermont.gov>.

Certificates must be made immediately available to when requested by a Liquor Control Investigator or other law enforcement officer, or the store will receive a fine.

Alcohol Use and Abuse

It is important that the server of alcohol understands his or her responsibilities and also the reason why you need to control who you can serve alcohol to and who you can't.

As an example, there is a relationship between alcohol use and criminal behavior and other social problems. That is because the use of alcohol causes people to do things they wouldn't normally do. This doesn't mean that every time a person drinks they will commit a crime. It also doesn't mean that the alcohol forces a person to do illegal things. When a person drinks it affects the brain and prevents them from making proper choices. The consequences of alcohol's misuse can also have an impact on the server of alcohol. Any time a law is broken it can cause many different problems. The server may face a penalty and the liquor license also may be in jeopardy.

Liquor Liability: The Dram Shop Act

Servers of alcohol may be held civilly responsible for improperly serving alcohol.

The so-called “Dram Shop Law” allows certain people who are injured to get money damages from the person who served the alcohol. A person can get money damages if you:

A Dram shop law suit can be filed against a server of alcohol if that person:

*Serves alcohol to a minor
Serves alcohol to a customer who is already under the influence of alcohol
Serves after the legal hours
Serves more than what is reasonable*

- Serve alcohol to a minor.
- Serve alcohol to a customer who is already under the influence of alcohol.
- Serve alcohol after legal hours.
- Serve alcohol to someone who would be under the influence of alcohol as a result of the amount of alcohol that they were served.
- You should never serve an unreasonable amount of alcohol to a person.

It is helpful to know and follow the liquor laws so you can avoid these types of problems.

It may be a good idea for servers to keep a personal log of any unusual things that may happen. If something unusual happens when you are working you should write down what happened into a notebook for you to keep. The notes should include the name and/or description of the customer and a brief write-up of what happened. Dram shop lawsuits can be filed up to two years from the date of the incident. Because most people can't remember what they did two years ago, it is best to write down the information for you to refresh your memory later. It is important for the server to keep his or her own log, so if you move onto another job later you can take it with you. The establishment is also encouraged to keep a log book.



Intoxication: The Effects of Alcohol on the Human Body

It is very important that a server understand how alcohol works on the human body. Remember that alcohol is a drug and has very different effects on different people.

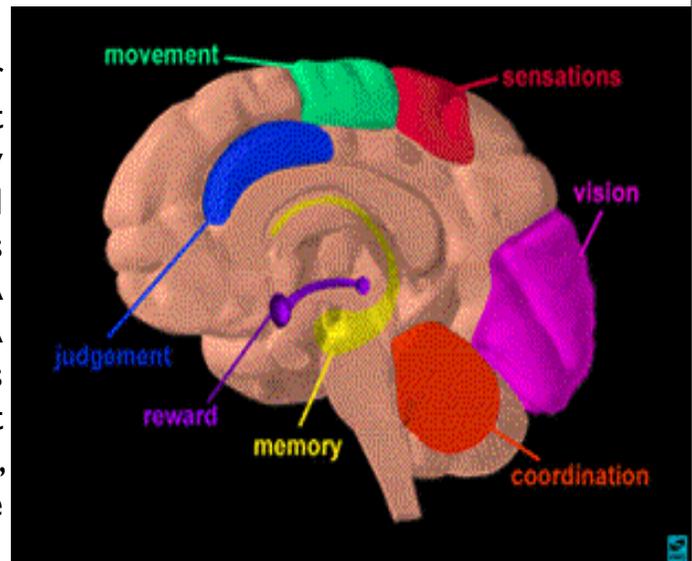
When a person drinks alcohol it goes to the stomach and small intestines where it goes into a person's bloodstream. After alcohol gets into the blood it goes throughout the rest of the body. A person's brain uses a lot of blood; because of this a lot of the alcohol ends up affecting the brain. Alcohol puts certain parts of the brain to sleep. Which parts of the brain it puts to sleep depends on how much alcohol the person drinks. The more alcohol a person drinks, the more the brain goes to sleep.

The first part of the brain that alcohol affects is the part of the brain that controls judgment and reasoning. As more alcohol is consumed, it begins to affect the part that controls muscles. This is when you see STUMBLING, STAGGERING and SLURRING. These are often what we refer to as APPARANT SIGNS OF INTOXICATION. When you see those things, a person is already intoxicated. If a person consumes more alcohol their vital functions are affected. If the vital functions are affected, the person's heart and lungs will stop working and the person could die.

A person can add alcohol to their system as fast as they can drink it, but it doesn't leave that way. Most leaves the body through the liver (approximately 90%). A small amount leaves the body through a person's breath and sweat (approximately 10%). A person can build up a tolerance to alcohol. A person who drinks alcohol on a regular basis learns how to manage it's effects. It doesn't mean they end up less drunk than anyone else, it just means that they know how to hide the signs that they have been drinking.

Alcohol affects people differently. For the average person it can take about one hour for alcohol to leave their system. If a person drinks more than one drink in an hour the alcohol backs up in their system and begins to affect the brain.

Remember though, that one drink doesn't always mean one glass. Beer, wine and liquor all come in different "strengths". A person drinking one 12 oz beer that has 5% alcohol in it will be effected differently than if you give that same person a 12 oz beer that has 16% alcohol in it. That is almost triple the amount of alcohol in the same glass. Not to mention any time you add caffeine to an alcoholic drink: your brain and body get confused. Caffeine will keep your body from recognizing the signs of alcohol poisoning.



Intoxication, continued

Many people think that they are better off drinking beer than liquor. This is a very common myth but the truth is that one 12-ounce domestic beer, one 5-ounce glass of wine, and one 1/2 ounce of 80 proof liquor all contain about 1/2 ounce of ethyl alcohol. A person's body can only get rid of 1/2 ounce of ethyl alcohol in an hour, on average. Remember that beer, wine and liquor all comes in different strengths. Remember, when counting drinks be sure you are counting them correctly. A mixed drink usually contains more than one ounce of alcohol. The percentage of alcohol in each drink also needs to be considered. If you don't know, ask...And don't expect your customer to be keeping this stuff in mind. It's your job!

You may come across a person who has been drinking alcohol and is showing signs that they have been drinking. They may have slurred speech, watery eyes, staggering, and swaying etc. If a person is showing any of those signs you cannot serve to them.

S

Some signs of intoxication may include slurred speech, watery eyes, and staggering. One method for determining whether or not the server should provide alcohol to a customer is the "SIR Program". "SIR" stands for:

"S" – Size them up. First, determine whether the customer is over the age of 21, the legal age in Vermont to purchase, possess or consume alcohol. This is also an opportunity to determine whether a customer is already intoxicated.

I

"I" – Interview the customer. By making conversation, observe whether the customer exhibits signs of intoxication such as slurred speech or difficulty making decisions.

R

"R" – Rate the individual. Determine whether the individual may already be intoxicated. Remember that a person can be intoxicated at any time of the day. If you determine that the customer has already been drinking, that customer should not be served.

You need to remember to Size up the customer, Interview the customer, and Rate the customer to decide if you are going to serve them alcohol or not. Again, if you determine that a person is intoxicated you cannot serve them alcohol.

Intoxication:

There is a regulation that says:

No alcoholic beverages shall be sold or furnished to a person displaying signs of intoxication from alcohol and, or other drugs or substances. No alcoholic beverages may be consumed on the licensed premises by any person displaying signs of intoxication. No person displaying such signs of intoxication shall be allowed to stay on the licensed premise unless under the direct personal supervision by a licensee or his or her employees in a segregated non public area when the patron's immediate departure could be expected to pose a risk of bodily injury to the patron or any other person.

There is a regulation that states:

An employee shall not serve alcohol to a person whom it would be reasonable to expect would be under the influence as a result of the amount of alcohol you served them. Basically, you need to be aware of how much alcohol you are serving to a person whether or not they are showing signs of intoxication.

If a person seems like they are intoxicated, even if you know they haven't been drinking, you must take action. When you can hear and see that the customer appears to have been drinking or doing drugs you must not serve alcoholic beverages to them. You also can't allow them to stay on the premises if they show signs of intoxication from anything. Some signs of intoxication may be things like slurred speech, staggering, swaying, glassy eyes, confused look, acting confused and delayed reactions. You cannot serve someone so much alcohol that it would make them intoxicated.

See if you can make a list of at least 5 signs of intoxication.

Intervention Techniques: How you can refuse sale

When a server believes that someone is showing signs of intoxication they must take action. Most servers who have worked in licensed establishments for a long time will tell you that this is one of the hardest parts of the job. Even though this may be true some of the time it does not have to be that difficult.

There are ways of dealing with customers that do not work at all. One thing that won't work is to walk up to a customer and tell them that they are drunk and that they have to leave. An intoxicated person may feel that you are judging them and may become upset. Always try to remain professional and in control. You always need to try to do things without threatening or judging people. You always have to have the proper attitude. It sometimes helps to explain that it isn't your decision that they leave but it is the law or the policy of your boss.

Sizing up the person you have to refuse is very important. Use the "SIR" method. Size up the person, Interview them to figure out whether they are exhibiting signs of alcohol's impairment and Rate them. This does not mean that you have to directly question them about how much they have had to drink. It means that you have to talk to the person to find out if they show signs of intoxication.

M

Once the “SIR” method has been used, if you determine that the person is displaying signs of intoxication, the “MAAM” method may prove useful. “MAAM” stands for:

A

“M” – Move the alcohol. Take the alcohol out of the person’s reach. This technique accomplishes two things: it removes a potential weapon, and it shows that you are not going to allow them to keep consuming.

A

“A” – Assert the law. Inform the person that state law prohibits you, as the server, from serving alcohol to them. This technique is useful because it indicates to the person that this is not a personal decision but is the law you are required to enforce.

M

“A” – Maintain a proper attitude. It is the responsibility of the server to remain in control, cool, calm and professional.

“M” – move on to the next customer. This technique is effective because it enforces the seriousness of the server’s decision not to provide alcohol to the customer who is already exhibiting signs of intoxication. Remember, if you are not going to serve to them because they are intoxicated, you cannot allow them to remain on the premises.

If a customer starts yelling at you or physically hitting things you should request additional help. You could ask for help from another employee, a manager, or if you need to, call the police.

“S” – Stay in the establishment. You should never follow a customer outside the building.

“T” – Temper control. It is important to remain calm. Getting upset is not going to help anyone.

“O” – Observe the person, whenever possible, if you can watch where they go so you can give that information to the police if necessary.

“P” – Post the incident. You should keep track of strange events just in case you need the information later.

S**T****O****P**

People who have served alcohol for a long time will tell you that you should expect the unexpected. You never know what could happen when you try to speak with an intoxicated person. If there is someone else in the establishment you should tell him or her that you are going to speak with an individual that you think is intoxicated so they will be there to assist you if you need it. It is sometimes easier for someone else to speak with the person. Believe it or not female servers sometimes have an easier time telling males that they can't drink or purchase alcohol. Often, male servers have an easier time telling females that they can't drink or purchase alcohol. Be aware of your strengths and if you are concerned talk to your boss about other ideas.

Can you think of any ways to refuse service to someone?

Talk with your boss about the policies of the establishment. Does your boss want you to call the police if someone starts yelling and fighting with you?

There are many ways to refuse sale to an intoxicated person. Can you think of any?

Make sure you check with your boss about the policies of the establishment

Remember you can be held liable if you serve to someone who is intoxicated . It is important to learn ways to refuse sale. There are lots of ways to refuse.

Can you think of any?

If the person becomes physical or tries breaking things it may be wise to call the police and have them issue a notice of trespass, which will keep them from coming back to the establishment. This is something you should talk with your boss about.

Always remember it may be hard to tell a customer that they can't be served alcohol in your establishment but it is still the law. If you do serve a customer that is intoxicated the establishment could be closed down and you could possibly be sued. This is why it is important that you properly screen customers when they come into your establishment. You are only responsible for your customers so if you serve to them you have taken on responsibility for them.

Minors: The Drinking Age

Regulation states:

No alcohol shall be sold or furnished by a licensee or his or her employees to a person who is less than 21 years of age.

The drinking age in the State of Vermont is 21. People must be 21 to buy, drink or possess alcohol.

The law allows 18-year-olds to serve alcohol in a licensed bar, restaurant, hotel or club.

Penalties also exist for individuals who serve or furnish alcohol to a person under the age of 21.

There are also penalties that exist for minors who attempt to purchase alcohol. They are as follows:

Vermont law says that people under 21 cannot purchase, possess, or consume alcohol.

The law says:

A minor ages 16-20 shall not:

(1) Falsify their age in order to get alcohol. They cannot say they are over 21 or use a fake ID.

(2) A minor 16-20 shall not possess alcohol. They cannot have alcohol in their possession (unless it is while working at an establishment and then they can only have the alcohol in order to sell or serve it)

(3) A minor 16-20 shall not drink alcohol.

If a person does purchase, attempt to purchase alcohol from you, possess, or consume alcohol, they will have to complete a Teen Alcohol Safety Program (TASP). If they fail to complete the TASP they must pay a \$300 penalty and have their driver's license suspended for 90 days.

Beyond the first offense,
or if the person is under 16 and they:

- (1) Falsify their age in order to get alcohol,
- (2) Possess alcohol (unless working at a licensed establishment where they can only have the alcohol in order to sell or serve it)
- (3) Purchase alcohol/or attempt to purchase alcohol
- (4) Or they drink alcohol

They will have to pay a fine of up to \$600.00
and may spend up to 30 days in jail and a license
suspension of 120 days.

***If an underage person
tries to buy alcohol
from you don't
hesitate to call the
police. After all,
they are trying to get
you in trouble by
purchasing alcohol
from you.***



**You are responsible to make sure you are
not serving to minors. You are also
responsible to make sure that minors
aren't drinking on the premises.**

It is the responsibility of the server to ensure that the customer is over the age of 21 before they serve alcohol to that person. If you serve or give alcohol to a minor you can face a criminal penalty under Title 7 Vermont Statutes Annotated Section 658.

In addition to the penalties outlined on page 14, a licensed establishment may be fined or have their license suspended or revoked by the Vermont Department of Liquor Control for serving alcohol to a minor.

Furnishing/Selling Alcohol to a Minor

Title 7 V.S.A. Section 658 states:

No one can sell or give alcohol to a person under 21 and no one can allow a person under 21 to drink alcohol.

The penalty for selling to a minor or enabling consumption by a minor is a fine of up to \$2000 and up to 2 years in jail, or both.

In addition, if a person sells or provides alcohol to a minor or allows a minor to consume alcohol, and that minor, as a result of consuming the alcohol, causes death or serious bodily injury to anyone while operating a motor vehicle, the penalty becomes a felony with a fine of up to \$10,000 or up to 5 years in jail.

The only exception to the above law applies to servers who furnish alcohol to a minor during the course of a compliance check performed by law enforcement. The penalty for a first offense is a \$100 fine; the penalty for subsequent offenses can be as high as \$500.

How to Identify a Minor

As mentioned about before it is important that a server of alcohol make sure they only serve to customers that legally can purchase and consume alcohol. The server must be watching customers to figure out if a customer is old enough. If there is any question in your mind you need to ask for ID.

Regulation says that if someone is of questionable age you must ask for an ID

If you are not asking for an ID from individuals who look like they may be questionably aged, the business you work for can receive a fine. The law says you must demand an ID. You cannot just ask someone their age. You also should never trust any one else telling you that a person is old enough. They must provide an ID as proof!

Minors Continued

As a server, you have to remember that people who are under 21 will try to make themselves look older than they really are. Women may wear makeup to make themselves look older than they really are. A person under 21 will also try to act older. They may seem overly confident and may argue with you about their age. The person may try to act invisible or kind of hide so they don't look obvious. Usually by doing this they look more obvious. The important thing is to watch for any action that seems out of the ordinary. Remember, when a person is under 21, getting alcohol is a big deal. Once the person turns 21, buying alcohol is not a big thing anymore.

If someone is of questionable age you MUST ask for an ID.

Always remember that it is the customer that has to prove to you that they are 21. If you are not positive that they are 21,
DO NOT SERVE TO THEM.

Because of the fines and possible time in jail that you could face:
it is better to be safe than sorry. Card!

Identification Cards - Proof of Age

It usually comes down to ID cards. The question that servers usually ask is: "what should I accept, and what can't I accept?". After all, your job, a criminal penalty, fine, suspension, or revocation of the liquor license are all on line if you answer the question wrong.

The only ID cards that you can accept in Vermont are a Valid Driver's License or Non-Driver Identification card with a photo from Vermont or any other state or Foreign Jurisdiction. You may accept a Valid Passport or Passport Card and Valid United States Military Identification cards. If you accept anything else you could be charged criminally and put the liquor license in jeopardy.

Buying and consuming alcohol is a privilege, not a right. You, the server, decide whether a person gets alcohol or not. Again, if you have any questions whether the person is 21 or not, do not serve them. If the ID card does not look right, **DO NOT ACCEPT IT.**



REACT

<p>R REQUEST the ID</p>	<p>Acceptable forms of Identification</p>
<p>The ID must be Valid, must be Photographic and you must ask if you think they are of questionable age. Remember, it is the law that you must ask their ID. If they want to purchase alcohol, they must be able to prove that they are of age.</p>	<ul style="list-style-type: none"> • Valid Photographic Driver's License, Non-Driver's License, Enhanced Driver's License issued by any State or Foreign Jurisdictions. • Valid Military ID (any form) • Valid Passport or Passport Card
<p>E EXAMINE the ID</p>	<p>THE FACTS</p>
<p>Compare the face in front of you to the one on the ID. Weight, hair and makeup can change. Height, eye shape and ear placement do not change.</p> <p>Look at the date of birth and expiration date. Don't just glance. LOOK! Read them and do the math! It is illegal to serve a minor and you could go to JAIL! READ the ID!</p>	<p>In a 2012 PIRE study, 65% of minors using a fake ID were able to purchase alcohol in establishments.</p> <p>In 77% of failed Vermont compliance checks, the employee IDed the minor and still sold to them.</p>

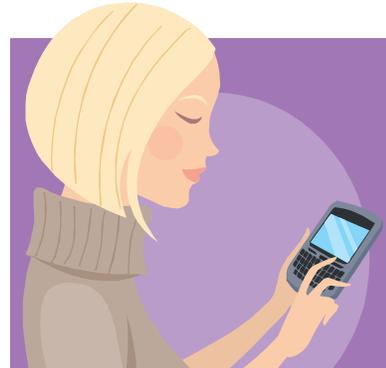
Continue to REACT

C

Confirm the ID

Call the 1-866-ITS-FAKE or your local authorities and give them all the information on the ID. They can confirm it is valid and that all the information matches. If it is not valid or if any of the information does not match.... Do NOT accept it!

Sometimes you will not need to make the phone call, sometimes simply telling the minor you are going to run their ID is enough to make them run away.



Call your local authorities.

T

Take Action

Call the police, your manager... write this incident in the business's log book.

If the minor leaves the ID with you, please fill out the DLC ID Envelope and drop them in the mail.



How to Use an ID Checking Kit

In order to help you identify fake IDs, you can purchase a Vermont Department of Liquor Control ID Checking Kit. In this kit you will find the most recent ID Checking Guide, a UV lighted magnifier and envelopes for mailing abandoned ID's to the DLC. Please remember that ID Checking guides need to be replaced yearly to assure you have the most up to date information available.

Minors using borrowed IDs and high quality fakes purchased over the internet can cause big trouble to a business. If an employee isn't taking the time to look carefully at IDs, a minor could get alcohol. This is a crime. The DLC is dedicated to helping you prevent underage drinking sales which can negatively impact the business. Getting caught selling to minors can ruin a business's reputation, cause fines and penalties and increase risks for public safety.

By using the tools in the ID Checking Kit and by brushing up on your refusal skills, you can help prevent underage drinking sales at your business. Be sure to REACT each and every time you check an ID. Remember, carding customers is not only part of the job, it's the law. Use the REACT system when you card to ensure that minors do not get alcohol in your business.

How to Use the ID Checking Guide

The guide contains images of driver's licenses for all 50 states and the Canadian provinces. It also includes images of Passports and Military IDs. That means you can find images of all of the acceptable forms of Identification in this booklet. You will also find other forms of Identification, not acceptable for alcohol and tobacco in the State of Vermont. Please remember you can only accept Valid Photographic Driver's License, Non-Driver's License, Enhanced Driver's License issued by any State or Foreign Jurisdictions; Valid Military IDs and Valid Passports and Passport Cards.

When someone hands you an out of State ID, open up your ID guide to that state. The sample IDs in the guide are the same size as the ID in your hand. Compare them. Read the written narrative. If there are any discrepancies, do not accept the ID and refuse the sale. The narrative may also include any micro printing which you can use lighted magnifier to see. In the back of the guide you will see images of the holograms you can see using your black light. Does it look the same in your hand as in the book?

If you have any questions... REFUSE! Say NO!

Drugs/Fights/Unlawful Conduct

Servers must be aware of the conduct of their patrons at all times.

**Regulation basically says:
It is the duty of the licensee to control the conduct of their patrons at all times. You cannot allow any disturbances, brawls, fighting or illegal activity on a licensed premise.**

You also cannot run your business in such a way that your patrons cause a problem on the sidewalks or streets outside your place of business.

This means that if a person becomes aggressive in your establishment you must handle the situation before it gets worse. As you read earlier you may need to call the police for help with the problem. Sometimes you may be able to stop the problem before it gets worse by making a person leave before they become aggressive.

Take a minute and think about a time that you may remember when you knew a person was going to be trouble before the trouble started. Those are the things you are watching for. If a person acts like they may cause trouble, stop it before it happens. It is easier to handle a problem early than just waiting for it to go away because it rarely does.

The regulation requires that the licensee run their business so that the parking lots, streets, sidewalks and highways adjacent to the business do not become a public nuisance. In other words, don't tell customers to take their fight outside; deal with it instead. It is your responsibility to take care of the problem.

The regulation says, "No disturbances, brawls, fighting, illegal activity, shall be permitted or suffered upon any licensed premises; " The wording "illegal activity" means anything that is against the law such as drug activity, or allowing people to smoke inside the establishment. If you think that anything illegal is happening on or around the establishment, you must take immediate action to stop it. This may include calling the police department.

Some signs of drug activity could be a customer that makes a high number of telephone calls from your establishment, or unusual and a lot of activity around your bathrooms. It could also include a person who leaves for a very short period of time and then returns several times. Also if you smell marijuana on someone's clothes it may be a sign drug use.

Drugs/Fights/Unlawful Conduct, continued

What you are going to do depends on the situation. You may ask the person to leave your establishment by yourself or you may want help from the police. You also may want to pass on the information to your liquor investigator or to the local police department. Whatever you do you must deal with it fast because it only takes a few incidents before your establishment gets the reputation as being a drug establishment. No smart business person wants that reputation.



Other Various Regulations

Here are some other various regulations that a server needs to be aware of. The program that we have presented you is not meant to be a complete manual to being a responsible server of alcohol. It is meant to be a general guide of things that seem to cause servers most problems.

First Class Hours of Sale

Alcohol can be served from
8:00 am - 2:00 am.

Customer's have until 2:30am to
finish consuming their drinks.

(On New Years Eve alcohol can be served until 3:00 am.)



***Some towns have more restricted hours.
Check with your local select board.

Drinking on Duty

Drinking on duty is illegal.

“No licensee or their employees shall consume or display the effects of alcohol or any illegal substance while in the performance of their duties”.

You are not allowed to drink or do drugs while on break and then return to any type of job function at the business.

(ex: answering phones, clearing tables etc.).

You also cannot “taste test” drinks.

Consuming Alcohol on the Premises

Any alcohol purchased at an establishment must be consumed on the premises. Drinks cannot be removed from the establishment to be consumed later.

If a customer purchases a bottle of wine or specialty beer (beer that contains between 8% and 16% alcohol) with a meal and they consume part of it with their meal you may re-cork or re-seal the bottle and allow them to take it with them. We suggest drawing a line at the level of when they left the establishment.

Pricing of Alcohol

An establishment cannot give alcohol away. A business cannot price beer at less than wholesale cost when purchased.

All alcohol consumed on the licensed premises must be paid for and appropriate taxes must be collected.

If a business does a special that includes an alcoholic beverage, then the alcohol must be rung up separately at the appropriate price and appropriate taxes charged.

Sampling Flights

“Sampler flight” means a flight, ski, paddle, or any similar device by design or name intended to hold alcoholic beverage samples for the purpose of comparison.



Malt: Aggregate of 32 oz

Vinous: Aggregate of 12 oz

Liquor (for 3rd class only): Aggregate of 4 oz

Cooperation with Law Enforcement

All servers of alcohol must cooperate with Liquor Control Investigators as well as other Vermont law enforcement officers. If a law enforcement officer or a Liquor Control Investigator asks you questions you must answer them. All of the records of the business must be kept at the establishment for a period of two years. This includes all certificates showing that everyone has been trained. If an employee is asked for identification all employees must show it.

Smoking in Establishment

Smoking is prohibited inside all licensed establishments.



Re-used bottles, Infusions and Premixed Cocktails

An establishment cannot re-use alcohol bottles and you cannot combine two bottles of liquor into one. All liquor must be poured from the original container at the time of service to the customer.

Pre-mixed cocktails may be produced only at bonded premises of a distilled spirits plant (and only then with proper labelling), meaning bars and restaurants cannot produce pre-mixed cocktails. This makes infusions and Sangrias illegal under US Federal Code

Display of Licenses

All licenses issued to an establishment, including the liquor license must be displayed where they can be seen by the public.

Gambling

Gambling is prohibited. You may host events for non-profits 4 times per year. (Clubs may do 12 per year). An establishment may sponsor any type of pool (Super Bowl, Buck, etc) provided that the establishment is not making any money from that pool. All money from the pool must be paid to a winner or to a non-profit organization. Remember to complete the DLC forms required for any events held.

Proper Lighting

Lighting in an establishment must be adequate enough to read IDs wherever people are located inside.



Employees

At all times there must be a responsible person on the licensed premises. Anyone who serves or prepares alcohol must be able to read, write, and speak English.

Drink Amounts

You can only serve someone malt beverages in a maximum container of 32 oz. You also cannot serve more than 4 oz of liquor to a person in one container. You can allow someone to have two containers at once.

However, you have to remember that you cannot serve someone more than what is reasonable. For many people, two drinks at the same time is an unreasonable amount to serve to them. If you are serving someone two drinks you are responsible to make sure you know where they both are going.

Offering Food

Establishments licensed for on-premise consumption, with the exception of clubs, must at all times when open for business offer meals, which are defined as any food prepared on the licensed premises utilizing kitchen appliances as required by the Department of Health, and must publicly display a menu listing available meal(s). Snacks in any form, including chips, peanuts, popcorn and pretzels are not considered a meal.



Locked Doors

If there is anyone on the premises who is not an on duty employee, then the doors have to be unlocked.

Notwithstanding, licensed clubs may choose to lock or unlock their doors.



Alcohol on the Premises

All alcohol that is on the licensed premises must have been purchased on invoice from a wholesale dealer; an in or out of state winery that is licensed to direct ship to retailers; or a Vermont Liquor Store. Customers are NOT allowed to bring their own alcohol into your establishment.

Required Signs

All bars/restaurants/hotels/clubs must have a sign posted that has the words “Do you have a Designated Driver.”

The Vermont Department of Liquor Control says...
Don't Drink and Drive



**Do You Have
A Designated Driver ?**

Don't Drink and Drive

Drink Specials

The law says that an establishment cannot lower their drink prices for part of a day. If an establishment is going to lower their prices, they must do so for the whole day. You also cannot allow games, contests, or promotions that encourage rapid or excessive consumption of alcohol.

If you are going to have live entertainment (band, dj, comics, etc) or events you can do special pricing. Call the investigator or the Liquor Control office for questions about this exception.

Age of Servers

A person must be at least 18 to serve/prepare alcohol.



Getting Paid

All employees of an establishment must be hired by the licensee and paid on a fixed salary or hourly basis.

A business can contract out their security as long as they are paid by the business and properly trained and the business retains training certificates.

Compliance Checks

The Department of Liquor Control conducts compliance checks of establishments that are licensed to serve alcohol. In these compliance checks an individual under 21 will come into your establishment and attempt to buy alcohol. Because of this you should always be asking for IDs and not just asking the customer's age.

Always remember to ask for the ID if someone looks of questionable age. Once you have the ID use some of the suggestions that are mentioned in the ID section of this booklet.



Tips to Assist Servers

Be familiar with current liquor laws and regulations.

Maintain a logbook for incidents that occur while serving alcohol – this log can track such things as name and description of patrons, or a brief description of an incident.

Other Information

There are other various regulations that you need to know if you are serving alcohol in an establishment. This book does not list all the laws and regulations. It is meant to be a general guide for servers.

If you have further questions speak to your boss or the liquor investigator in your area. You can also look up Title 7 in the Vermont Statutes. The Statutes are available online at the Vermont Department of Liquor Control website at <https://liquorcontrol.vermont.gov>. They are also available at most public libraries and town clerks offices.

Record Keeping Responsibilities

Now that you have watched the Department of Liquor Control Video and have read this booklet, you are required to sign a certificate stating that you have been trained in liquor laws. Your boss should have this certificate available but if they need one they can access it on our website at <https://liquorcontrol.vermont.gov>. Or, they can call our office and ask for one to be sent to them. This certificate must be filled out prior to you selling alcohol.

Once the certificate is filled out, make sure you know where it is in case you are questioned by a Liquor Control Investigator.

Congratulations, you have completed the training process.

If you have any questions please ask the boss or call the local liquor Investigator.

Information for the Boss

As stated earlier in this booklet you are responsible for training all of your employees before they start working and then once every two years after that. You can have them watch the Vermont Department of Liquor Control DVD and read this booklet. The Vermont Department of Liquor Control also offers seminars conducted by a member of the department. Anyone is welcome to attend these classes. The Department also offers an online training for a fee. To find out more information on these classes please go to our web page at

<http://liquorcontrol.vermont.gov>.



Green Mountain Drive
Montpelier, VT 05620
Phone: (802)828-2339
Fax: (802)828-1031