## Curriculum Outline

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The material presented within this course is for informational and educational purposes only. It should not be used to provide guidance to your customers or clients in lieu of competent, certified legal advice. All parties involved in the development of this course shall not be liable for any inappropriate use of this information beyond the purpose stated above. As a student, you should understand that it is your responsibility to adhere to the laws and regulations pertaining to any aspect of this course and the materials presented within.
>> I. Overview

- Introduction
- Learning Objectives
- Key Terms
- Alcohol Use in the United States
- Server’s Responsibility and Liability

This course provides you with the necessary knowledge and techniques you need to be a responsible seller of alcohol. Specifically, you will learn how to protect yourself and your establishment from liability; how alcohol affects your customers; how to recognize the effects of alcohol on your customers; how to prevent customers from becoming intoxicated; how to intervene when you need to refuse a sale to someone; how to prevent and deal with disturbances; how to accurately check IDs and recognize minors; how to prevent second-party sales; and how to refuse a sale.

LEARNING OBJECTIVES

This course provides you with the necessary knowledge and techniques you need to be a responsible seller/Server of alcohol. After you complete this course, you will be able to:

- Sell or serve alcohol responsibly.
- Know the effect of alcohol on the body.
- Know how to recognize the signs of intoxication.
- Define blood alcohol concentration and how it is calculated.
- Describe the effects of mixing alcohol with other drugs.
- Recognize intoxicated individuals.
- Refuse a sale to someone with little conflict.
- Prevent disturbances in the establishment and handle difficult situations.
- Check IDs accurately, and recognize a fake ID.
- Prevent second-party sales.
- Knows liquor laws and rules.

LAST CALL VIDEO

The following video is a training video.

http://www.liq.wa.gov/licensing/last-call-video
KEY TERMS

**Absorption Rate**—The rate at which alcohol penetrates the membranes of the mouth, stomach, and intestines when processed by the body.

**Alcohol Poisoning**—The state at which the intake of alcohol has surpassed the body’s processing time and the body is saturated with alcohol. Depending on the degree of intoxication, most of the time if treated, a person can live through alcohol poisoning. However, if the person is left unattended, he or she will die.

**Behavioral Clues**—Signs that a person displays that are indicative of her or his level of intoxication. Examples include: speaking loudly, slurring words, stumbling, and aggression.

**Blood Alcohol Concentration**—Blood Alcohol Concentration (BAC) is the amount of alcohol in the bloodstream. It is measured in percentages. For instance, having a BAC of 0.10 percent means that a person has one part alcohol per one thousand parts of blood in the body. BAC is affected by weight, gender, and rate of consumption.

**Breathalyzer**—A device that is used to determine the alcohol content of a breath sample.

**Compliance Check**—Checks done by law enforcement to ensure stores do not sell alcohol to minors. A minor, working with the police, will enter businesses and try to buy alcohol.

**Cutting someone off**—When you determine someone has had enough to drink and you refuse to give the person any more alcohol.

**Incident Log**—A log where all incidents that occur are recorded including time, date, description of event, witnesses, and steps taken.

**Negligence**—Failure to act as an ordinary, prudent, or responsible person would in the same situation. Servers and establishments could be held liable if found guilty of negligence.

“One drink”—When calculating the number of drinks a person has had, this should be measured as “one drink” = one 12-oz beer; one 4-oz glass of wine; one 1-oz serving of liquor. So, a drink with 2 oz of rum would count as TWO drinks, not one.

**Second-Party Sales**—A method used by minors to obtain alcohol. Minors will ask an adult to buy alcohol for them.
**SET Technique**—S-E-T stands for Sober–Enough–Too Much. Servers use the SET Technique to make determinations of whether they should serve individuals, attempt to slow down the person’s drinking, or cut him or her off.

**Social Host Liability**—Some states have adopted laws that expect people to make reasonable efforts to prevent problems when supplying alcohol in private residences or anywhere other than licensed premises.

**Third Party Liability Laws**—Liability laws specific to alcohol servers which hold servers responsible for harm that intoxicated or underage patrons cause to other people.

**Zero Tolerance**—Many states enforce a zero tolerance law for minors under the age of 21. In these states, it is illegal for any amount of alcohol to be in a minor’s bloodstream.
Alcohol Use in the United States

People choose to drink for many reasons—celebrations, mood, company, etc. In fact, 70 percent of the U.S. population drinks alcohol. Alcohol consumption can enhance social situations and create a festive atmosphere, but only when alcohol is consumed responsibly.

Server’s Responsibility and Liability

As a seller of alcohol, your job is to:

- Protect the public by serving alcohol legally.
- Protect yourself and your establishment from liability.

When selling alcoholic beverages, public safety becomes your responsibility. It is your responsibility to protect the public by not allowing people to become intoxicated and by refusing service to minors.

Local Licensing and Enforcement

Throughout this course you will learn liquor laws and rules pertaining to sales and services of alcohol. If you need help understanding your liquor laws and rules in your area, contact your Liquor Enforcement Officer at Washington State Liquor Control Board (WSLCB). They can be an excellent resource for you.

It is your legal responsibility to:

- Not sell alcohol to minors (individuals under age 21)
- Not sell alcohol to someone who is apparently intoxicated
- Remove alcohol once person shows signs of intoxication

By selling alcohol illegally, you are subject to:

- Criminal offense requiring a mandatory appearance in District Court, Fines up to $5,000 and up to 1 year in Jail.
- MAST permit suspension or fines.
- Face possible civil law suits owing millions of dollars to someone you’ve never met.
- You could lose your job.
- Your employer may be fined and/or liquor license suspended or revoked. Then, everyone could be out of a job.
Additionally, many companies have House policies about sales involving alcohol. Your house policy is a written document that guides the operation of a business including how to handle situations at work. For example, house policy may require a server to help intoxicated customers get home safely by suggesting the person take a cab or get a ride from friends. If the customer refuses to seek alternative transportation, and intends on driving home under the influence, server is required to inform the manager, call the police and log the incident in the Log Book.

Your house policy may require you to check the ID of every customer, regardless of age.

Before making your first sale, be sure to know your house policy. If uncertain, ask your manager for a briefing.

**DUI Tracking System in Washington State:**

The police—including county, state, and highway patrol—gather information by questioning intoxicated individuals pulled over to learn where they’ve had their last drink. They then forward the information to WSLCB for follow up. WSLCB, in turn uses the information for investigation and or possible undercover work to correct the possible violations.

While the law varies from state to state, there are two types of laws that apply to liability no matter where you live.

1. **Negligence** is the failure to behave as an ordinary, responsible, and prudent person would behave in a similar situation. Negligence laws essentially set a standard for what a reasonable person should do to prevent any type of harm from developing.

2. **Third Party Liability Laws** hold alcohol sellers responsible for harm if they sold alcohol illegally by serving underage persons. These laws are established at the state level through common law, legislation, or both. States’ third party liability laws form a continuum with alcohol sellers in different states exposed to varying degrees of liability.

**Liquor Liability**

The person who actually violates the law may not be the only person liable. A liquor licensee or business manager also may be held liable for the actions of an employee. Liability for illegal alcohol sales can be civil, criminal, administrative, or other types. Civil liabilities usually involve fines or other monetary penalties. Criminal liabilities usually include jail time and/or probation, while administrative liabilities might include license revocation, in addition to any fines levied.
Remember that as a server, violations of alcohol laws could mean, loss of employment, future wages/possibility of a law suit being filed against you.

You could end up with a criminal record, serve time in jail and receive a fine for selling alcohol to a minor or an apparently intoxicated person. Or your store could lose its liquor license and you could owe millions of dollars to someone you've never met if you sell to a minor or an apparently intoxicated person and someone dies or is injured as a result of this.

In order to protect the public and to protect yourself and the establishment for which you are employed from being held liable, you need to follow the law. Throughout this course, you will learn techniques for accomplishing this, including:

- Understanding how alcohol affects your customers
- Being able to effectively recognizing intoxicated individuals
- How to refuse a sale
- How to prevent disturbances
- How to check IDs and recognizing underage patrons
- How to recognize second-party sales
II. How Alcohol Affects the Body

- The Passage of Alcohol through the Body
- Alcohol’s Effects on the Brain and Behavior
- Blood Alcohol Concentration (BAC)
- Absorption Rate
- Other Factors in Intoxication
- Alcohol and Drug Interactions
- Fetal Alcohol Syndrome and Fetal Alcohol Effects
- Recognizing Alcohol Poisoning

The Passage of Alcohol through the Body

Alcohol passes through a person’s body the same way every time she or he drinks. Once alcohol enters the mouth, five percent of it is immediately absorbed into the bloodstream. Then alcohol travels into the stomach where 20 percent of it is absorbed into the bloodstream. The large majority of alcohol (75 percent) is absorbed through the walls of the small intestine. So, from the moment alcohol touches a person’s tongue, it begins to take effect.

When alcohol moves from the stomach and enters the small intestine, most of it goes through the walls of the intestine and into the bloodstream. This is a process called absorption. Unlike the other beverages we consume, which must be digested before entering the bloodstream, alcohol can pass rapidly and directly into the bloodstream. Most of the alcohol from one drink will be absorbed into the bloodstream within 20 to 40 minutes of drinking.

Once alcohol enters the bloodstream, it is carried to all parts of the body, including the brain. Even small doses of alcohol can affect the body. Alcohol affects the cardiovascular system by increasing the heart rate and opening up the blood vessels near the skin which gives the drinker a feeling of warmth or a “glow.” Alcohol may irritate the stomach and increase the production of stomach acids, causing an upset stomach. It is also a mild diuretic, increasing the frequency of urination.

As the bloodstream carries alcohol around the body, it carries it through the liver. Ninety percent of the alcohol is oxidized by the liver (a process whereby alcohol is changed to water, carbon dioxide, and energy). About two percent of the alcohol is eliminated by sweat and another eight percent is lost through the breath.

The liver can oxidize only about ½ ounce of alcohol (about one drink) per hour. This means that until the liver has time to oxidize all of the alcohol, it keeps passing through all parts of the body, causing the drinker to become more and more intoxicated.
NOTE: When a person is pulled over by a police officer for drinking and driving, most people think waiting to take the breathalyzer test back at the station will give them the lowest blood alcohol reading of the evening. Depending on when the person had his or her last drink, this may or may not be true. The level of intoxication rises on a curve for an hour or more depending on how much the person drank and then begins to drop. So, waiting to take a breathalyzer test may result in the highest blood alcohol content (BAC) of the whole night.

Anyone who operates a motor vehicle within the state is determined to have given implied consent to a test (or tests) of his or her breath (or blood) for determining BAC or the presence of any other drug if arrested for a traffic offense when the arresting officer has reason to believe that the person has been driving while under the influence of intoxicating liquor or any other drug.

NOTE: The officer may also obtain a search warrant for conducting such test or tests.

When the death of a person occurs within three years as a result of injury caused by a moving vehicle, the driver is then guilty of vehicular homicide if he or she caused the accident while under the influence of intoxicating liquor or any other drug, or while driving in a reckless manner, or driving with disregard of the safety of others. Vehicular homicide is considered a class A felony.

A person is considered guilty of vehicular assault if he or she operates or drives any vehicle in a reckless manner and causes substantial bodily harm to another person, while under the influence of intoxicating liquor or any other drug. Vehicular assault is considered a class B felony.

**Alcohol’s Effects on the Brain and Behavior**

Alcohol is a central nervous system depressant and also a legal drug. This means alcohol is an anesthetic, a tranquilizer, and a depressant. It may seem at times that alcohol is a stimulant because it can start conversation and activity in a social setting, but in fact, such mood changes occur because alcohol depresses the part of the brain that controls impulse behavior, judgment, and memory. Alcohol’s depression of the brain occurs in a very predictable pattern:

- Inhibitions become relaxed.
- Judgment becomes impaired.
- Reactions and coordination slow down.
- Vital functions slow or possibly cease.
The order in which alcohol affects the various brain centers follows a top-down approach:

1. **Cerebral Cortex**

The cerebral cortex is responsible for processing information from your senses and processes your thoughts in combination with a structure called the basal ganglia. It regulates your consciousness, initiates most voluntary muscle movements, and influences lower-order brain centers. In the cortex, alcohol does the following:

- **Depresses the behavioral inhibitory centers**: The person becomes more talkative, more self-confident, and less socially inhibited.
- **Slows down the processing of information from the senses**: The person has trouble seeing, hearing, smelling, touching, and tasting; also, the person’s threshold for pain is raised.
- **Inhibits thought processes**: The person does not use good judgment or think clearly.

These effects get more pronounced as the BAC increases.

2. **Limbic System**

The **limbic system** consists of areas of the brain called the **hippocampus** and **septal area**. The limbic system controls emotions and memory. As alcohol affects this system, the person is subject to exaggerated states of emotion (anger, aggressiveness, withdrawal) and memory loss.

3. **Cerebellum**

The **cerebellum** coordinates the movement of muscles. The brain impulses that begin muscle movement originate in the motor centers of the cerebral cortex and travel through the medulla and spinal cord to the muscles. As the nerve signals pass through the medulla, they are influenced by nerve impulses from the cerebellum. The cerebellum controls fine movements. For example, you can normally touch your finger to your nose in one smooth motion with your eyes closed; if your cerebellum were not functioning, the motion would be extremely shaky or jerky. As alcohol affects the cerebellum, muscle movements become uncoordinated.

In addition to coordinating voluntary muscle movements, the cerebellum also coordinates the fine muscle movements involved in maintaining your balance. So, as alcohol affects the cerebellum, a person loses his or her balance frequently. At this stage, this person might be described as "falling down intoxicated."
4. Hypothalamus and Pituitary Gland

The hypothalamus is an area of the brain that controls and influences many automatic functions of the brain through actions on the medulla, and coordinates many chemical or endocrine functions (secretions of sex, thyroid, and growth hormones) through chemical and nerve impulse actions on the pituitary gland. Alcohol has two noticeable effects on the hypothalamus and pituitary gland, which influence sexual behavior and urinary excretion. Alcohol depresses the nerve centers in the hypothalamus that control sexual arousal and performance. As BAC increases, sexual behavior increases, but sexual performance declines.

Alcohol inhibits the pituitary secretion of anti-diuretic hormone (ADH), which acts on the kidney to reabsorb water. Alcohol acts on the hypothalamus/pituitary to reduce the circulating levels of ADH. When ADH levels drop, the kidneys do not reabsorb as much water; consequently, the kidneys produce more urine.

5. Medulla

The medulla, or brain stem, controls or influences all of the bodily functions that you do not have to think about, like breathing, heart rate, temperature, and consciousness. As alcohol starts to influence upper centers in the medulla, such as the reticular formation, a person will start to feel sleepy and eventually may become unconscious as BAC increases. If the BAC gets high enough to influence the breathing, heart rate, and temperature centers, a person will breathe slowly or stop breathing altogether and both blood pressure and body temperature will fall. It is easy to see with this top-down approach that alcohol slowly shuts down the body, and in many cases can cause death.

NOTE: Have you ever heard of beer goggles? Even though many people use the term to be funny, it has real meaning. Alcohol impairs your vision as well as your judgment, causing you to do things, you normally wouldn’t do.

Blood Alcohol Concentration (BAC)

Blood alcohol concentration, or BAC, is a measurement of the percentage of alcohol in relation to blood in the bloodstream. It is measured in milligrams of alcohol per 100 milliliters of blood. So, a BAC of 0.20% means that there are two drops of alcohol per 1,000 drops of blood.

As we mentioned earlier, a certain amount of alcohol is exhaled. BAC can, thus, be determined by measuring the amount of alcohol in the breath. BAC is measured using a device called a breathalyzer in which the individual blows into a tube which then takes a measurement of the amount of alcohol in the breath.
There are three main factors that affect a person’s BAC. They are:

1. Weight.
2. Gender.
3. Rate of Consumption.

See the Handouts section for a wallet card to help determine BAC.

What happens at each BAC level?

.60 Upper Limit for Death
100% of people die from alcohol poisoning at this BAC.

.50 Mid-point for Death
50% of people will die from alcohol poisoning at this BAC.

.40 Lower Limit for Death and Alcohol Poisoning
A person can die from reaching this level.

.30 Level at which Loss of Consciousness Can Occur
People at this level often experience loss of consciousness or possible death. This level BAC is the equivalent of surgical anesthesia. To find out whether a drinker who appears to be asleep is actually unconscious, try to arouse that person by shaking her or him hard and calling the person’s name. If he or she does not wake up or if the person wakes up for a few minutes only to pass out again, Call 911 immediately!

.15 Level at which Judgment Is Seriously Impaired
At this level, decision-making skills lack logical analysis because judgment is seriously impaired. Also, blackouts can occur at any level BAC, but they are especially common at this BAC and above. Blackouts are when a drinker is conscious but has no memory of her or his actions or conversations.

.08 Legal Driving Limit in Washington
At this BAC, motor coordination skills, judgment, and self-control are impaired.

The table below lists approximate ounces of alcohol in various products:

<table>
<thead>
<tr>
<th>Beverage</th>
<th>% Alcohol by volume</th>
<th>Serving (oz.)</th>
<th>Alcohol volume (oz.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spirits</td>
<td>40%</td>
<td>1.5</td>
<td>.60</td>
</tr>
</tbody>
</table>

Washington Class 12 Permit Mandatory Alcohol Server Training
<table>
<thead>
<tr>
<th>Drink</th>
<th>Alcohol Content</th>
<th>Serving Size</th>
<th>Absorption Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beer</td>
<td>5%</td>
<td>12</td>
<td>.60</td>
</tr>
<tr>
<td>Light Beer</td>
<td>4.2%</td>
<td>12</td>
<td>.50</td>
</tr>
<tr>
<td>Malt Liquor</td>
<td>7%</td>
<td>12</td>
<td>.84</td>
</tr>
<tr>
<td>Table Wine</td>
<td>12%</td>
<td>5</td>
<td>.60</td>
</tr>
<tr>
<td>Grain Alcohol</td>
<td>60%</td>
<td>1.5</td>
<td>.90</td>
</tr>
<tr>
<td>Wine Cooler</td>
<td>5%</td>
<td>12</td>
<td>.60</td>
</tr>
<tr>
<td>Long Island Iced Tea</td>
<td>40%</td>
<td>2*</td>
<td>.80</td>
</tr>
</tbody>
</table>

**Absorption Rate**

A host of factors come into play in a person’s BAC. They include:

- Alcohol content of the drink.
- Speed of drinking.
- Food.
- Individual metabolism.

**Alcohol Content of the Drink**

All alcoholic beverages contain ethyl alcohol; however, different drinks contain different amounts. So, beer, wine, and hard liquor all contain the same type of alcohol, just in different amounts. “One drink” is defined as the amount of ethyl alcohol the average human body can metabolize in one hour.

- One serving of beer is 12 ounces.
- One serving of wine is 5 ounces.
- One serving of hard alcohol is 1.5 ounces.

**Food**

The rate at which alcohol is absorbed into the bloodstream is significantly affected by what is put in the stomach prior to, and during, drinking. When people drink on an empty stomach, such as during happy hour, there is usually nothing in the stomach to slow down the absorption process. On the other hand, when alcohol is consumed following a large meal, it will be absorbed much more slowly.
Generally, fatty foods are the hardest for the body to digest, and, therefore, remain in the stomach for a longer time, slowing the absorption of alcohol. It is important to note that carbonated or sugary drinks such as sodas that are frequently mixed with liquor or wine coolers will speed up the absorption of alcohol.

**Time Spent Drinking**

The faster a person drinks, the more quickly the alcohol will enter the bloodstream. A “shot” of whisky can be downed in an instant, but even a veteran drinker will take at least a few minutes to consume the equivalent amount of alcohol in a 12-ounce can of beer.

**Individual Metabolism**

Metabolic rate (the rate at which the body breaks down food and drink) can vary widely from one person to another. People with higher metabolic rates break down food and drink faster than people with lower metabolic rates. Therefore, a person’s metabolic rate can affect intoxication.

If all these factors are known, it is possible to estimate an individual’s blood alcohol level.

**Other Factors in Intoxication**

There are a host of other factors that affect intoxication. They include: psychology factors, tolerance, illness, and experience

- **Psychology**: The drinker’s mood and emotional state at the time of drinking may influence his or her reaction to the alcohol consumed. Alcohol usually enhances whatever feelings the person is having prior to drinking, for instance, if a person is depressed before she or he starts drinking, that person might feel even more depressed when intoxicated. A good rule of thumb to follow is to never drink when you feel H-A-L-T (Hungry, Angry, Lonely, or Tired).

- **Tolerance**: The human body will slowly build up a resistance to alcohol, requiring that more alcohol be used to have the same effect as it had initially. So tolerance to alcohol develops when an individual has consumed alcohol before. The problem with tolerance is that no matter how high tolerance becomes, BAC will always remain the same with the same amount of alcohol. So, a drinker may have several drinks and feel fine to drive home, however, if that drinker gets pulled over by a police officer, he or she will probably blow a BAC over the legal limit and get a DUI.
• **Illness:** Many people seem more susceptible to alcohol’s effects when they are ill or recovering from a recent illness. Additionally, certain medical conditions (diabetes, liver disease) may affect an individual’s ability to tolerate and/or breakdown alcohol.

• **Experience:** Another factor that appears to influence the effect of alcohol on an individual is her or his prior experience with drinking. When all other factors are kept constant, the individual who is not experienced with alcohol is more likely to display more variable and less pleasant responses than the experienced drinker. As people become experienced drinkers, they often learn to compensate for some of the alcohol induced behaviors. These differences are psychological adaptations to the experience of drinking—they do not mean that experienced drinkers do not become intoxicated.

### Alcohol and Drug Interactions

As a seller, you also need to be aware that serious complications can occur when people drink alcohol at the same time they are taking other types of drugs. When alcohol is combined with other drugs, it often produces an effect that is different from that which either produces alone. In fact, in some cases, the combined effect is often more powerful than what might be expected from adding the independent effects.

**Analgesics (aspirin, Tylenol, etc.)**—Aspirin may increase the absorption rate of alcohol, heightening the effects of a given dose of alcohol. Even when used alone, some non-prescription pain relievers can cause bleeding in the stomach and intestines. Alcohol also irritates the stomach and can exacerbate the bleeding, especially in ulcer patients. Alcohol can increase susceptibility to liver damage from acetaminophen, the main ingredient in some aspirin-free pain relievers.

**Antibiotics (penicillin, amoxicillin, etc.)**—This combination can cause nausea, vomiting, migraine headaches, possibility of convulsions, and reduced effectiveness of the medication, especially if the medication is regurgitated.

**Antihistamines (most cold remedies, Actifed, etc.)**—This combination increases the calming effect of the medication and the person can feel quite drowsy, making driving and other activities that require concentration more hazardous.

**Oral contraceptives**—Oral contraceptives slow down the rate at which alcohol is eliminated from the body. A woman who is on birth control pills can, therefore, expect to feel the sedating effects of alcohol for a longer period of time than a woman who is not taking birth control pills. A woman who vomits her daily pill soon after taking it may not absorb it adequately, consequently increasing her risk for an unplanned pregnancy.

**Stimulants (Cocaine, amphetamine, crystal meth, Ritalin®)**—These could mask the depressant action of alcohol, which can give a person a false sense of security. The
combination can cause heart attack, stroke, and respiratory failure. The user may experience confusion, anxiety, depression, a loss of appetite, and sexual dysfunction. Both blood pressure and physiological tension may increase, as could the risk for brain seizures. There is a reduction of the body’s ability to resist and combat infection. This combination produces a serious risk for a high overdose or death.

**Diabetic medications (insulin)**—This combination may produce nausea, migraine headaches, or severe and unpredictable reactions. An increased hypoglycemic effect may cause abnormally low blood sugar when glucose is used up too rapidly. This can lead to insulin shock with extensive hypoglycemia, resulting in unconsciousness.

**Depressants (Valium®, Xanax®, Rohypnol®, Gama Hydroxybutyric Acid aka GHB)**—Together, these can severely depress the central nervous system, causing slowed breathing and heart rate, possibly leading to respiratory arrest and heart failure. The combination of alcohol and these drugs also produces loss of coordination, making the operation of vehicles or mechanical equipment extremely dangerous. Mixing alcohol with depressants poses a high risk for overdose, which could result in coma or death.

**Marijuana**—Produces slowed thinking and reaction time with impaired balance and coordination. This may compromise the user’s ability to drive and operate machinery. Marijuana also reduces the vomit reflex. If a person has too much to drink, the body’s natural reaction would be to get rid of the toxic substance by inducing the vomit reflex. Since marijuana impairs the vomit reflex, the person is more likely to run the risk of alcohol poisoning, coma, or death.

**Energy Drinks**

Many people think that mixing “energy drinks” with a distilled spirit such as vodka will give them a boost or compensate for the drowsiness that alcohol can sometimes cause. The bottom line is mixing alcohol with stimulants such as caffeine or “energy drinks” together does not balance out the effects.

It has been noticed that many sellers and consumers do not know some energy drinks contain alcohol. It may be assumed that many parents probably don’t know this either, but many minors do. Many of these new energy drink products have bright colors or a fruity flavor, so you don’t realize that they contain alcohol. They look similar to the non-alcoholic energy drinks, making it easy to confuse them.

**Mixing Alcohol and Energy Drinks**

The danger exists when energy drinks and alcohol are combined by individuals or in bars and restaurants, e.g., combining energy drinks such as Red Bull with vodka. The stimulants in energy drinks can mask the depressant effects of the alcohol. Consequences include:
• Drinking more than anticipated and/or more than can safely be consumed because the normal onset of sleepiness is delayed
• Inability to judge your level of intoxication because caffeine reduces the feeling of drunkenness, although not the overall level of impairment
• Taking greater risks, such as driving after drinking, because the combination makes you feel less intoxicated than you are

Physical Effects

In addition to impaired judgment, the combination of a depressant and a stimulant can have a negative effect on the heart. Shortness of breath, rapid heartbeat, and heart attacks can result. For adolescents, pregnant women, and people with certain health conditions, high levels of caffeine are especially risky.

Both alcohol and caffeine are diuretics, and dehydration is another side effect, weakening the body's defense mechanisms.

Behavioral Concerns

In 2010 researchers at the University of Florida released findings from a survey of about 800 randomly selected, college-age bar patrons that showed those who consumed alcohol and caffeine were more intoxicated than those who only had alcohol and were four times more likely to say they wanted to drive home.

They say they feel less drunk, but their intoxication levels are masked by the stimulant, making them more prone to injury and alcohol poisoning.

Research from the Wake Forest University School of Medicine found that those who consumed energy drinks with alcohol were more likely to:

• Take advantage of or be taken advantage of sexually
• Ride with a drunk driver
• Be hurt or injured
• Require medical treatment as a result of their drinking

Serving Alcohol and Energy Drinks

Anyone serving alcohol may be held liable for injuries suffered as a result of serving someone apparently under the influence of alcohol. Signs of apparent intoxication may become more difficult to recognize when someone is consuming alcohol and energy drinks. Whether you are hosting your own party or serving customers at your restaurant, you can reduce your risk by:

• Deciding not to serve or sell drinks that combine alcohol and energy drinks (restaurant employees should check their company policy)
• Displaying signs that warn about the risks of combining alcohol and energy drinks
• Watching closely for signs of intoxication
• Keeping a close eye on the number of drinks each guest or customer has consumed and cutting them off when appropriate
• Finding your guests a ride home; whether with a designated driver or cab company
• Knowing the signs of alcohol poisoning and how to call for medical help if needed

Resources:
http://www.liq.wa.gov/education/alcohol-energy-drinks
Interview: Mary Claire O'Brien, M.D. (regarding recent research on alcohol and energy drink)
Alcoholic Energy Drinks – Health and Safety Consequences. This report includes links to 2008 studies.

Fetal Alcohol Syndrome and Fetal Alcohol Effects

One social consequence of alcohol consumption is alcohol-related birth defects. These birth defects are commonly referred to as FAS (Fetal Alcohol Syndrome). FAS may be seen in babies whose mothers drink during pregnancy, especially those who drank heavily. FAS is the leading known cause of preventable birth defects.

Persons suffering from FAS often experience mental health problems, disrupted school experience, inappropriate sexual behavior, trouble with the law, alcohol and drug problems, difficulty caring for themselves and their children, and homelessness. FAS is characterized by a number of congenital birth defects that include prenatal and postnatal growth deficiency, facial deformations, and varying degrees of major organ system malfunctions affecting, among others, the heart, liver, and lungs.

FAS cost the US $4.6 billion in 2004 according to the Lewin Group’s presentation at the FASD Center for Excellence trainers conference in December 2005.

The harmful effects of prenatal exposure to alcohol exist on a continuum, ranging from full-blown FAS to mild Fetal Alcohol Effects (FAE). FAE is characterized by milder or less frequent signs of FAS and is believed to be caused by mild to moderate drinking during pregnancy.

Key points to remember regarding FAS:

• There is no known safe amount or safe time in pregnancy to drink.
• Birth defects associated with prenatal alcohol exposure can occur in the first three to eight weeks of pregnancy, before a woman knows she is pregnant.
• Frequent drinking by the mother increases her unborn baby’s exposure to alcohol, thus, increasing the child’s chances for having alcohol-related problems.
• Higher BAC of the mother leads to dangerous BAC levels in the fetus and increased chances for developmental problems.
• FAS and other alcohol-related birth defects are permanent. Some aspects can be treated, but they cannot be cured and children do not outgrow them.
• FAS and alcohol-related birth defects are 100 percent preventable by a woman’s abstaining from drinking alcohol if she is pregnant or thinks she may be pregnant.
• These conditions have great costs to the individual, the individual’s family, and to society.
• FAS signs need to be posted at the women’s restroom and wherever alcohol is served.

**Recognizing Alcohol Poisoning**

It is important to notice if someone is experiencing alcohol poisoning. Some signs to look for include:

- Irregular breathing, breaths less than every eight seconds
- Vomiting
- Cold, clammy, pale, or bluish skin
- Passing out and not responding to being pinched or called into wakefulness
- Seizures

If someone is experiencing one or all of these indicators, call an ambulance immediately. While waiting for an ambulance, have the person lay on his or her side to prevent vomit from going back down the person’s throat. If this occurs, the person may suffocate and die. Do not offer the person coffee, food, etc. At this point, none of this will help. Only time will heal intoxication. Do not criticize the person for the incident, instead, tell a friend or talk to the person at another time when she or he is not drunk.
III. Recognizing Intoxicated Customers

- Observing Customers
- Communicating with Customers
- Signs of Intoxication
- How to Know When to Refuse Service to Someone

Introduction

The law requires you to serve alcohol legally. Because you are required to observe and interpret information concerning your customer, this section will provide you with information and training to help you perform this task.

You only have a few minutes with each customer, but there are certain clues that you can look for. Some of these clues are obvious and are common indicators of possible intoxication. Some intoxicated persons may not display common clues at all and you must learn to recognize possible warning signs.

Observing Customers

Your observations will be based upon what you see, hear, and elicit from your customers during normal contact, conversations you initiate, and observations of the customer’s interactions with other people. Careful observation can provide a great deal of the information needed to responsibly sell alcohol. As a seller of alcoholic beverages, your ability to maintain good and responsible customer service involves two major factors:

1. Observation
2. Communication

1. Observation

Take note of your customers from the minute they walk through the door. Look for signs of intoxication such as:

- Did they have any trouble opening or walking through the door?
- As they walk around, are they off-balance or teetering at all?
- Does the customer look disheveled?
- Are there signs of illness or fatigue (sniffles, nausea, drowsiness, or coughing)?
- Are there indications the customer is using medicine or drugs?
- Are there signs your customer already has consumed alcohol (alcohol on breath, glazed or bloodshot eyes)?
- Does the customer have trouble retrieving his or her money?
Communicating with Customers

Even though customers may only be at the bar for a few moments, it is a good idea to communicate with them, as well as observe them. By doing this, you'll give yourself even more resources to determine if a customer is intoxicated. Try asking your customers questions about the weather, or about the local sports team. When they speak to you, ask yourself:

- Are they losing their train of thought easily?
- Is their speech slurred or irregular?
- Are they responding inappropriately to your questions?

Observing your customer is essential to your ability to responsibly sell to customers. However, you must also communicate your observations to other employees and managers. If there is a change of shift or you go on a break, another employee needs to be made aware of your observations or of your decision to refuse a sale.

Signs of Intoxication

As we discussed earlier, alcohol affects the brain in a predictable pattern. This helps us recognize the signs of intoxication. There are four main areas that a server should consider.

1. Inhibitions become relaxed
2. Judgment becomes impaired
3. Reactions slow down
4. Coordination is affected

1. Inhibitions

Alcohol depresses the part of the brain that controls impulsive behavior. People begin to relax and loosen up. The customer may say or do unexpected things. Some common signs that inhibitions have become relaxed include:

- Overly friendly behavior.
- A change in speech pattern (quiet to loud).
- Inappropriate or unexpected flirting or suggestive behavior.
- Crude language or behavior.
- Annoying other patrons or employees.
2. Judgment

As more alcohol is consumed, the brain becomes increasingly more depressed and the individual may display impaired judgment. The abilities to think clearly, make decisions, and behave rationally are all impaired.

Some clues that judgment may be impaired include:

- Aggression (provoking violence).
- Boasting behavior (statements concerning ability to "hold one's liquor" or superior physical or mental abilities).
- Purchasing excessive amounts of alcohol.
- Making irrational statements or behaving irrationally.

3. Reactions

When the depressant alcohol reaches the brain, physical skills become affected. Slowed reactions are demonstrated by the following clues:

- Dazed or glassy look
- Loss of train of thought
- Inability to light a cigarette
- Slurred or irregular speech
- Bloodshot eyes

4. Coordination

Progressively higher doses of alcohol lead to full physical impairment. Examples of loss of coordination include:

- Stumbling or walking into objects.
- Falling down.
- Inability to stand up straight.
- Clumsiness.
- Being unable to pick up change from counter.

How to Know When to Refuse Service to Someone

If, after completing all of the above observations and communications, you find someone sober, you can feel comfortable with your decision to serve that person. If you find that person to have had enough, you will need to slow down her or his drinking, and if the person has had too much, you'll want to cut the person off. We will discuss how to proceed in the next lesson.
MORE ABOUT: Alcoholism is a chronic, progressive disease. However, treatment is available through a number of clinics and peer support groups. A quick Internet search can direct you to many support groups and rehabilitation clinics in your area. Telephone books often list contact numbers for groups such as Alcoholics Anonymous and others. While it is very important not to antagonize a customer when refusing a sale, if a customer asks for help you might direct him or her to one of these resources.

NOTE: It is against the law to discriminate against persons with disabilities. Refusal of service should be based on the person’s ability to purchase the alcohol and state of sobriety.

Although some people may look like they are exhibiting intoxicating behavior, they may have some impairment that can make them appear so. Engage in the conversation or make careful observation to determine whether person has the disability.
>> IV. Preventing Disturbances

- Maintaining a Safe Environment
- Handling the Intoxicated
- Handling the Aggressive

**Maintaining a Safe Environment**

The first step in preventing disturbances is to create a safe and comfortable environment for your patrons. To begin with, your establishment’s parking lot and exterior should be clean and most important, well-lit. The interior of the establishment should also be clean and comfortable. Policies regarding non-service to minors and “refusing service” should be clearly displayed. Most importantly, all staff should have a professional appearance and demeanor.

Maintaining a safe environment can help prevent disturbances, but occasionally people will get out of hand, and therefore, you should know how to deal with these situations when they arise.

**Handling the Intoxicated**

Sometimes a patron who has been denied a sale does not cooperate. At this point, removal of the guest from the premises is necessary, keeping in mind that her or his safety is still your responsibility. If a patron is so intoxicated that he or she is sick or unable to walk home, DON’T LEAVE THAT PATRON ALONE.

If removal of an intoxicated patron has become necessary, it should be done as quickly as possible and with the least amount of force. Using unreasonable force may result in injury and subsequent criminal or civil action. If there is the chance of a violent reaction from a patron, call the police.

The following tips may come in handy when dealing with an intoxicated patron:

- Stay calm and don’t overreact. Always speak in a clear, firm, and calm manner.
- Keep the other patrons away, unless the individual’s friends are helping with her or his removal.
- Avoid letting others get involved in the matter. Whatever you do, do not enter into a debate on the issue—it is non-negotiable.
- Do not attempt to move a patron who has fallen. Someone who is intoxicated may be severely injured but unable to feel the pain. Keep the patron still and comfortable while waiting for help to arrive. If the person is vomiting, turn his or her head to the side to prevent the swallowing or inhaling of vomit. Make sure someone sober stays with the patron and watches her or his breathing.
Handling the Aggressive

Whether we like it or not, alcohol providers/sellers should anticipate having to deal with aggressive and abusive behavior from some patrons. Hopefully, we can provide you with some suggestions for managing these situations in a detached and professional manner. The intent of this section is to provide you with information about how abusive behavior develops and illustrate how your responses can help de-escalate that behavior and avoid an explosive situation.

There are four identifiable behavioral levels in the development of an abusive situation. These levels are not necessarily exclusive but may overlap. All four may occur in each situation.

LEVEL 1—ANXIETY

Anxiety is usually characterized by misdirected or undirected energy such as jingling coins, tapping feet, or drumming fingers. In the case of someone who is considered "high energy" withdrawal may indicate anxiety. Anxiety is a state in which an individual's energy level is building, but towards what is not always easy to determine. It is at this point that many potentially abusive situations might be defused.

>>Approach—Use a supportive response. Actively pay attention to the source of anxiety and use empathy in framing your reactions.

LEVEL 2—DEFENSIVE REACTIONS

If a supportive response comes too late or is ignored, the patron's behavior may escalate to the second level and become defensive. This is characterized by a loss of rationality, which may be demonstrated through verbal belligerence and hostility. The individual may attempt to challenge or intimidate you, your authority, and/or the institution you represent, or to goad you by making references to your race, color, religion, sex, weight, intelligence, etc. If the patron succeeds in getting a reaction from you, there is often little chance of defusing the situation.

>>Approach—Use a directive approach and set behavioral limits for the person who is acting out. Make sure the limits are clear, understandable, and simple. Make sure they are enforceable (be assured that they will be tested). State the limits in a non-threatening way. The objective is to make the person realize that the consequences of his or her behavior are simply the person’s sole responsibility. Try to emphasize the positive rather than the negative consequences of complying with these limits. Try to avoid ultimatums as they may seem confrontational. Probably the hardest thing of all to do in this situation is to remove yourself (more important, your ego) from the altercation. Remember, this is not personal.
LEVEL 3—PHYSICAL AGGRESSION

Physical aggression is often characterized by someone who is no longer listening to reason and may present a danger to herself or himself, staff members, or other patrons.

>>>Approach—When all attempts at verbal management have failed, it may be necessary to use physical intervention. This should be done by someone specially trained. Most likely, you will need to contact the police.

LEVEL 4—COMING DOWN

Following a release of energy or tension, people experience a physical and emotional "coming down" and may appear to be confused, withdrawn, and even apologetic. They begin to regain control, their thinking becomes more rational, and they may be showing signs of embarrassment or regret for their actions. Staff can assist in this "coming down" process.

>>>Approach—Acknowledge their emotions as real. Do not attempt to punish them for their loss of control, only ask that they to accept responsibility for the consequences of their actions.
>> V. Minors and Liability

- Checking IDs
- Acceptable Forms of ID
- Compliance Checks
- DUI Intervention Techniques
- Incident Log

**Introduction**

Sometimes, it can be difficult to tell how old someone is by how he or she looks. In the next section of the course, we will teach you many ways to tell how old someone is not just by looking at the person, but also by recognizing fake forms of identification.

**Checking IDs**

The most important step for preventing alcohol service to minors is to check IDs. Most states recommend that you check the ID of anyone who appears to be under 35. Appearance and mannerisms give good clues about the customer’s age.

Ask yourself questions like:

- How old does the customer appear to be?
- How is the customer dressed?
- Does the customer appear unsure, nervous, or afraid of eye contact?

Ask for ID. Have the customer hand it to you. Do not accept it inside a wallet. Check expiration date and date of birth. For vertical IDs, check the information to the left of the photo to ensure the person has turned 21. Verify the photo ID with the customer. Verify any unique characteristics on WA driver’s license:

- Black State Seal overlaps the photo.
- Branches from the bush will go over the photo.
- 100 Rule: The first two numerals of the license number and the year of birth should equal 100.
- Mountain can be seen in the upper portion of the photo.
- UV light reveals a repeating State seal.
- When laminate is altered “void” appears.
Clothing and Adornments

You must keep in mind that most minors are physically developed before their 21st birthdays, so signs of physical maturity are not a reliable guide. Be aware of choices in clothing and adornments, which may indicate that the person is underage. These include:

- Clothes or accessories favored by young people
  - School jackets or sweatshirts
  - Class rings
- Grooming styles such as extreme fashions favored by some young people ("punk," "gangsta," or "rave" look, etc.).

Behavioral Clues

In addition to physical characteristics and grooming/fashion styles, minors tend to display common behavioral patterns that may give clues to an individual's true age. Rapidly changing physical, emotional, and social characteristics can leave the individual searching for a sense of self. In response to these conflicts, adolescents frequently display the various behavior patterns.

Gathering in groups

Due to a lack of a personal sense of identity, minors tend to gather in groups and derive a sense of identity from the group as opposed to self.

Need to conform

Not only is this need demonstrated by the minor dressing and grooming in identical fashion to her or his peer group, it can also be seen in behavioral patterns. If the minor is with a loud, boisterous group, he or she will tend to act in a similar manner. If members of the group are acting out or behaving in socially unacceptable ways the minor tends to mimic this behavior.

Preoccupation with how the individual appears to others

Minors tend to spend a great deal of time "checking" their appearance, combing hair, applying makeup, etc.
Easily embarrassed or humiliated

If confronted about certain behavioral or physical characteristics, minors tend to become embarrassed, nervous, or hostile. You may note this if you ask for identification or question the person’s age.

Scams to Purchase Alcohol

Finally, you must look for any suspicious behavior that may "tip you off" that a minor is attempting to purchase alcohol. Some possible indicators include:

- A group of young people pooling their money and giving it to the oldest-appearing member to purchase alcohol.
- A minor waiting in the background, away from the point of purchase or service, while an adult obtains more than one serving of alcohol.
- Prior observation that an adult has purchased alcohol for a young-appearing person.

If there is any doubt about the person’s age, demand to see valid identification. The most reliable forms of identification are the driver’s licenses and identification cards (for non-drivers) issued by the state.

Acceptable Forms of ID

Various forms of ID are accepted as proof of age and identity when someone attempts to purchase alcohol. These forms of ID are:

- Valid state or Canadian Province driver’s license (not expired)
- Valid state-issued or Canadian Province ID card
- Valid state or Canadian Province Instruction Permit
- Valid Washington Temporary driver’s license
- U.S. active duty, reserve, and retired personnel and the personnel’s dependents military ID
- Merchant Marine ID
- Passport
- Washington State Tribal Enrollment Card

Effective Sept 1, 2012, driver’s license, instruction permit, or instruction card from a US territory or the District of Columbia may be accepted as proof of age in purchasing alcoholic products.
Invalid forms include:

- Altered IDs
- Counterfeit IDs
- Forged IDs
- Student IDs

**NOTE:** If the identification document has an expiration date, a person may not use the document after the expiration date to verify his or her age.

If a patron presents proper identification, but you still have doubts about the patron's age due to his or her youthful appearance, you may require the patron to sign a License certification card. Certification cards are provided by the WSLCB.

The certification card must be filled out completely and accurately to be valid. Keep the card for at least two years, as they are subject to examination by law enforcement officers.

**How to Tell if an ID Is Fake**

**Altered Identification**

An altered ID was once valid, but some information on the document has been altered after the ID was issued. Usually, it is the birth date that has been changed.

Some signs that may indicate an ID has been altered include:

- Erasure marks on paper ID (shining a light behind the paper usually will reveal this).
- Improper alignment of letters or numerals (this occurs when a number or letter has been erased or cut out and a new number is pasted or typed over the erasure).
- Improper type style (this occurs when a number or letter has been erased and a new number or letter is typed over the original).
- Signs that a new number has been pasted over the existing number on the ID.
- Unusual bumps or air pockets especially on laminated IDs, indicating the lamination has been redone.

**Counterfeit Identification**

A counterfeit ID is intended to look identical to an official document, but the entire document is not authentic. Driver's licenses and personal identification cards are the most common counterfeit IDs. These may be very well-produced and difficult to detect. Some of these may contain photos that are digitally created and can sometimes
be detected due to the poor photographic quality on licenses and ID cards (photo may appear dark or off color). Look at your own driver's license or identification card. Is the picture sharp and clear? What is the background color in the photograph? Some other signs that an ID may be counterfeit include:

- Substandard or too-perfect graphics.
- The format of the ID is not identical to the official document that is being reproduced.
- Substandard lamination.

**Forged Identification**

A forged ID has information or a signature that has been forged. This is usually more of a problem with bank cards, credit cards, etc., because these cards can be so easily stolen and forged. It is strongly recommended that you do not accept these documents as valid ID.

**Stolen Identification**

When accepting an ID from your customer, carefully examine the document and be prepared to ask questions to verify your observations. For example, check the photo on the ID to make sure it matches the person presenting the ID. Also, carefully examine physical descriptions (height, weight, hair, and eye color; are glasses required?). If you are in doubt, ask the person to present other forms of ID. Ask questions of the individual to ascertain the document’s validity. For example you might ask:

- "What year did you graduate from high school?"
- "What is your zip code?"

Make these inquiries while you are holding the ID in a position from which the individual cannot see the information you are seeking. You also can ask the individual to sign his or her name so that you can compare signatures.

**Out-of-State or Other Forms of Identification**

Not all of your customers will present IDs that you are familiar with. You may be presented with out-of-state licenses or military IDs. Unless you are familiar with such documents, do not assume they are valid. There are several guidebooks which give examples of the licenses and ID cards issued by each state, which can be used to help you to recognize valid IDs. However, if you are unsure of the validity of your customer's identification, you have the right and responsibility to ask for familiar documentation and you should refuse service if that documentation cannot be produced.
Compliance Checks

Many states and local jurisdictions use compliance checks to identify establishments that are selling alcohol to minors. Compliance checks are conducted by law enforcement agencies. When a check is conducted, a minor will enter an establishment and attempt to purchase alcohol. If the minor is successful, both the business and the seller can be issued citations including criminal conviction, money penalties, permit or license suspension.

You also should know that the results of compliance checks will often be reported in the local news—which could be quite embarrassing!

**DUI Intervention Techniques**

Options for alternate forms of transportation should be made available to customers. These can include:

- **Designated Driver Programs**: Many communities have programs that offer rides to those who are intoxicated and should not drive.
- **Cab service**.
- **Suggest that the patron leave his or her car keys with the manager, who will ensure that the car is not towed away**.
- **Offer to call a friend or relative who will agree to drive the customer home**.
- **If the patron refuses all of the above suggestions and still insists that she or he is not too intoxicated to drive, you may need to inform the patron that the police may have to be called. This can be done anonymously, but this threat must be made with the full intention of following through if necessary**.

With a BAC of less than .15%, one might receive jail time, electronic detention/home confinement, or a fine/assessment(s), suspension/revocation of license, ignition interlock, or be required to receive alcohol/drug education or treatment. For instance, with no prior DUIs (within the prior seven years) to avoid jail time, one might have to serve at least 15 days in home confinement. This would be double with a BAC of .15% or more, or test refusal.

If a BAC should exceed .15%, one can of course expect more severe penalties, and with a prior DUI within the last seven years, penalties are substantially increased.

Other related offenses include reckless driving, negligent driving in the first and second degree, reckless endangerment, vehicular assault and hit and run. These range in severity from gross misdemeanor (reckless driving), to misdemeanor, and from traffic infraction (negligent driving in the second degree) to Class B felony (for vehicular assault).
When it comes to hit and run, the driver of any vehicle involved in an accident resulting only in damage to fixed property or property “placed upon or adjacent to any public highway,” shall take reasonable steps to notify the owner or person in charge of the name and address of the driver and owner of the vehicle striking the property, or shall leave in a conspicuous place upon the property a written notice providing the name and address of the driver and of the owner of the vehicle striking the property. (See RCW 46.52.010.) While this offense is a misdemeanor, hit and run when someone is killed or injured is considered a felony.

Uncontrolled or compulsive consumption of alcohol may lead to the detriment of one’s health as well as to the demise of one’s interpersonal relationships. Not only does the abuse of alcohol carry a social stigma but it is also considered a medical disease, stemming from a neurological disorder, which can lead to dependence. The negativity of the social impact itself can lead to a person’s alienation/denial.

Drunk driving/driving under the influence (DUI) is one of the most costly social consequences of alcohol abuse. These drivers make at best an impaired effort to drive safely while operating with decreased skill and judgment. Still they pose less of a risk than their more aggressive counterparts. Even so, it is not surprising that so many single-car collisions result in loss of life/property damage.

Incident Log

Your establishment should keep a log that is to be used every day. If any event, such as a fight, refusing service to a minor or intoxicated person, confiscating an ID, or calling the police occurs, it should be specifically documented in the log.

A good log book should include the following features:

- A bound note book so that torn pages can be easily discerned.
- Every single day must be recorded, even if nothing has happened.
- On a day without any incident, you must enter the date and one line saying "nothing happened."
- On a day you do not work or the restaurant is closed, write this down in your log book.
- Every incident must be entered with the time, date, place and the description of the incident. The person involved must be clearly and identifiably described (name if available and appearance).
- Every line in a page must be filled. If a line is left blank, it must be crossed out to make it impossible to add something on a later date.
- If the police are called, make a note of what action is taken.

A log is extremely valuable because it can protect you in a legal defense case.
>> VI. How to Refuse a Sale

- Refusing a Sale
- Tips for Slowing Down
- Cutting Someone Off
- Refusing Sales to Minors
- Refusing a Second-Party Sale

Refusing a Sale

Even though most people manage their drinking responsibly, sometimes it is necessary to manage someone else’s drinking. Telling a patron he or she has had too much to drink, and that you can’t sell anymore can be uncomfortable, if not difficult. After all, most sellers have been taught to give customers whatever they want. However, because alcohol can cause impairment, telling a customer you cannot sell anymore is sometimes necessary. Remember, selling to someone who is intoxicated or who is underage could be a liability to the business and a threat to public safety. When selling alcohol, it is your responsibility to sell responsibly.

Licensees or employees may not supply liquor to any person apparently under the influence, or allow an apparently intoxicated person to possess or consume liquor on the licensed premises.

**NOTE:** When you observe customers, what you are really doing is rating them. Use the SET technique to identify where a person is in a night of drinking:

- S = Sober
- E = Enough
- T = Too much

In order to rate your customers as either S (sober), E (enough), or T (too much), your observations should include answering:

1. Is the customer rational, lucid, and able to make reasonable judgments and decisions?
2. Does the customer respond appropriately to questions and conversation?
3. How does the customer relate to other people?
4. Is the customer withdrawn and uninvolved with others at his or her table or is he or she actively involved in conversation?
5. Does the customer respond appropriately to others?
6. Is the customer cooperative, demure, flirtatious, or subdued when responding to others?
Tips for Slowing Down

If you feel someone has had enough to drink, sometimes slowing someone down is easier than cutting her or him off. However, if someone needs to be cut off, do not hesitate. Use the SET technique (Sober, Enough, Too Much) to determine what course of action is appropriate in each situation.

1. Serve straight drinks with water on the side; suggest food
2. Remove empty glasses before replacing them with fresh drinks
3. Avoid pitcher service when serving a group
4. Slow down service—do not go past the table as often
5. Do not bring a drink for one person at another's request
6. Serve a large glass of water before bringing the next round
7. Divert attention away from drinking to dancing, pool, etc.

Cutting Someone Off

After determining with the SET technique that someone has had too much to drink, follow eight steps in cutting someone off.

- Verify your observations.
- Be non-judgmental and non-threatening.
- Remove alcohol from the table.
- Offer solutions.
- Be firm.
- Communicate your actions.
- Be prepared to back up your actions.
- Record the incident.

- **Verify your observations**
  Ask another employee (another server, bartender, or manager) to observe the customer's behavior. If you both agree the person needs to be cut-off, you can proceed knowing you have a "back-up" should it becomes necessary.

- **Be non-judgmental and non-threatening**
  The customer is more likely to respond with anger and defensiveness if your statements are perceived as "putdowns." Some examples of non-judgmental statements include:

  a) "I'm sorry. I've served you as much as I am allowed."
  b) "I'm sorry. I'm not allowed to serve persons under the age of 21."
  c) "I'm sorry, but if I serve you another drink, we might lose our license (or I might lose my job)."
• **Remove alcohol from the table**
  As you inform your customer you can no longer serve him or her, remove any remaining drinks from the table. This prevents further consumption of alcohol and it is the law.

• **Offer solutions**
  By offering your customer solutions, he or she will realize you are concerned about his or her safety. Furthermore, it is your obligation to arrange safe, alternative transportation for the customer. You may fulfill this obligation by using one of these suggestions:

  o If the customer is with friends, and you have determined that someone else can safely drive the individual home, suggest that the friend take this responsibility.
  o If the customer is alone, offer to call a cab, friend, or relative to pick the person up.
  o If you work in a hotel/motel facility, offer to arrange a room for the individual.

• **Be firm**
  Do not allow the customer to bargain, intimidate, or argue with you. You have made your decision to refuse further service for good reason and you must stick with your decision. It is best to leave the table after you have made your statement. This prevents being drawn into explanation, defenses, and arguments.

• **Communicate your actions**
  You must inform your co-workers when a customer has been cut off. This prevents the customer from ordering alcohol from other unsuspecting co-workers.

• **Be prepared to back up your actions**
  If your attempts to intervene with your customer fail, and all your efforts to arrange for safe, alternative transportation have failed, you must be prepared to notify law enforcement authorities. If the customer insists on driving and refuses all offers for alternate transportation, it is your obligation to notify the police.

• **Record the incident**
  It is important to record the facts concerning the incident. Should any questions concerning the incident arise at a later date concerning the incident, you will have a factual record of it.
Refusing Sales to Minors

If you have any doubt about whether or not the customer is of legal drinking age, it is better to play it safe and ask for an ID. Many places have different house rules in regard to whom should be carded based on appearance. Often such rules go as follows: if patrons look to be 25 years of age or less, card them; or if they appear to be 30 years or less, card them. In any case, carding the customer is the wise choice.

If the customer refuses to show identification:

- Decline the sale and state that the law prohibits alcohol sales to minors.
- Refer to display signage to help educate your customer.
- Be courteous.
- Remove the alcohol from the counter to further discourage the sale. A customer may try to grab the product and leave money on the counter. If that happens, do not ring up the sale. Notify a supervisor immediately for further instructions.

If a customer becomes abusive:

- Stay calm and do not provoke the person.
- Refer him or her to your supervisor.
- If a criminal act occurs, do not intervene.
- Notify management and the authorities if necessary.
- Observe what is happening; take note of descriptive details, in case you are needed later as a witness. Put this information into your incident log.
- If you feel like you are physically in danger, it is better to give in and make the sale. Check your store policy.

Refusing Second-Party Sales

Sometimes an adult will try to purchase alcohol for minors. State law prohibits these “second-party sales.” If you suspect that this is happening, explain that you are required by law to ask if this is a “second-party” purchase for a minor.

- If you suspect a second-party purchase is being attempted, explain that it’s illegal for you to make the sale. Be polite and informative.
- It is also illegal for a minor to purchase alcohol products for a parent.
>> VII. Washington State Requirements

- Minors and Alcohol
- Hours of Service and Sale
- Prohibited Conduct
- Required Signs
- Lighting Requirements
- Administrative and Criminal Sanctions
- Responsibilities
- Alcohol Server Training Law

Minors and Alcohol

Employing Minors

Licensees or employees may not supply liquor to any person under 21 years of age, either for his/her own use or for the use of any other person.

Persons under 21 years of age are not allowed to remain in any premises or area of a premises classified as off-limits to persons under 21.

Any law enforcement officer may request to see an ID if the person is in a restricted area to prove they are over 21. If the person refuses, she or he must leave the premises.

18 to 20 year old employees may not work in the restricted area. Except for the following:

Minor employee with Class 13 permits may enter the restricted area to momentarily bus tables; seat customers, and deliver messages.

- Persons performing janitorial services during the hours when there is no sale, service, or consumption of liquor on the premises
- Employees of amusement device companies for the purpose of installing, maintaining, repairing, or removing any amusement device
- 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
- Professional musicians

Musicians, disc jockeys, and sound or lighting technicians paid by the licensee who are 18, 19, or 20 years of age may work in a licensed premises or a portion of a licensed
premises that is restricted to persons 21 years of age or older, under the following conditions:

1. The 18-, 19-, or 20-year-old musicians must remain on the stage or bandstand during their performance, except:

   i) Strolling musicians

   ii) Disc jockeys and sound and lighting technicians may remain in locations as required to actively support the professional musician or disc jockey

The 18-, 19-, or 20-year-old musicians:

- May not consume alcohol, and must have acceptable identification available for inspection at all times.

- Are permitted on the licensed premises no more than one hour prior to the start of their performance and not more than one hour after their performance, in order to properly set up and secure their equipment.

- May not remain in an area that is off-limits to persons under 21 years of age during breaks.

It is against the law for the employees and licensees to drink alcohol on duty. One exception is for the entertainers.

Entertainers may drink while performing under the following conditions:

- Alcohol service must be monitored by MAST servers.
- Drinks must be served in unlabeled containers.
- Entertainers may not advertise any alcohol brands or products.
- Entertainers may not promote drink specials.

However, if any member of the entertainment group is under 21 years of age, alcohol may not be consumed by any member of the group while performing.

**Hours of Service and Sale**

Between the hours of 2:00 a.m. and 6:00 a.m., licensees or employees may not:

- Sell liquor
- Offer liquor for sale
- Deliver liquor (except that beer/wine distributors may deliver beer/wine to retail licensees between the hours of 2:00 a.m. and 6:00 a.m.)
• Permit the removal of liquor from the premises
• Allow liquor to be consumed on the premises
• Possess liquor, except that persons working on the premises may possess liquor between the hours of 2:00 a.m. and 6:00 a.m. while in the performance of their official duties

**NOTE:** A local government subdivision may fix later opening hours or earlier closing hours than those specified in this rule, so long as the hours apply to all licensed premises in the local government subdivision’s jurisdiction.

Whenever alcohol is served, your premises must be open to the general public. Also, food must be available whenever alcohol is served. Spirits/Beer/ Wine Restaurant must be open to the public at least 5 hours a day between 8:00 A.M. to 11:00 P.M and provide at least eight complete (full) meals. Full meals are defined as an entrée and an additional side dish.

For example, fried chicken and mashed potatoes. Besides full meal hours, a minimum food must be available such as sandwiches or pizza. Peanuts and pretzels don’t meet this requirement.

Licensees must also post a conspicuous sign stipulating the hours of full meal service.

Unless otherwise approved by the board, a retail licensed premises must be open to the general public whenever liquor is sold, served, or consumed.

**Prohibited Conduct**

*See the Handouts section for a table with prohibited conduct.*

**Required Signs**

Retail licensees are required to post the following signs:

• Post "Persons under 2 years of age not permitted on these premises." At a conspicuous location at each entry point on the minor restricted area

• Fetal Alcohol Effect (FAE)/Fetal Alcohol Syndrome (FAS)-at the main entrance and the women’s restrooms
• Current master license with appropriate endorsements must be conspicuously posted on the premises and available for inspection by liquor enforcement officers.

• Tobacco signage provided by the board must be posted at the point of tobacco sales (if you sell tobacco).

• Firearms prohibited signs provided by the board must be posted in each tavern and lounge.

**Lighting Requirements**

On all portions of the premises where alcohol is served or consumed, licensees must maintain sufficient lighting so that identification may be checked and patrons may be observed for the enforcement of liquor laws and rules.

**Administrative and Criminal Sanctions**

Basically, a server can receive three sanctions when violating liquor laws. For example, serving a minor may bring the following outcomes:

• **Criminal Citation**—This goes on your record, there is a fine and also jail time. A maximum penalty for the gross misdemeanor in Washington State is subject to $5,000 fine, or up to a year in jail or both.

• **Administrative Violations Notice (AVN)** —You can receive $200 fine for the first violation to a revocation of the MAST permit with the fourth violation.

• **Civil Lawsuit**—For bodily or property damage caused by the minor you have served, you could owe thousands of dollars to someone you don't even know.

Your MAST permit might be suspended or revoked for conviction of a felony or law relating to alcohol, such as DUI.
Penalties

The liquor control board may impose a different penalty based on mitigating circumstances,

<table>
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<th>(a) Mitigating circumstances</th>
<th>(b) Aggravating circumstances</th>
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| Mitigating circumstances that may result in fewer days of suspension and/or a lower monetary option may include demonstrated business policies and/or practices that reduce the risk of future violations. Examples include:  
  - Having a signed acknowledgment of the business's alcohol policy on file for each employee  
  - Having an employee training plan that includes annual training on liquor laws | Aggravating circumstances that may result in increased days of suspension, and/or increased monetary option, and/or cancellation of a liquor license may include business operations or behaviors that create an increased risk for a violation and/or intentional commission of a violation. Examples include:  
  - Failing to call 911 for local law enforcement or medical assistance when requested by a customer, a liquor control board officer, or when people have sustained injuries  
  - Not checking to ensure employees are of legal age or have appropriate work permits |

(c) In addition to the examples in (a) and (b) of this subsection, the liquor control board will provide and maintain a list of business practices for reference as examples where business policies and/or practices may influence mitigating and/or aggravating circumstances. The established list will not be all inclusive for determining mitigating and/or aggravating circumstances, and may be modified by the liquor control board. The list shall be accessible to all stakeholders and the general public via the internet.
Responsibilities

Liquor licensees are responsible for the operation of their licensed premises in compliance with the liquor laws and rules of the board. Any violations committed or permitted by employees will be treated by the board as violations committed or permitted by the licensee.

Licensees have the responsibility to control their conduct and the conduct of employees and patrons on the premises at all times. Licensees or employees may not:

a. Be disorderly or apparently intoxicated on the licensed premises. It is okay to allow an apparently intoxicated person to remain on the premises as long as he or she does not consume, possesses any more alcohol and not disorderly.

b. Permit any disorderly person to remain on the licensed premises.

c. Engage in or allow behavior that provokes conduct which presents a threat to public safety.

d. Consume liquor of any kind while working on the licensed premises; except authorized tasting events and entertainers under certain conditions.

Licensees have the responsibility to control the interaction between the licensee or employee and their patrons. At a minimum, licensees or employees may not:

- Solicit any patron to purchase any beverage for the licensee or employee, or allow a person to remain on the premises for such purpose

- Spend time or dance with, or permit any person to spend time or dance with, any patron for direct or indirect compensation by a patron

**NOTE:** See WAC 314-11-050 for further guidelines on prohibited conduct.

For on-premise liquor licenses, the licensee or employees may not permit the removal of liquor in an open container from the licensed premises, except:

- Liquor brought on a licensed premises under authority of a banquet permit may be resealed in its original container and removed at the end of the banquet permit function.

- Wine that is sold with a meal may be recorked or resealed and removed from the premises. Advise the customer to place the wine in the trunk or far from the driver’s seat.
• Liquor purchased by registered guests for consumption inside a hotel or motel room may be resealed in its original container and removed from the hotel or motel premises by the guest.

• Liquor removed from a licensed premises that holds a caterer’s endorsement, for the purpose of catering an approved event.

**Liquor Substitutions**

Liquor licensees or employees may not:

• Tamper with, dilute, or fortify any bottle of spirituous liquor.

• Sell or serve any spirituous liquor, beer, or wine other than ordered.

• Substitute a nonalcoholic beverage when an alcoholic beverage has been ordered. If you feel the customer appears intoxicated, remove the drink-do not serve watered down drinks.

**Alcohol Server Training Law**

In 1995, legislation passed the law requiring Mandatory Alcohol Server Training (MAST) for employees who serve alcohol or supervise the sale of alcohol for on-premises consumption at liquor licensed establishments such as:

• Restaurants
• Nightclubs
• Taverns
• Snack bars
• Private clubs
• Sports/entertainment facilities
• Wineries, breweries and craft distilleries with retail sales and on-premises consumption
• Grocery stores with the beer and wine tasting endorsement

The MAST permit is required within 60 days of hire. Exception: Grocery store employees must have their Class 12 permit at the time of the tasting event.

**NOTE:** Working in the sale or service of alcoholic beverages on a retail licensed premises without possessing a valid alcohol server permit is a misdemeanor. Every person convicted of a misdemeanor defined in Title 9A RCW shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than
ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars, or by both such imprisonment and fine.

MAST is provided by WSLCB certified providers either online or through trainers. Once you complete the course and pass the exam, you will receive your Class 12 or Class 13 permits in the mail. The Class 12 permit is issued to a person 21 and over and Class 13 is issued to a person 18 to 20.

NOTE: In accordance with RCW 74.20A.320, the Washington State Department of Social and Health Services’ (DSHS) Division of Child Support (DCS) certifies and requires the WSLCB to suspend or cancel the MAST permits of non-custodial parents who are at least six months in arrears on child support payments.

1. The State law requires that your provider issue the permits within 30 days of the class. If you don’t receive your permits within 30 days, please contact us at accreditation@360training.com. If you still do not receive your permits, contact the WSLCB at 360-664-1727 or ks@liq.wa.gov.

2. Your permit is good for five years from the date of class. The permit will expire on the first day of the month after the month you took your test. For example, if you took the test on Oct. 20, your permit will expire on Nov. 1.

3. To renew your permit, you must take the class again. We suggest you take the course 60 days prior to your permit expiration.

4. You must have your MAST permit and a valid form of ID with you any time you perform duties that include the sale, service or handling of liquor. Your permit must be presented with supporting ID if requested by a law enforcement officer. Your name on the permit must match the name on the ID you are presenting.

5. The permit is your property, not the property of your employer. Provide a copy of your permit to your employer and retain the original for yourself.

6. If you need to replace a permit due to name change or loss, please contact us at accreditation@360training.com. Your original expiration date will remain. There will be a fee of $10.00 for a replacement permit. You may also contact the WSLCB at www.liq.wa.gov or 360-664-1600.

7. For students 18 to 20 years old, by completing this course, you are eligible to upgrade your permit to Class 12 free of charge, once you turn 21. Just contact us at accreditation@360training.com.
Types of Permits

There are two types of permits for persons who serve alcohol for on-premises consumption, or who supervise the sale of alcohol for on-premises:

Class 12 Mixologist Permit is issued to those who are 21 and older. This permit allows you to:

- Draw alcohol from tap and mix drinks;
- Perform duties included in the Class 13 permit; and
- Manage the establishment.
- Conduct beer and wine tastings at a grocery store with a tasting endorsement.
- At least one Class 12 permit holder must be on duty.

Class 13 Servers Permit is issued to those 18 and older. This permit allows you to:

- Take alcohol orders, and
- Carry alcohol to the customer and pour it into a customer’s glass at the customer’s table.
- You may be eligible to upgrade to a Class 12 permit once you turn 21. Just contact us when you turn 21.

Once you turn 21, you may perform duties outlined under the Class 12 permit for up to 30 calendar days before upgrading your permit to Class 12. Upgrade your permit within 30 days.

A Class 12 permit holder must be on the licensed premises to supervise at all times.

The permit is the sole property of the permit holder, so it stands to reason that it may be used at more than one establishment.

Washington Liquor Control Board

If you have questions, comments, or complaints about this program, please contact the Liquor Control Board using the information below:

MAST Coordinator: ks@liq.wa.gov or

Phone: (360) 664-1727
Handouts
# BAC Wallet Card

## Men

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Impairment Begins
Driving Skills
Significantly Affected
Possible Criminal Penalties
Legally Intoxicated
Criminal Penalties

## Women

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Impairment Begins
Driving Skills
Significantly Affected
Possible Criminal Penalties
Legally Intoxicated
Criminal Penalties

(Source: The National Clearinghouse for Alcohol and Drug Information)
### Prohibited Conduct

<table>
<thead>
<tr>
<th>(1) Licensees may not allow, permit, or encourage employees (including him or herself) to:</th>
<th>(a) Be unclothed or in such attire, costume, or clothing as to expose to view any portion of the breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva, or genitals.</th>
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<tbody>
<tr>
<td>(2) Licensees may not allow, permit, or encourage any person (including him or herself) on the licensed premises to:</td>
<td>(a) Perform acts of or acts which simulate, or use artificial devices or inanimate objects which depict;</td>
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<td>• Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law;</td>
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<td>• The touching, caressing, or fondling of the breast, buttocks, anus or genitals; or</td>
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<td>• The displaying of the pubic hair, anus, vulva, or genitals.</td>
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<td>(b) Show any film, still picture, electronic reproduction, or other visual reproduction that depicts pornography, or a sexual act prohibited by law.</td>
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<td>(3) Notwithstanding the provisions of subsection (4) of this rule, licensees may not encourage any person on the licensed premises to:</td>
<td>(a) Expose to public view any portion of his or her genitals or anus;</td>
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<td>(b) Touch, caress, or fondle the breasts, buttocks, anus, or genitals of any other person; or</td>
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<td>(c) Wear or use any device or covering that is exposed to view which simulates the breast, genitals, anus, pubic hair, or any portion thereof.</td>
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<td>(4) Licensees must ensure any entertainers on the licensed premises perform under the following guidelines:</td>
<td>(a) Entertainers may only expose their breast and/or buttocks if the performer(s) is on a stage at least eighteen inches above the immediate floor level and removed at least six feet from the nearest patron.</td>
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<td>(b) Performers must be at least six feet away from the nearest patron. This restriction will not be applied to performances of traditional ethnic dancing, provided that all of the following conditions are met:</td>
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<td>(i) The dancers are compensated by the licensee;</td>
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<td>(ii) At all times, the licensee must maintain and have available for inspection by any liquor enforcement officer a list of all traditional ethnic dancers employed at the licensed premises. The list must be retained for a period of thirty days after termination of employment and must contain the following information for each dancer or entertainer:</td>
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<td>• True name and professional or stage name, if any;</td>
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<td>• Residence address and phone number;</td>
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<td>• Terms of the agreement of employment; and</td>
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<td>• Signature of both the licensee and the dancer or entertainer;</td>
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<td>(iii) The traditional or ethnic dance performances will be those performed for the enjoyment of the general audience of the licensee and not for individual patrons.</td>
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