

WAC 314-02-1081 What is the responsible vendor program for beer and wine retail licensees selling beer and wine for off-premises consumption?

(1) The program promotes retail licensees selling beer and wine for off-premises consumption taking positive steps to ensure alcohol is sold responsibly. The program is provided free and licensees may join the program voluntarily. Retail licensees selling beer and wine for off-premises consumption who hold a responsible vendor certificate and maintain all requirements are eligible for reduced penalties on their first public safety violation within any period of twenty-four calendar months.

(2) **How does a beer and wine retail licensee become a responsible vendor?** Any beer and wine retail licensee selling beer and wine for off-premises consumption who meets the program standards may participate. To apply for a responsible vendor certificate, the licensee must have no public safety violations within the last two years and must complete and submit a board-provided application form. Board staff will review the application for completeness, and will:

(a) Certify the completed application clearly indicates the licensee has all program standards in place and send a certificate to the licensee; or

(b) Return an incomplete application that does not clearly indicate the licensee has all program standards in place. Staff will notify the licensee of the reason(s) the application is being returned.

(3) **To qualify as a responsible vendor, a beer and wine retail licensee selling beer and wine for off-premises consumption must:**

(a) Establish and enforce a house policy relating to the sale and service of alcohol products that includes at a minimum:

(i) Who needs responsible alcohol sales training and how often;

(ii) A list of acceptable forms of ID at the premises;

(iii) When and how to check ID;

(iv) When and how to refuse sales;

(v) When to notify the supervisor and/or law enforcement for problems; and

(vi) The consequences for failing to check ID and/or making illegal alcohol sales.

(b) Train employees prior to engaging in the sale of alcohol and provide refresher course annually at a minimum. The minimum training component must include:

(i) Information on the misuse and risks of underage use of alcohol;

(ii) Washington state liquor laws and regulations;

(iii) House policy (see house policy above for components);

(iv) How to identify the signs of intoxication; and

(v) How to get additional resources/training.

(c) Maintain a responsible alcohol management policy which may include:

(i) Delegate a supervisor level employee to oversee and enforce store policies;

(ii) Participate and cooperate with local community organizations and/or efforts promoting public safety;

(iii) Monitor employee conduct and reinforce training;

(iv) Program point of sale system to recognize age restricted products and prompt cashiers to check ID and stop the transaction until the date of birth is entered and the age is calculated;

(v) Provide "birth date eligible to purchase alcohol" daily;

(vi) Provide appropriate ID checking tools such as current ID checking guide (shows valid ID formats from all states and U.S. territories), and "black lights" to check the authenticity of an ID;

(vii) No advertising targeting youth;

(viii) Displaying alcohol products in such a way to enable unobstructed monitoring, away from youth-oriented products; and

(ix) Use of theft deterrent devices.

(d) In an area visible to patrons, post signs to deter illegal purchased of alcohol. Examples include; it is illegal to purchase alcohol under twenty-one years of age or while apparently intoxicated. Other information may include acceptable forms of identification at the premises;

(e) Post the responsible vendor program certificate for public view in a conspicuous area at the front of the premises; and

(f) Retain employee training records and signed house policies for three years and be able to present employee training records upon request.

(4) What are the employee training standards and other requirements for the responsible vendor program?

(a) The training courses shall have the standards and requirements as stipulated in (a) and (b) of this subsection at a minimum;

(b) Training must require employee to demonstrate reasonable mastery of the topics;

(c) Training may be presented in-class, online course or other methods not compromising the training requirement;

(d) The training course content must be up-to-date with the latest laws and rules and must be provided in its entirety as certified by the board;

(e) The standards and requirements for the mandatory alcohol server training stipulated in WAC 314-17-060 are deemed sufficient for employee's initial training for the responsible vendor training; and

(f) The training course provided by the board is deemed sufficient for employee's initial and follow-up training for the responsible vendor training.

(5) How does a retailer maintain the certification?

(a) The licensee must maintain all program requirements at all times and have no more than three public safety violations within a two-year period.

(b) When a public safety violation occurs, licensee must submit an action plan to the board's licensing staff illustrating ways to prevent further violations within ten days from the date of violation.

(c) Update training materials and inform employees within thirty days from the board's notification regarding new legislation and/or regulations.

(d) Present the employee training records upon request by the board's staff.

(6) What must a licensee do when a second public safety violation occurs within a two-year period?

(a) The licensee must submit an action plan to prevent further violations to the board's licensing staff within ten calendar days of violation.

(b) The board may decertify the responsible vendor certification if the licensee fails to submit an action plan and/or demonstrate poor commitment to the program including having three or more public safety violations within a two-year period.

(7) How long does a licensee have to wait before rejoining the program? Once decertified from the program, licensee may reapply for

the program after two years. Any public safety violation during this time may prohibit the licensee from joining the program.

(8) **What are the sanctions when a licensee violates liquor laws or regulations?** If a beer and wine retail licensee has a certified responsible vendor program having all program standards in place and has a public safety violation, the board will impose a deferral for a two-year period. If there are no further public safety violations within that two-year period, the violation is dismissed. If another violation occurs within that two-year period, the board will end the deferment and process both the first and the second violation based on the standard penalties described in WAC 314-29-020 through 314-29-040.

[Statutory Authority: RCW 66.08.030. WSR 14-15-075, § 314-02-1081, filed 7/16/14, effective 8/16/14.]