

Alcohol and Tobacco

Compliance Check Program Fiscal Year 2017



**IF YOU'RE GOING DRINKING
MAKE PLANS FOR A SAFE WAY HOME.**

If you don't have a plan,
WE DO...

...We take it personally.

#Itakeitpersonally



Compliance Check Program Fiscal Year 2017

Alcohol Regulation

Along with the sale and distribution of alcohol comes a responsibility to educate and enforce alcohol laws and regulations to ensure safety. Recognizing that alcohol licensed businesses are the first line in defense to reduce the availability of alcohol to youth under 21 years of age, intoxicated individuals, and to maintain keg registration a comprehensive compliance program was developed.

Four types of compliance checks are conducted: A compliance check involving youth under the age of 20 using their own ID, attempting to purchase alcohol at a licensed establishment; A compliance check involving youth under the age of 20 using their own ID, attempting to purchase alcohol through room service at a hotel or motel; A compliance check involving enforcement specialists in plain clothes within a facility conducting surveillance for sales to visibly intoxicated patrons; and A compliance check involving enforcement specialists in plain clothes within a facility conducting surveillance for illegal keg registration.

Alcohol Inspectors and Police conduct compliance checks in tandem delivering both an administrative violation against the liquor licensee and a criminal citation to the individual seller/server for failed compliance.

Protocol

Maintaining a consistent protocol is the basis of a successful compliance check program. All underage volunteers (UV) are checked to ensure the only belongings on their person at the time of an attempted purchase is their valid ID, a cell phone for safety and buy money funded by the Licensure, Regulation and Education (LRE) Division of the Alcohol Beverage Services. Age enhancements such as facial hair, provocative clothing, and sun glasses are unacceptable. UV's attend an extensive training that includes detailed protocol as well as role playing.

Spin-offs

Although they are the primary intention, underage sales and over service are not the only violations yielded from compliance checks. On occasion offenses such as tampering, unapproved source of alcohol, lack of alcohol awareness training and other violations are identified during compliance checks.

Anecdotes

There are two typical scenarios for failed compliance checks involving UV's. Either an ID is not requested, or when asked and presented with an underage vertical ID the employee sold or served regardless of the stated age. Businesses are advised to make it a practice to always ask for an ID, to not accept vertical IDs,

and to have age verifying calendars at registers. Training on ID reading is applicable to all servers and sellers of alcohol and should be conducted at a minimum, once a year.

A free alcohol retailer's course was developed for licensees and their staff. The Alcohol Law Education and Regulation Training (also known as "ALERT") compliments the state certified server training programs, focuses on local laws, ID checking and best practices. Liquor inspectors head up the course relaying applicable information. This training also allows Inspectors to interact with new and current licensees on friendly terms and helps build a reputation as a trusted resource to businesses. Training staff in a state recognized alcohol awareness certification program is also urged. Managers should always back up employees when alcohol sales are refused. A consistent and posted policy is an establishment's best deterrence against underage sales.

Tobacco Regulation

Annually, the Montgomery County Alcohol Beverage Services conducts tobacco compliance checks to reduce tobacco sales to minors under the age of 18; and to ensure product placement laws are followed. In Fiscal Year 2017, 300 inspections were conducted. Out of those 300, 44 locations sold tobacco products to the UV, 30 of those locations checks the UV's identification and still made the sale, with the remaining 14 locations not checking the UV's identification.

Fiscal Year 2017 Alcohol Compliance Check Results:

| Compliance Checks for Underage Alcohol Sales | Number Checked | Number Sold | Compliance Rate |
|--|----------------|-------------|-----------------|
| | 400 | 65 | 84% |

| Complaint Driven Compliance Checks for Sales to Intoxicated Individuals | Number Checked | Number Sold | Compliance Rate |
|---|----------------|-------------|-----------------|
| | 8 | 2 | 75% |

| Compliance Checks for Keg Registration | Number Checked | Number Sold | Compliance Rate |
|--|----------------|-------------|-----------------|
| | 4 | 0 | 100% |

| Total Alcohol Compliance Checks | Number Checked | Number Sold | Compliance Rate |
|---------------------------------|----------------|-------------|-----------------|
| | 412 | 79 | 81% |

Fiscal Year 2017 Tobacco Compliance Check Results:

| Compliance Checks for Underage Tobacco Sales | Number Checked | Number Sold | Compliance Rate |
|--|----------------|-------------|-----------------|
| | 300 | 44 | 85% |

Partner's Include:

Montgomery County
State's Attorney's Office

Montgomery County
Board of License
Commissioners

Montgomery County
Police Department

Montgomery County
Sheriff's Department

Montgomery County
Alcohol Beverage Services

