



Montgomery County Alcohol Beverage Services

Division of Licensure, Education
and Regulation

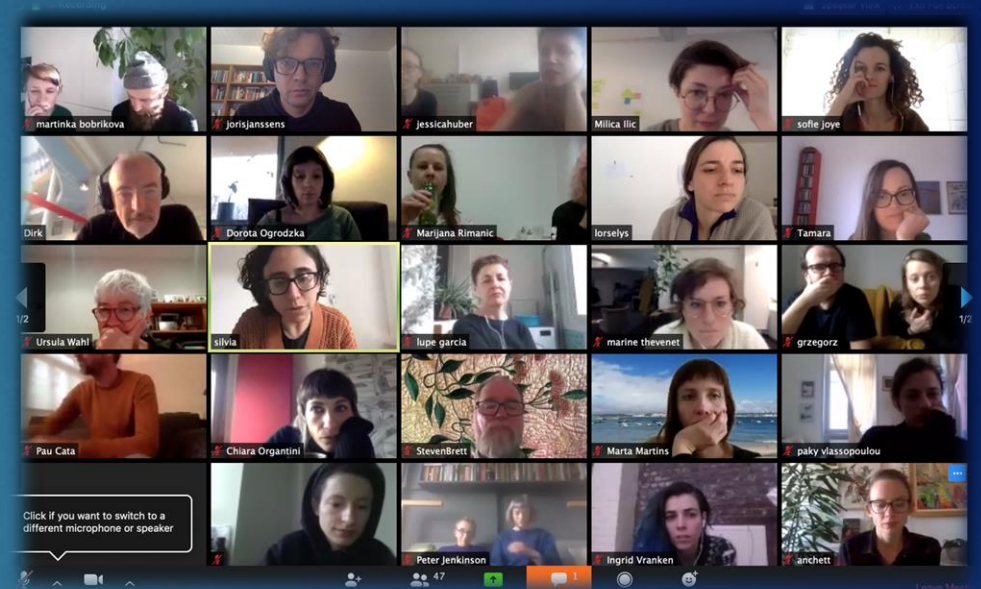
ALERT

ALCOHOL LAW ENFORCEMENT AND
REGULATORY TRAINING

Housekeeping

2

- ✓ Meet your trainers
- ✓ Participate in polls
- ✓ Alcohol Fun Fact Poll
- ✓ Role Poll



Follow Us On Social Media

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@MoCoRASP

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@MoCo_RASP

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@MoCoRASP

Announcements

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► From the LRE offices:

- Update contact information (i.e. phone numbers, emails, and mailing addresses).

► Letter of attendance:

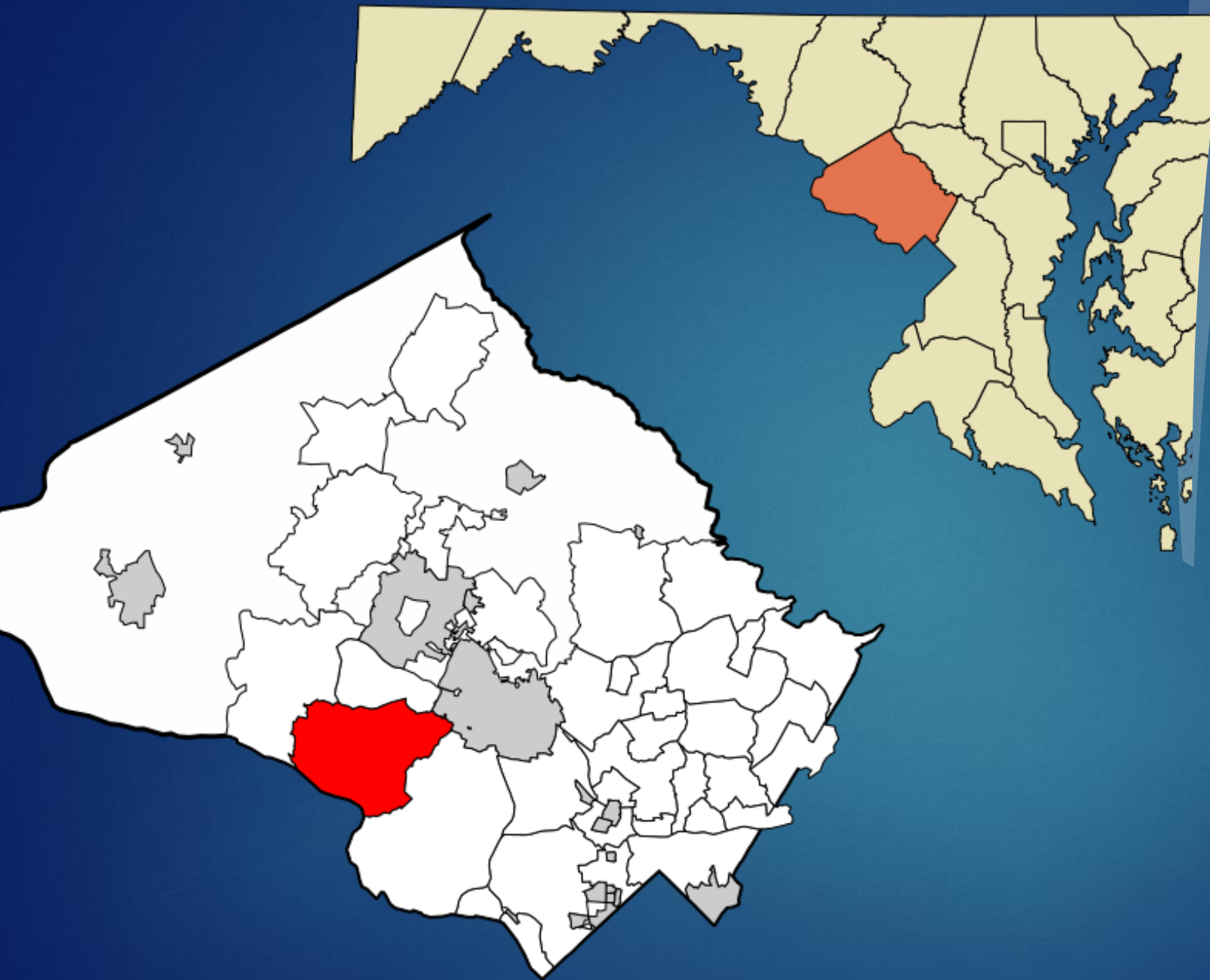
- We will provide you the link at the end of the class. You will need to fill out the information to get your letter of attendance.



Agenda

- ▶ Part 1: Why Alcohol ALERT & Who We Are
- ▶ Part 2: Alcohol's Effect on the Body
- ▶ Part 3: Responsible Alcohol Beverage Service
- ▶ Part 4: Maryland Alcohol Rules & Regulations
- ▶ Part 5: Inspections
- ▶ Part 6: Under 21 Alcohol Use & IDs
- ▶ Part 7: Course Eval & Goodbye for Some
- ▶ Part 8: BLC Hearings Tutorial





Part 1

Why Alcohol ALERT & Who We Are

- ▶ 86% of adults in the US drink alcohol at some point in their lives.
- ▶ 95,000 alcohol-related deaths in the US every year
- ▶ 30% of driving fatalities are due to drunk driving
- ▶ 4 out of 10 underage youth (12-20 year olds) say they have had at least 1 drink in their lives
 - ▶ FY21-22 Compliance Rate: **67.1%**
- ▶ In FY 21-22, there were **1,713** alcohol-related arrests in MoCo. Breaks down to:
 - Over 4 people arrested every day of the year for driving under the influence of alcohol

Sources: NIAAA, Washington Regional Alcohol Program (WRAP), 2020 How Safe Are Our Roads Report, www.wrap.org, MD Department of Health



Alcohol Beverage Services

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- ▶ Manages alcohol licensing, enforcement, & education for over 1000 MoCo businesses
- ▶ Serves as a wholesaler and retailer of distilled spirits, and in most cases, wine and beer at the wholesale level for MoCo businesses
- ▶ Revenue generated goes back into the County General Fund – over \$30 million annually



ABS – Spotlights

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- ▶ **MoCo Board of License Commissioners:** Issues, revokes, or suspends licenses for the sale of alcoholic beverages & issues fines for violations
- ▶ **Community Outreach Programs:** Trainings & Safety Alliance/ Coalitions, business leagues, & community meetings
- ▶ **Retail Stores:**
 - 26 stores
 - Beer, wine, & spirits
 - Citizen & business purchases





Part 2

Alcohol's Effect on the Body

What is Alcohol?

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- ▶ Main ingredient in beer, wine & spirits
- ▶ Causes intoxication or drunkenness
- ▶ A depressant - slows down your central nervous system





https://www.youtube.com/watch?v=I_OoW_w-uM8

Serving Sizes

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=



=



=

**$\frac{1}{2}$ OZ
PURE
alcohol**

12 oz Beer
5% ABV

5oz wine
12% ABV

1 oz Liquor
50% ABV

ALL ARE STILL ETHYL ALCOHOL!

Alcohol Absorption Rate Factors

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1. Body size (sex)
2. Mood/Anxiety
3. Strength & Type of Drink
4. Food Intake
5. Medication & Drugs
6. Rate of Drinking
7. Age



Blood Alcohol Concentration (BAC)

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- ▶ **Blood Alcohol Concentration or Content (BAC):** Percentage of alcohol in a person's bloodstream
- ▶ **Driving under the Influence in Maryland:** .08 BAC – a very serious offense in Maryland, resulting in an arrest and record.



Rollercoaster of Intoxication

1. **Euphoria**
2. **Excitement**
3. **Confusion**
4. **Stupor**
5. **Coma**
6. **Death**





Part 3

Responsible Alcohol Beverage
Service

Responsible Beverage Service

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- ▶ **Ensures** that those who sell & serve alcohol have the knowledge & skills to serve responsibly AND meet the MD alcohol service legal requirements
- ▶ **Helps** servers prevent excessive alcohol consumption and minimize harms from excessive drinking that has already occurred



Promising Practices

Your Establishment

Menu

Staff



Your Establishment

- ▶ **Adopt** “Safe & Sociable” as part of your brand
- ▶ **Avoid** promotions that encourage over-consumption
- ▶ **Publicize** alcohol policies in visible locations
- ▶ **Arrange** for alternate transportation
- ▶ **Develop** and consistently maintain ID checking policies
- ▶ **Observe** laws regarding server age
- ▶ **Ensure** documentation policies & practice



Menu

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- ▶ **Standardize** drink recipes and use the proper tools – not free pours
- ▶ **Show** the ABV percentages on your drinks
- ▶ **Monitor** self serving kiosks
- ▶ **Make** alcohol-free beverages available whenever alcohol beverages are served
- ▶ **Offer** water and free food



Staff

- ▶ **Train** staff, making alcohol safety a priority:
 - Teach them how to check IDs, cut someone off, & refuse service
 - Learn the signs of intoxication
 - Know the ABVs of the drinks being served
 - Know where drinks are going
 - Track the number of drinks
- ▶ **Give** employees the opportunity to achieve their Alcohol Awareness Certification
- ▶ **Ensure** that employees do not consume alcohol beverages while working



Civil Liability

Reasonable Efforts

Steps the law requires:

- ▶ Taking steps to prevent intoxication
- ▶ Preventing intoxicated people from doing harm

It is against the law:

- ▶ The sale, possession, or consumption of alcohol by minors
- ▶ Selling to or serving alcohol to someone who is intoxicated

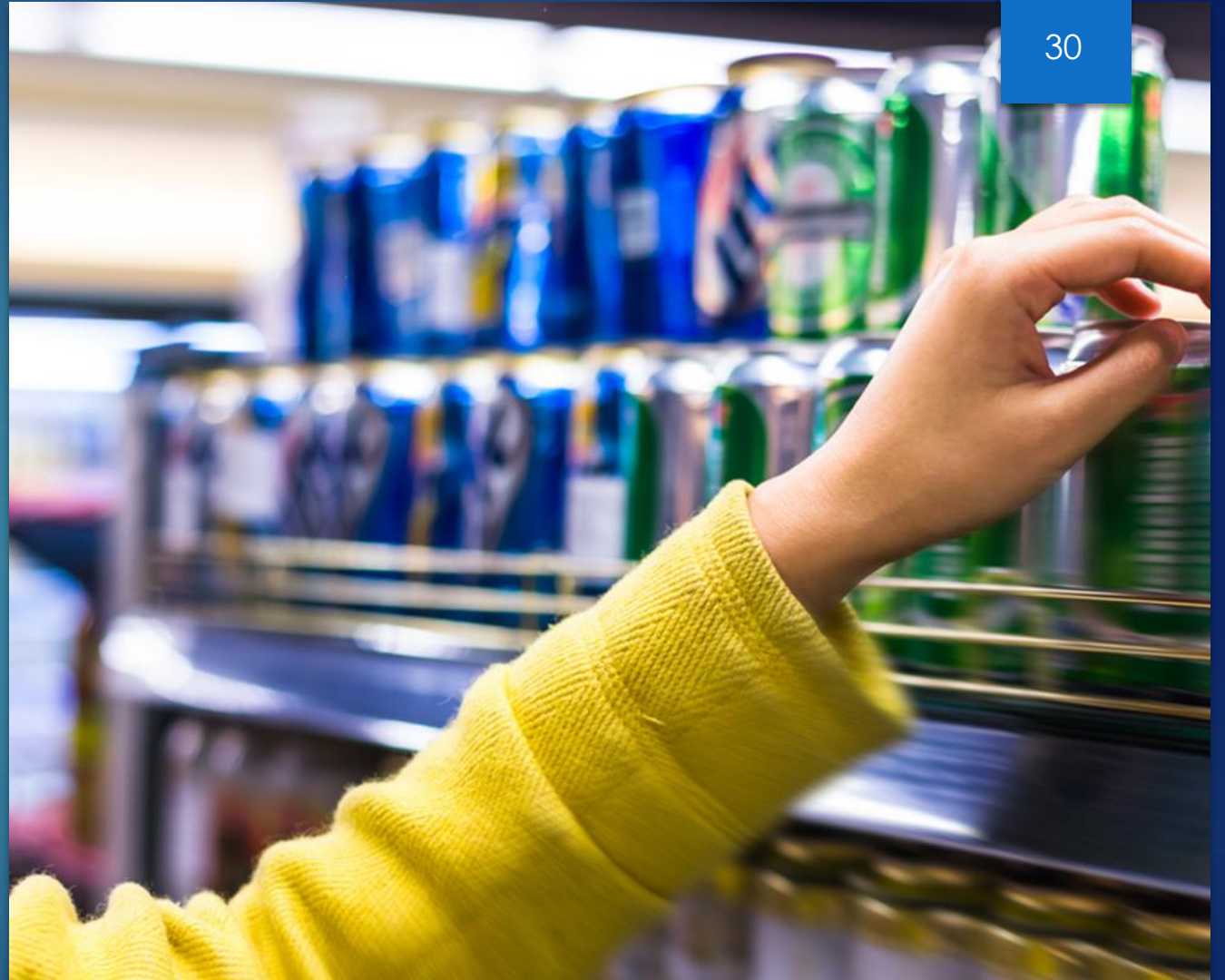
As a bartender , server, or seller of alcohol, you can be sued individually for your decisions



Liquor Board Violations

Steps the law requires:

- ▶ Despite how the courts resolve cases, the BLC can take administrative action:
 - Participation in an Alcohol Awareness training requirement (ALERT) within 60 after Board resolution
 - Administering fines
 - License suspension & revocation



A glass of beer and a plate of bread. The glass is filled with a golden beer topped with a thick white head of foam. Next to it is a plate of several pieces of golden-brown, crusty bread, possibly baguette or ciabatta, cut into chunks. The background is a dark, textured surface.

Tips to Refuse Service

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Be aware of your surroundings and take note of guests who are heading towards intoxication.

Before approaching any intoxicated patron, seek approval and assistance from your manager and security staff.

Confidently but politely inform the patron that you can no longer serve them alcohol.

Use "I statements" & do not be accusatory.

Ask them if they would like a non-alcoholic drink instead.

NEVER water down drinks as a substitute for a cut-off.

DOCUMENT. Keep a written record of incidents.

Offer to call a friend or taxi to get them home.

Don't hesitate to call the police if the person threatens to do something unsafe.



Question Break



Part 4

Alcohol Rules & Regulations

Licenses, Permits, & Permissions

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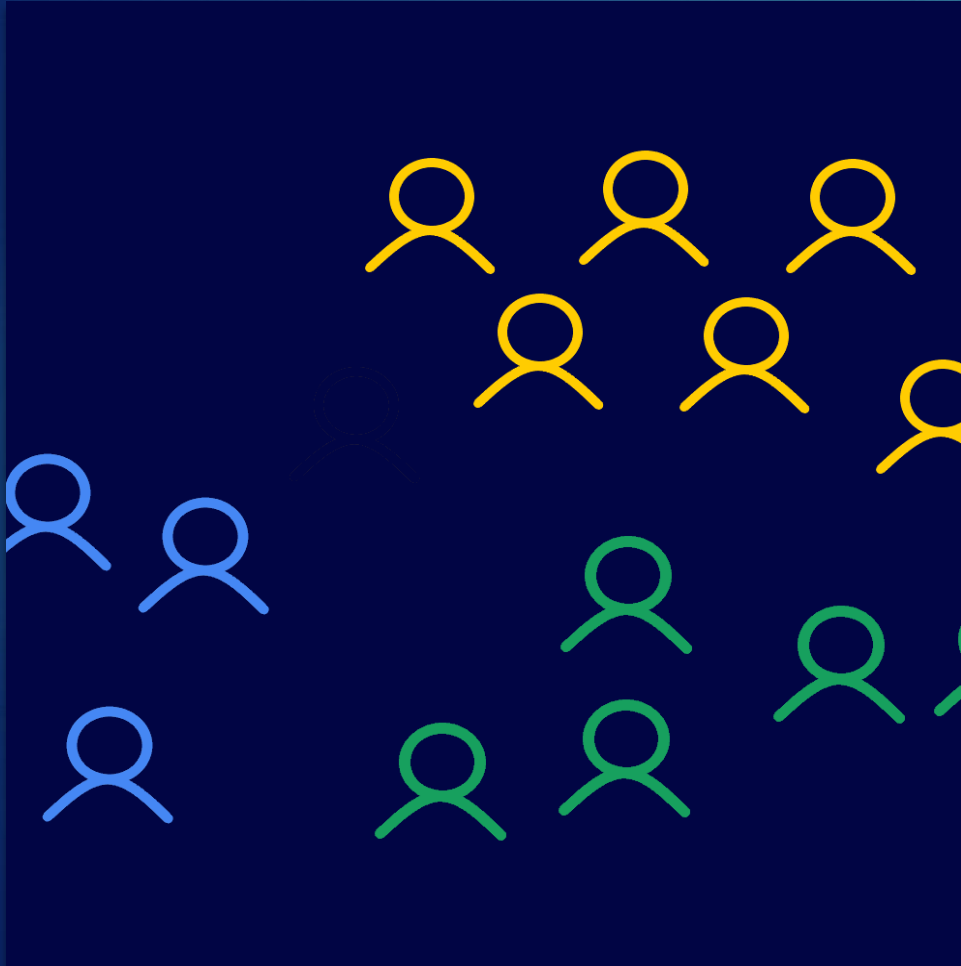
- ▶ 34 types of licenses including :
 - Beer, wine, & liquor
 - On- & off-premises
 - Special licenses for hotels, performing arts/art galleries, corporate training, culinary schools
 - Festivals and One-Day licenses
- ▶ Various permits and permissions including:
 - Catering
 - Beer and wine sampling tasting
 - Wine corkage
 - Refillable beer container
 - Outdoor café
 - Business and Temporary Modification
 - Use of spirits in cooking



License Types

Scenario Discussion

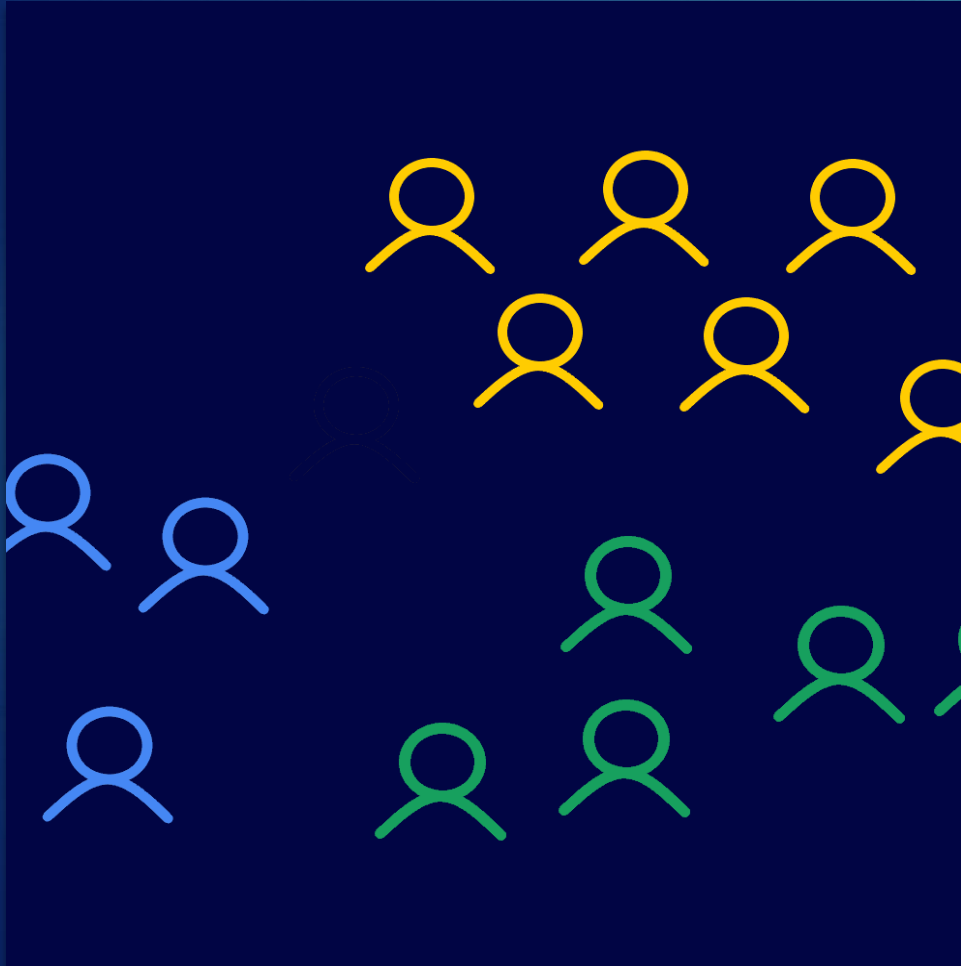
36



- ▶ **Scenario 1:** A young woman comes in and orders wine. When I ask for her ID, she provides me with a vertical one. Should I serve her?
- ▶ **Scenario 2:** I'm having a beer while waiting for my friend at the XYZ bar. My friend calls and says she is waiting for me at ABC Restaurant across the street. I grab my beer and run across the street, to join her at ABC and sit at the table. Problem?
- ▶ **Scenario 3:** A young man sits down and orders a beer. When I come back with the beer, I ask to see his ID and upon checking it discover he is under 21. The beer has never left my hand. Violation?

Scenario Discussion

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- ▶ **Scenario 4:** As you are taking drink orders from a family, a young woman in the group orders a beer. When you ask for her ID, you discover that she is under 21. You refuse to serve her but an older woman in the group says she's her daughter and she will take full responsibility. Do you serve her?
- ▶ **Scenario 5:** I'm hiring a new server for my business. The staff member will be serving both food and alcoholic beverages. A young man who is 18 applies for the position. Can I hire him?

Unapproved Sources of Alcohol

- ▶ Don't allow patrons to give you alcohol as a gift at your establishment
- ▶ Against the law to store any alcoholic beverages other than those permitted under your license
- ▶ All alcohol must come from the MoCo ABS warehouse, one of its 26 stores, or an authorized small winery, brewery, or distillery



Open Container Laws

- ▶ NO open containers in “the passenger areas” of vehicles
- ▶ Patrons who order a bottle of wine with a meal but don't finish it may take the bottle home with them
- ▶ Unfinished bottles must be re-corked or re-capped before leaving the premises



Documentation

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Establishments greatly benefit from:

- ▶ Having an incident log (bound book), keep records for 3 years
- ▶ Identifying how it occurred
- ▶ Notifying management
- ▶ Collecting witness information & asking them to sign the document

**Police non-emergency number 301-279-8000;
develop a relationship with local police**



The image shows a sample 'INCIDENT REPORT FORM' with the number '001' in the top right corner. The form is designed for establishments to document incidents. It includes fields for 'Date', 'Time of Day', 'Manager', 'Primary Staff Person', 'Other Staff Involved', and 'Name/Description of Patron'. There are four checkboxes for specific actions: 'ID Confiscated', 'Non-Alcohol Beverage Served', 'Transportation Offered', and 'Police Contacted'. Below these are sections for 'Intervention Strategies Used', 'Witnesses', 'Comments', 'Form Completed By', and 'Signature'. A vertical blue tab on the right edge of the form is labeled 'Information'.

INCIDENT REPORT FORM 001

Date: _____ Time of Day: _____
Manager: _____ Primary Staff Person: _____
Other Staff Involved: _____
Name/Description of Patron: _____

☐ ID Confiscated ☐ Transportation Offered
☐ Non-Alcohol Beverage Served ☐ Police Contacted

Intervention Strategies Used: _____

Witnesses: _____
Comments: _____

Form Completed By: _____
Signature: _____ Date: _____

Information



Part 5

Inspections



**Alcohol license framed & easily
readable to the public**



**Alcohol Awareness Certification/Person on
premises during hours on license**



**Records accessible & tidy – more
on this in a few minutes**



Keg registration



**Bar service & operation
regulations followed**



**Source/storage regulations
followed**



Routine Inspections

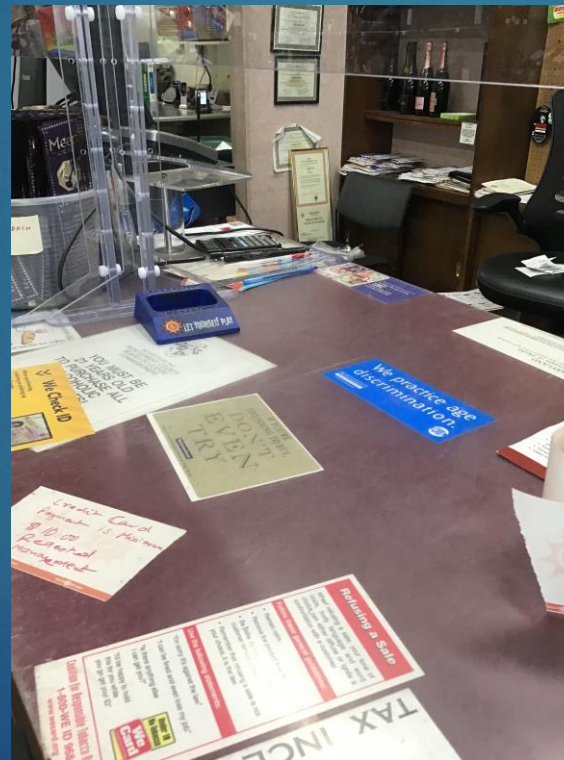
Alcohol License

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Good Example



Bad Example



- ▶ License in a frame and under glass
- ▶ Posted in location where the general public can easily **READ** the complete document

Alcohol Awareness Training

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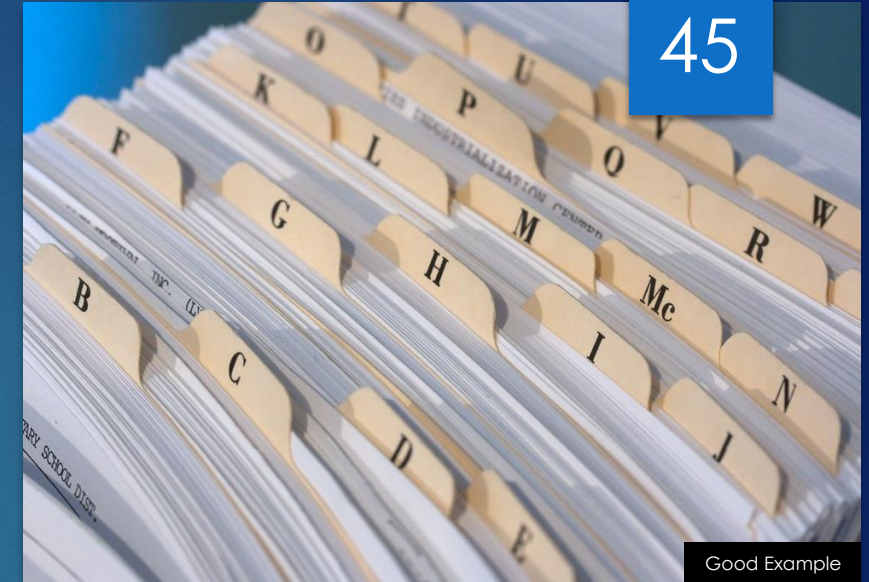


- ▶ A person who is certified by an approved alcohol awareness program **must** be present on the licensed premises during the hours in which alcohol is sold
- ▶ Your business could incur fines and possibly lose your license if you do not comply

The more Alcohol Awareness certified employees you have on deck, hopefully the safer your establishment

Records

- ▶ Beer, Wine, and Liquor Invoices (from county and private suppliers)
 - Available on premises at all times and maintained for at least 2 years
- ▶ Employee Records
 - Available on premises at all times and maintained for 1 year after an employee leaves
 - Records must include: name, address, phone, date of birth, and date of hire



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Good Example



Bad Example

Keg Registrations

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- ▶ Your Responsibility:
 - ▶ Order registration book:
Comptroller's office 410-260-6381
 - ▶ Registration forms provided, keep
on premises for 30 days
 - ▶ Stickers must be affixed

ALL KEG SALES MUST BE REGISTERED

Bar Operations

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Hours of Service



- ✓ No after hours of alcohol sales/service allowed
- ✓ Food must be available if you're serving alcohol
- ✓ Adhere to closing times set by the County
 - ✓ Beer & Wine Alcohol Cleared:
 - ✓ 2 a.m. all week, off-sale ends at 1 a.m.
 - ✓ Beer, Wine & Liquor Alcohol Cleared:
 - ✓ 2 a.m. Sunday through Thursday
 - ✓ 3 a.m. Friday and Saturday



- ✓ Prohibited from:
 - ✓ Reusing or refilling any bottle or container
 - ✓ Adulterating, diluting, or fortifying contents of a bottle or container
- ✓ Label premixes with a date – can't be used after 5 days
- ✓ Bottles must have original labels on them
- ✓ Under age 21 employees can serve alcohol (18 years old – minimum)
- ✓ Bottle service of distilled spirits is not allowed...*with exception of a private rented room*

Other Considerations

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Drinking in Public



- ❌ On public property *unless authorized to do so*
- ❌ In a parking lot open to the public in general
- ❌ In a parked vehicle at the above locations

Nudity & Sexual Displays



- ❌ Lewdness or prostitution
- ❌ Pictures, videos, or electronic reproductions of the sexual act
- ❌ Nude dancing
- ❌ The placement of \$ on any performer

Gambling



- ❌ Pay to Play (includes purchase of food/beverage)
- ❌ A Game of Chance
- ❌ Eligible to win money or a prize (including chips for additional playtime when others must pay- constitutes value)

Must include these 3 elements

Compliance Checks

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	Compliance Check
“Customer”	Under 21
ID Check	Actual ID (Not a fake)
Purpose	Enforcing laws
Agency	Police, county and state inspectors
Consequences for employee or business	Fines, jail time, license suspension or revocation



Question Break



Part 6

Under 21 Alcohol Use & IDs

Serving those Under Age 21

► Strict penalties for establishments & those who serve:

- Fines, jail time, & liquor license revocation
- \$1000 fine for first offense & up to \$25,000 for repeat offenses
- Person selling – possible 2 years in jail



<https://www.youtube.com/watch?v=re5TqWQgWd4>

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Acceptable Forms of ID

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Acceptable	Unacceptable
<ul style="list-style-type: none">✓ Valid Driver's License✓ MVA State ID✓ Military ID✓ Permanent resident card/green card✓ Valid passport or passport card	<ul style="list-style-type: none">✗ An expired ID✗ College ID✗ Foreign driver's license✗ Credit card✗ Library card✗ Birth certificate✗ Note from parent (just kidding☺)

ID Requirements

- ✓ Government-issued
- ✓ Birthdate
- ✓ Owner's photo
- ✓ Signature
- ✓ Not expired
- ✓ Intact
- ✓ Must be taken out of the wallet – picture isn't valid



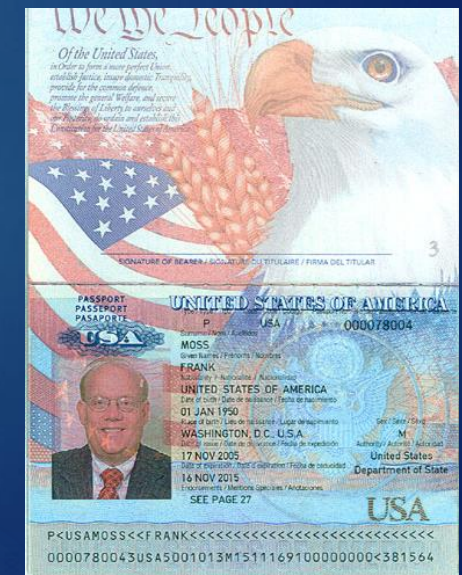
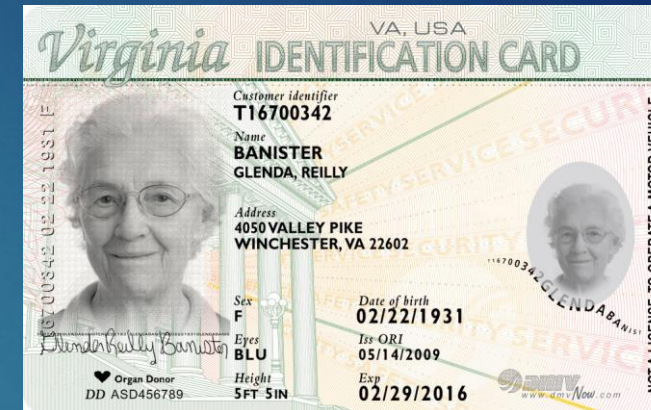
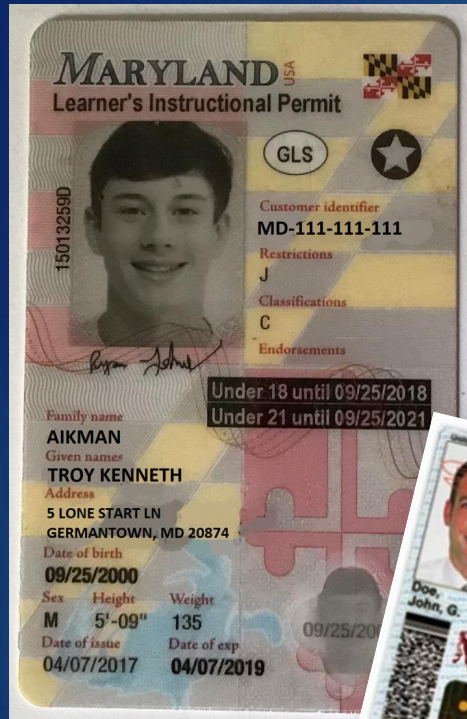
G-R-E-E-T

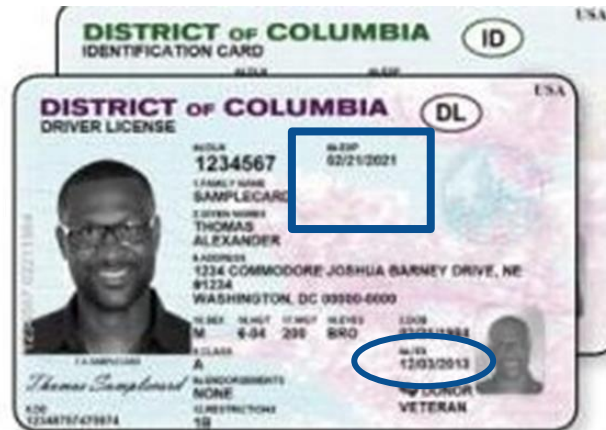
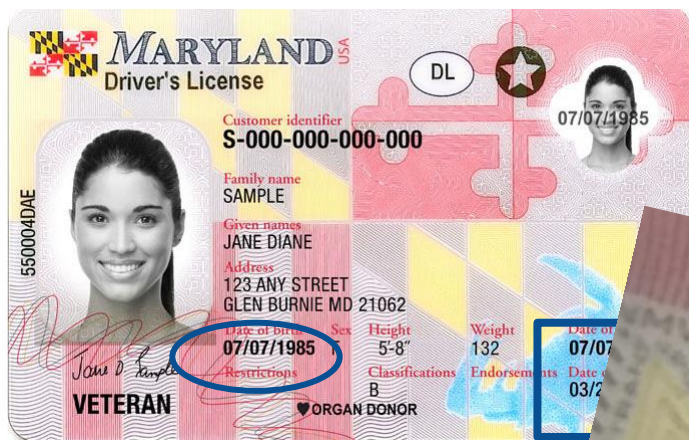
- ▶ **G**-Get ID into your hands
- ▶ **R**-Read the information on ID
- ▶ **E**-Examine the ID vs. carrier
- ▶ **E**-Employ tools to validate ID
- ▶ **T**-Test individual



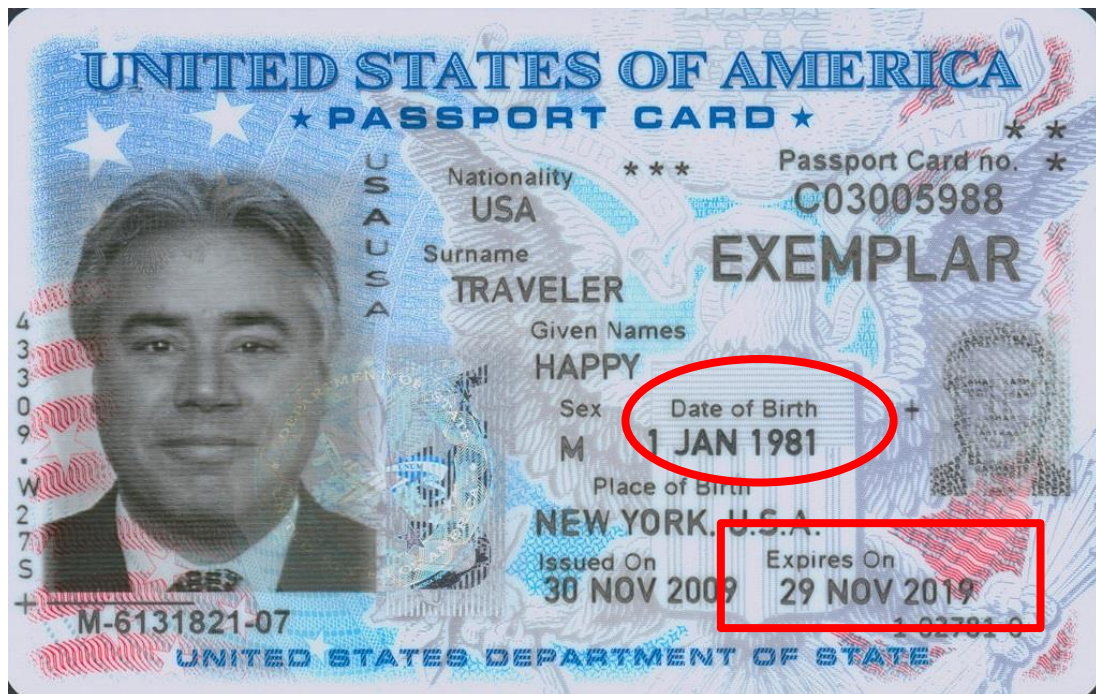
Name that ID

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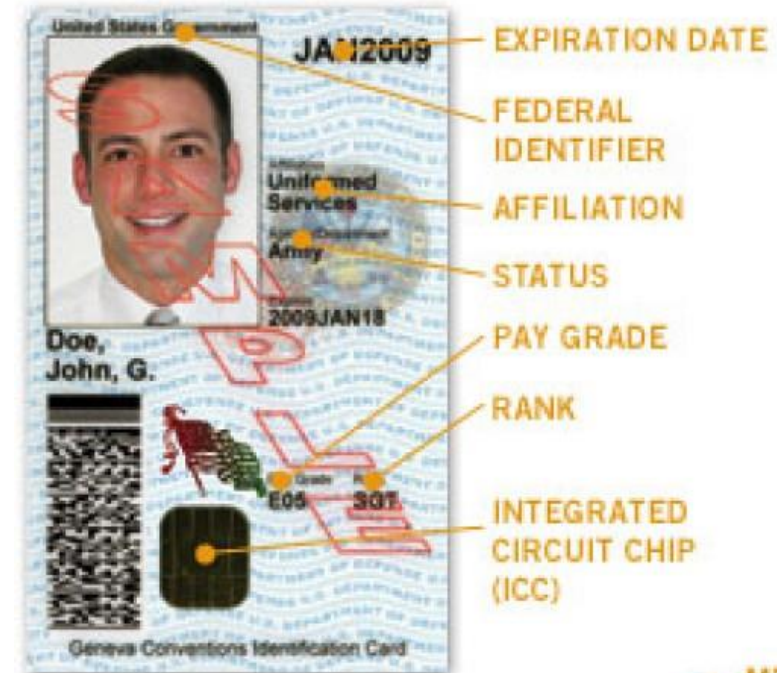




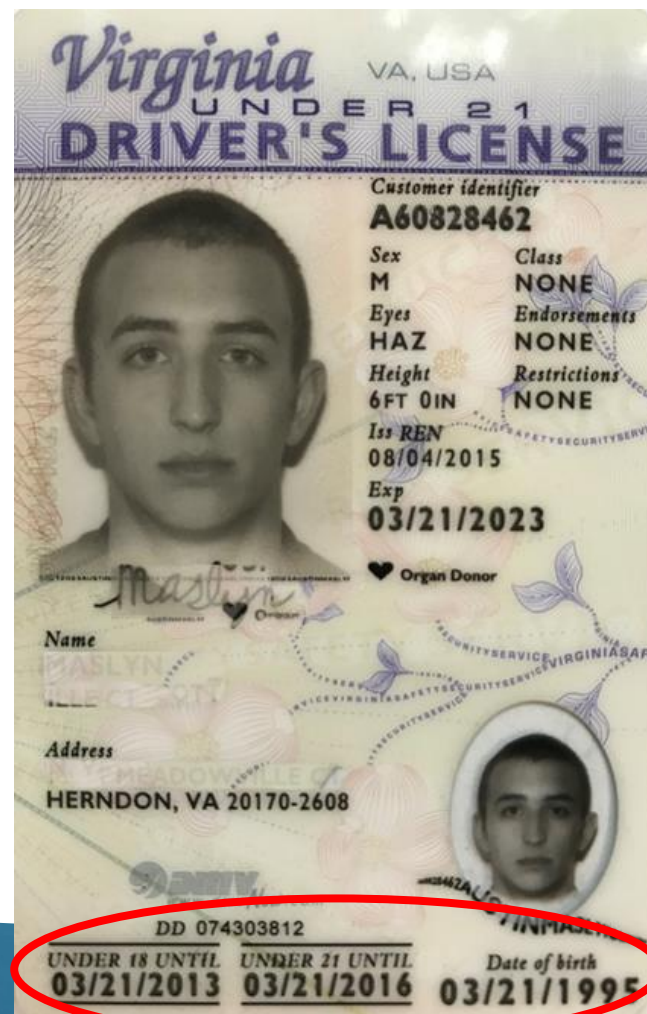
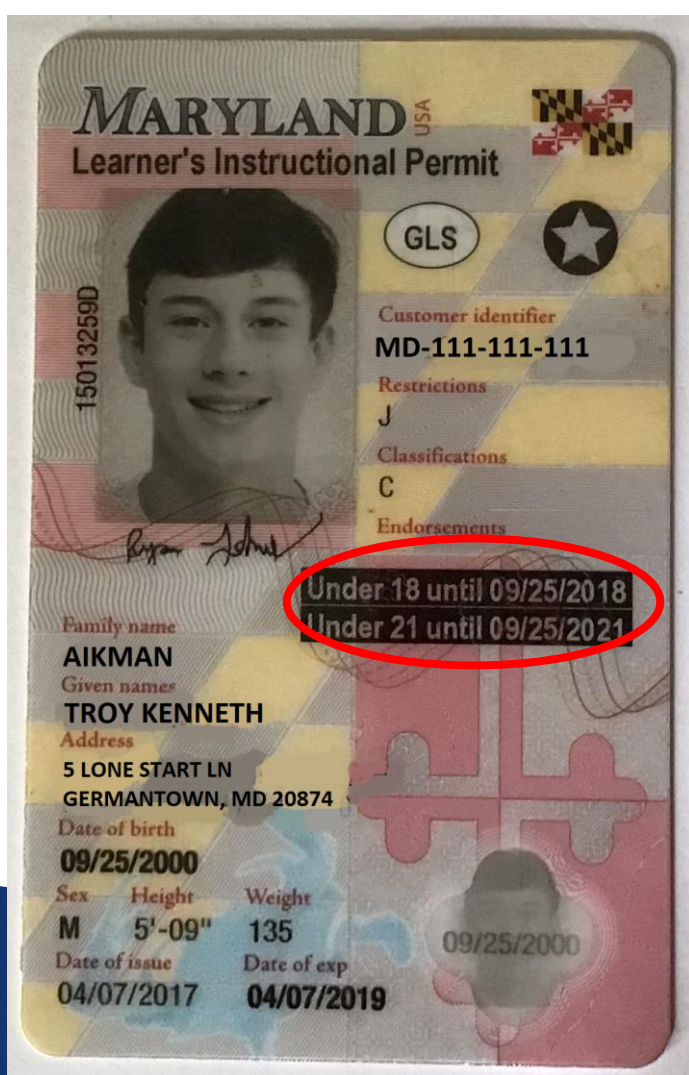
ID Gallery



ID Gallery



ID Gallery



Vertical IDs

Issued to residents under age 21. No math required – expiration date on the ID

Is an ID Fake, Borrowed, or Stolen?

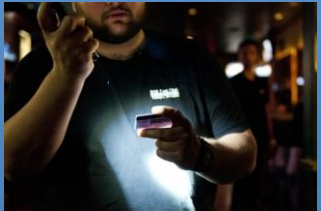
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Signs



- ✓ Height/weight/physical description doesn't match person
- ✓ Misspellings
- ✓ Signs it's been tampered
- ✓ Lamination/creasing
- ✓ No such thing as a "US ID card"

What to do



- ✓ Examine for rigidity – should be bendable
- ✓ Look for raised letters, watermarks, & holograms
- ✓ Use the ID Checking guide & other tools
- ✓ Ask questions – height, address, zip code – that only owner would know
- ✓ Ask for a 2nd ID
- ✓ Ask for a signature
- ✓ If you're still not sure, refuse service
- ✓ Don't confiscate



Part 7

Course Eval & Goodbye for Some

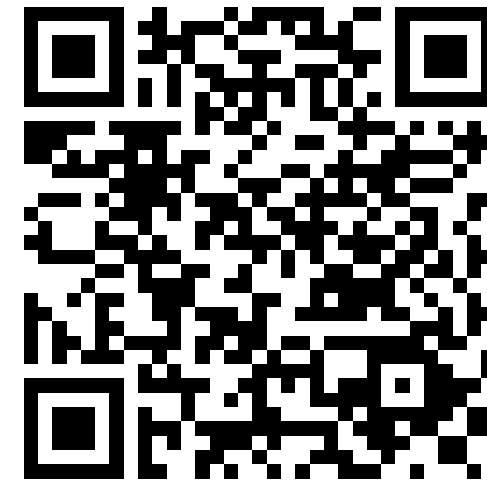
Before you Leave

- ▶ Fill out the form to receive credit for attending this training
- ▶ 3 Ways To Do It:
 - Click on the link in the chatbox
 - Type link below on your browser (Case Sensitive)
<https://bit.ly/3bFZ0wJ>
 - OR Scan this QR code

Thanks for participating today



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ommunication enter

- ▶ **Call:** 240.777.1900 – Monday-Friday, 8:00AM – 4:30PM
- ▶ **Email:** ABS@montgomerycountymd.gov
- ▶ **Connect:** With ABS experts, two-way communication
- ▶ **Proactive outreach:** on order status and product availability
- ▶ **Measured responsiveness:** To your inquiries
- ▶ **iStore:** Connect with ABS experts on any inquiries regarding your iStore account

ABS Communication Center

We're Here for You!



Division of Licensure, Regulation & Education

Thank
you!

Licensing Manager	240.777.1997
Compliance Manager	240.777.1985
Pre-Licensing	240.777.1936
Community Outreach	240.777.1954

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Part 8

BLC Hearings Tutorial





Who is the Board of License Commissioners?

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- ▶ ABS-LRE staff supports the County Executive appointed Board of License Commissioners (Liquor Board)
- ▶ Approves new and transfers licenses and approves one day licenses
- ▶ Any changes (including floor plans, seating capacity and hours of operation) must be submitted to the licensing office. Notify the licensing office in writing to let them know of changes
- ▶ Annual renewals
- ▶ Show-cause hearings/violations
- ▶ Fine up to \$20,000, may suspend or revoke licenses

IMPORTANT: If a license is revoked, the licensee may never again hold an alcohol license in Maryland

Preparing for the Hearing

- ▶ All applicants & managers must attend the hearing
- ▶ Hearings are held in our offices located at 201 Edison Park Dr. Gaithersburg, MD
- ▶ Briefly describe the type of business, the business concept, & the uniqueness of the business
- ▶ Be prepared to talk about any alcohol:
 - **Experience** you may have had in Montgomery County (serving food and/or alcohol, bartending, managing a facility, owning a business, etc.)
 - **Violations** during this time



Preparing for your Hearing

You will be asked to:

- ▶ Scan & send a floor plan via email prior to the hearing showing all areas of your facility, including entrances, individual seats, storage areas, bathrooms, kitchen, bar, outdoor cafes, exits & walls
- ▶ Briefly explain the floor plan
- ▶ Submit a copy of your menu if you serve food
- ▶ Take an ID test through Zoom prior to your hearing date. You will analyze 10 ID's for validity



Qualifying Questions

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- ▶ How old does a person need to be to purchase alcohol?
Age 21
- ▶ How old does a person need to be to serve alcohol in MD?
Age 18
- ▶ What are the 5 acceptable forms of ID?
 - State Issue Driver's License
 - State Issued (MVA) ID Card
 - Passport
 - Military ID
 - Immigration Card/Green Card



Qualifying Questions

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► Employee records & all alcohol receipts:

- Where will you keep your employee records & alcohol invoices/receipts?
On premise, unlocked, available at all times for the inspector or police
- How long will you keep employee records after they are no longer working for you?
One year after they leave, current employees will have records on premise at all times
- How long will you keep your alcohol invoices/receipts?
Two years or longer

► Purchasing alcohol:

- Where will you purchase your alcohol?
Montgomery County Alcohol Beverage Services, one of the Montgomery County Liquor Stores, or authorized small wineries, breweries, or distilleries



Qualifying Questions

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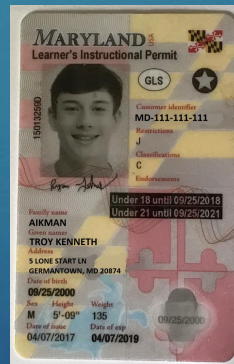
- ▶ Only for Class B License (Beer, Wine & Liquor) What is the maximum legal food to alcohol ratio requirement? What ratio do you expect to have?
60% alcohol /40% food, (60/40) the higher the food sales the better
- ▶ Have you attended the ALERT Class? How many staff members will you have attend the ALERT Class?
Best practice is to have all staff trained
- ▶ How many employees will you have? How many will be Alcohol Awareness Certified?
 - *Best practice is to have all or most staff trained*
 - *Someone must be on premises at all times with this certification*
- ▶ Are you aware of the high schools in the area of your business?



Qualifying Questions

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- ▶ Be ready to answer the following questions:
 - List your regular hours of daily operation (these may be changed)
 - What policies & guidelines do you have for the sale of alcohol?
 - What written, alcohol-related policies do you have for your employees?
 - Will you be using promoter?
 - Will you be accepting vertical IDs?



Vertical = Under 21



Horizontal = Over 21



The Liquor Board Hearing – Almost Done

- ▶ You will receive a cover letter & copy of the resolution within 10 days via email
- ▶ Following the hearing, call the Licensing Office 240.777.1999 to schedule a final inspection so you may then pick up your alcohol license
- ▶ For the final inspection, you will need:
 - *Certificate of Use and Occupancy*
 - *Food Service Facility License*
 - *Alcohol Certificate*
 - *Maryland Sales and Use Tax License.*
 - *Traders License*
 - *Bulk Transfer Permit (for Transfer Applications)*



Annual License Renewal

- ▶ All licenses to sell/serve alcohol in Montgomery County **expire at 12:00 a.m. on May 1 each year**
- ▶ Applications must be received or postmarked by March 31. ABS suggests filing your application online by visiting:
[https://www.montgomerycountymd.gov/ABS/licensure/](https://www.montgomerycountymd.gov/ABS/licensure/license/)
- ▶ **Two** fees are due annually:
 - A \$100 processing fee due at the time of renewal application submission
 - The license fee (varies by license) due when the license is picked up



Before We Close....

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- ▶ You have:
 - 30 days upon receipt of the Resolution to transfer your license and 2 years to pick up a new license
 - 30 days to turn in a transfer application from the purchase of a business
- ▶ If you close for 10 consecutive days, you must notify the Board in writing or via email to avoid a 10-day notice leading to the expiration of the license
- ▶ Questions?





ALCOHOL BEVERAGE SERVICES

Division of Licensure, Regulation & Education

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Thank
you!

Licensing Manager	240.777.1997
Compliance Manager	240.777.1985
Pre-Licensing	240.777.1936
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