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SENATE BILL 6339

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State of Washington

54th Legislature

1996 Regular Session

By Senators Haugen, Snyder, McCaslin, Pelz and Hale

Read first time 01/11/96. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to making modifications to the alcohol server  
2 permit program; and amending RCW 66.20.310 and 66.20.320.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 66.20.310 and 1995 c 51 s 3 are each amended to read  
5 as follows:

6 (1)(a) There shall be an alcohol server permit, known as a class 12  
7 permit, for a manager or bartender selling or mixing alcohol, spirits,  
8 wines, or beer for consumption at an on-premises licensed facility.

9 (b) There shall be an alcohol server permit, known as a class 13  
10 permit, for a person who only serves alcohol, spirits, wines, or beer  
11 for consumption at an on-premises licensed facility.

12 (c) As provided by rule by the board, a class 13 permit holder may  
13 be allowed to act as a bartender without holding a class 12 permit.

14 (2)(a) Effective (~~July 1, 1996~~) January 1, 1997, except as  
15 provided in (d) of this subsection, every person employed, under  
16 contract or otherwise, by an annual retail liquor licensee holding a  
17 license as authorized by RCW 66.24.320, 66.24.330, 66.24.340,  
18 66.24.350, 66.24.400, 66.24.425, or 66.24.450, who as part of his or  
19 her employment participates in any manner in the sale or service of

1 alcoholic beverages shall have issued to them a class 12 or class 13  
2 permit.

3 (b) Every class 12 and class 13 permit issued shall be issued in  
4 the name of the applicant and no other person may use the permit of  
5 another permit holder. The holder shall present the permit upon  
6 request to inspection by a representative of the board or a peace  
7 officer. The class 12 or class 13 permit shall be valid for employment  
8 at any retail licensed premises described in (a) of this subsection.

9 (c) No licensee described in (a) of this subsection, except as  
10 provided in (d) of this subsection, may employ or accept the services  
11 of any person without the person first having a valid class 12 or class  
12 13 permit.

13 (d) Within sixty days of initial employment, every person whose  
14 duties include the compounding, sale, service, or handling of liquor  
15 shall have a class 12 or class 13 permit.

16 (e) No person may perform duties that include the sale or service  
17 of alcoholic beverages on a retail licensed premises without possessing  
18 a valid alcohol server permit.

19 (3) A permit issued by a training entity under this section is  
20 valid for employment at any retail licensed premises described in  
21 subsection (2)(a) of this section for a period of five years unless  
22 suspended by the board.

23 (4) The board may suspend or revoke an existing permit if any of  
24 the following occur:

25 (a) The applicant or permittee has been convicted of violating any  
26 of the state or local intoxicating liquor laws of this state or has  
27 been convicted at any time of a felony; or

28 (b) The permittee has performed or permitted any act that  
29 constitutes a violation of this title or of any rule of the board.

30 (5) The suspension or revocation of a permit under this section  
31 does not relieve a licensee from responsibility for any act of the  
32 employee or agent while employed upon the retail licensed premises.  
33 The board may, as appropriate, revoke or suspend either the permit of  
34 the employee who committed the violation or the license of the licensee  
35 upon whose premises the violation occurred, or both the permit and the  
36 license.

37 (6)(a) After (~~July 1, 1996~~) January 1, 1997, it is a violation of  
38 this title for any retail licensee or agent of a retail licensee as  
39 described in subsection (2)(a) of this section to employ in the sale or

1 service of alcoholic beverages, any person who does not have a valid  
2 alcohol server permit or whose permit has been revoked, suspended, or  
3 denied.

4 (b) It is a violation of this title for a person whose alcohol  
5 server permit has been denied, suspended, or revoked to accept  
6 employment in the sale or service of alcoholic beverages.

7 (7) Establishments licensed under RCW 66.24.320 and 66.24.340, the  
8 primary commercial activity of which is the sale of grocery products  
9 and for which the sale and service of beer and wine is incidental to  
10 the primary business, and employees of such establishments, are exempt  
11 from RCW 66.20.300 through 66.20.350.

12 **Sec. 2.** RCW 66.20.320 and 1995 c 51 s 4 are each amended to read  
13 as follows:

14 (1) The board shall regulate a required alcohol server education  
15 program that includes:

16 (a) Development of the curriculum and materials for the education  
17 program;

18 (b) Examination and examination procedures;

19 (c) Certification procedures, enforcement policies, and penalties  
20 for education program instructors and providers;

21 (d) The curriculum for an approved class 12 alcohol permit training  
22 program that includes but is not limited to the following subjects:

23 (i) The physiological effects of alcohol including the effects of  
24 alcohol in combination with drugs;

25 (ii) Liability and legal information;

26 (iii) Driving while intoxicated;

27 (iv) Intervention with the problem customer, including ways to stop  
28 service, ways to deal with the belligerent customer, and alternative  
29 means of transportation to get the customer safely home;

30 (v) Methods for checking proper identification of customers;

31 (vi) Nationally recognized programs, such as TAM (Techniques in  
32 Alcohol Management) and TIPS (Training for Intervention Programs)  
33 modified to include Washington laws and regulations.

34 (2) The board shall provide the program through liquor licensee  
35 associations, independent contractors, private persons, private or  
36 public schools certified by the board, or any combination of such  
37 providers.

1 (3) Each training entity shall provide a class 12 permit to the  
2 manager or bartender who has successfully completed a course the board  
3 has certified. A list of the individuals receiving the class 12 permit  
4 shall be forwarded to the board on the completion of each course given  
5 by the training entity.

6 (4) After (~~July 1, 1996~~) January 1, 1997, the board shall require  
7 all alcohol servers applying for a class 13 alcohol server permit to  
8 view a video training session. Retail liquor licensees shall fully  
9 compensate employees for the time spent participating in this training  
10 session.

11 (5) When requested by a retail liquor licensee, the board shall  
12 provide copies of videotaped training programs that have been produced  
13 by private vendors and make them available for a nominal fee to cover  
14 the cost of purchasing and shipment, with the fees being deposited in  
15 the liquor revolving fund for distribution to the board as needed.

16 (6) Each training entity may provide the board with a video program  
17 of not less than one hour that covers the subjects in subsection (1)(d)  
18 (i) through (v) of this section that will be made available to a  
19 licensee for the training of a class 13 alcohol server.

20 (7) Applicants shall be given a class 13 permit upon the successful  
21 completion of the program.

22 (8) A list of the individuals receiving the class 13 permit shall  
23 be forwarded to the board on the completion of each video training  
24 program.

25 (9) The board shall develop a model permit for the class 12 and 13  
26 permits. The board may provide such permits to training entities or  
27 licensees for a nominal cost to cover production.

28 (10) Persons who have completed a nationally recognized alcohol  
29 management or intervention program or the board's alcohol server  
30 training program since July 1, 1993, and prior to January 1, 1997, may  
31 be issued a class 12 or 13 permit upon providing proof of completion of  
32 such training to the board.

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