



**MONTGOMERY COUNTY  
ALCOHOL BEVERAGE SERVICES  
DIVISION OF LICENSURE, EDUCATION AND  
REGULATION**

# **ALERT**

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**ALCOHOL LAW ENFORCEMENT AND REGULATORY TRAINING**

## GOALS OF TODAY'S TRAINING

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- Compliment the state certified server training
- Provide an overview of Montgomery County's Alcohol Beverage Services –ABS- and Board of License Commissioners –BLC-
- Review Montgomery County specific laws, rules and regulations
- Promote best practices related to responsible alcohol consumption
- Raise awareness about over service and underage drinking



## WHY ARE WE HERE?

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- Compliance Checks - 70% success rate in FY19.
- Nearly three out of every ten servers sold alcohol to a minor.
- In 2018 there were 3,442 alcohol related arrests in Montgomery County.\*
- That breaks down to over 9 people arrested for every day of the year in Montgomery County for driving under the influence of alcohol.

\*Washington Regional Alcohol Program (WRAP), 2019 How Safe Are Our Roads Report,

[www.wrap.org](http://www.wrap.org).

# ALCOHOL BEVERAGE SERVICES –ABS-

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- Montgomery County, and 17 states, are control jurisdictions
  - Serve as the wholesale tier (one wholesaler per product)
  - Revenue generated goes back into the County General Fund – Over *\$30 million annually*
- Control the sale of distilled spirits, and in some cases wine and beer at the wholesale level
- ABS acts both as the wholesaler and retailer of alcohol in Montgomery County.

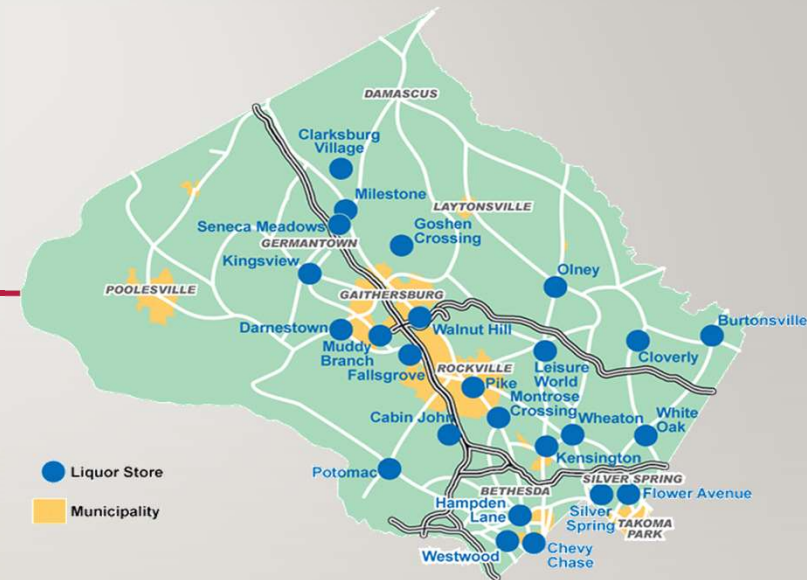




# COUNTY RETAIL STORES

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- 26 county retail stores  
(Beer, Wine & Spirits)



- Stores are an extension of the ABS warehouse
- Search inventory online:  
[www2.montgomerycountymd.gov/abssearch](http://www2.montgomerycountymd.gov/abssearch)

## HOW TO REACH US

A  
B  
S



ommunication  
enter

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**Call 240-777-1900**

**Monday - Friday 8:00 AM - 4:30 PM**

*Here for you!*

Providing assistance and problem solving

- Connecting customers with ABS experts
  - Two-way communication

Proactive outreach on order status and product availability

- Measured responsiveness to customer inquiries

[ABS@montgomerycountymd.gov](mailto:ABS@montgomerycountymd.gov)

## SECTION 2: ALCOHOL LICENSES & PERMITS

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- There are 37 license types
- Pre-hearing & pre-license visits
- Ratio (Class B, BWL)
  - *60% alcohol/40% food*
- One Day Licenses
  - *Non-profits*





# ALCOHOL LICENSE PRIVILEGES

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## Permits:

- Temporary Business Modification
- Catering (Class B BWL)
- Corkage (Class B, C, H)
- Tasting (Class A)
- Outdoor Café
- Growler/Crowler (Class B B/W, Class D B/W)



<https://www.montgomerycountymd.gov/ABS/licensure/license>



# HOURS OF SERVICE/FOOD

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A licensee may not allow after hours of alcohol sales/service.

- Hours are printed on your license and vary depending upon license class
- **Beer, Wine, and Liquor:** Sunday night thru Thursday night, all alcohol must be off tables by **2:00AM**, Friday and Saturday night, all alcohol must be off tables by **3:00AM**.
- **Beer and Wine:** All week all alcohol off tables by **2:00 AM**, off sale stops at **1:00AM**
- *Even if the businesses is closed to the public.*
- Food must be available if alcohol is available.

# RESTAURANT CARRYOUT/DELIVERY PERMISSION

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*All restaurants licensed by the Montgomery County Board of License Commissioners may sell sealed alcohol containers for off-premises consumption.*

- Businesses must apply for approval  
[https://myabs.formstack.com/forms/restaurant\\_offpremise\\_permission](https://myabs.formstack.com/forms/restaurant_offpremise_permission)
- Needs to be purchased along with a takeout or delivered meal
- Sealed containers include bottles, cans, growlers, crowlers, and takeout cups with lids
- Businesses may deliver alcohol to Montgomery County addresses using their own staff
- To-go alcohol containers are still considered an “open container” and must be transported accordingly
- Permission expires when the emergency order to close restaurants is lifted

# COVID-19 TEMPORARY BUSINESS MODIFICATION FORM

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- Restaurants that want to make temporary changes to their outdoor cafes in response to social distancing requirements
- Restaurants that want to make changes inside the building for the next phases of reopening
- Submit a Covid-19 Temporary Business Modification Form:  
[https://myabs.formstack.com/forms/covid\\_19\\_temporary\\_business\\_modification\\_form](https://myabs.formstack.com/forms/covid_19_temporary_business_modification_form)

## SECTION 3: ALCOHOL LAWS & REGULATIONS

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# SCENARIOS

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Constructive Possession

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Carding Policy

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Underage ID

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Open Container/Unapproved Source

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Parent Providing Alcohol/Social Host Responsibility

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# SCENARIO QUESTIONS

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1. A young man sits at the bar where I work and orders a beer. I think he looks old enough, so I bring it, set it down and go help another customer. Later a police officer approaches me and informs me the young man is 19. Problem?
2. A young woman comes in and orders wine. I'm supposed to check ID's according to my boss, but I can guess who is old enough. When I ask for her ID, she provides me with a vertical one. I glance at it and tell her she should get it changed but I still serve her. Later an alcohol inspector approaches me and points out that she is still under 21. Problem?

# SCENARIO QUESTIONS

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3. I'm having a beer while waiting for my friend at the XYZ bar. My friend calls and says she is waiting for me at ABC Restaurant across the street. I grab my beer and run across the street, to join her at ABC and sit at the table. Problem?
4. A young man sits down and orders a beer. When I come back with the beer, I ask to see his ID and upon checking it discover he is under 21. The beer has never left my hand. Violation?
5. As you are taking drink orders from a family, a young woman in the group orders a beer. When you ask for her ID, you discover that she is under 21. You refuse to serve her but an older woman in the group says she's her daughter and she will take full responsibility. Do you serve her?

# COMPLIANCE CHECKS

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## *Multi-agency program*

- Under 21 sales
- Under 21 room service
- Keg registration
- Sales to intoxicated patron



# ROUTINE INSPECTION CHECKLIST

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*What an inspector will be looking for...*

- ✓ Alcohol license framed/visible
- ✓ Alcohol Awareness Certification/person on premises at all times during hours on license
- ✓ Records
- ✓ Source/storage
- ✓ Bar service and operations
- ✓ Minors employed
- ✓ Sales
- ✓ Gambling

# LICENSES

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



# MARYLAND CERTIFIED ALCOHOL AWARENESS TRAINING

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All alcoholic beverage licensed establishments are required by law to have a State approved alcohol awareness certified person on the licensed premise during all hours in which alcoholic beverages are sold.



# RECORDS

- ✓ Beer, Wine and Liquor Invoices
  - ✓ Available on premises at all times and maintained for 2 years.
- ✓ Employee Records
  - ✓ Available on premises at all times and unmaintained for 1 year after an employee leaves.



# KEG REGISTRATION

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All keg sales must be registered.

## Your Responsibility:

- Order registration book: Comptroller's office, 410-260-6381
- Registration forms provided, keep on premises for 30 days
- Sticker affixed



## UNAPPROVED SOURCE AND STORAGE

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- ✓ All alcohol must come from the Montgomery County ABS warehouse, one of its 26 stores, or an authorized small winery, brewery or distillery.
- ✓ It is unlawful to store any alcoholic beverages other than those permitted under your license.
- ✓ Do not allow patrons to bring in alcohol (even as a gift). If you are given alcohol by a patron do not keep it on premises.

# BAR AND SERVICE OPERATIONS

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- ✓ Can't reuse or refill any bottle or other container of alcoholic beverages
- ✓ Can't adulterate, dilute, or fortify the contents of a bottle or container
- ✓ Alcohol bottles must have original labels affixed
- ✓ Infusion (NO CBD)
- ✓ Premix
- ✓ Under 21 employees can serve alcohol

# OVER SERVICE

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## It is illegal to sell alcohol to:

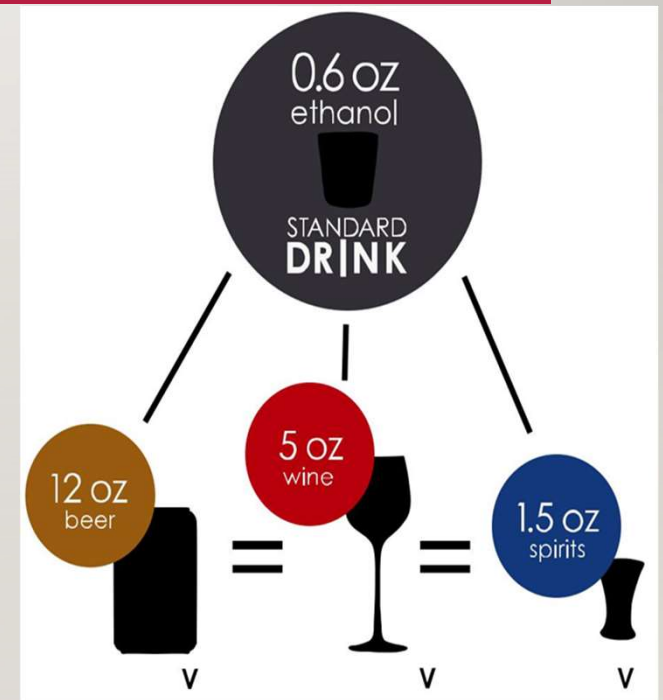
- intoxicated individuals; or
- persons under 21 years of age
- **Disorderly Intoxication:** Maryland Alcohol Code, 6-320: Intoxicated person may not endanger the safety of another person or property or cause a public disturbance
- Call the police non-emergency line **301-279-8000** or 911 if lives are in danger



# ALCOHOL TRENDS

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*Look out for product container sizes and variations in alcohol concentrations.*





# SIGNS OF INTOXICATION

## Traditional

- Watery/bloodshot eyes
- Slurred speech
- Poor coordination
- Confrontational

## Other Clues

- Frequent buyers
- Loitering
- Behavior changes

# ON-PREMISES INTOXICATION

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1. What if you saw someone extremely intoxicated at your establishment?
2. What steps would you take?
3. Does your staff know what to do?

# DOCUMENTATION

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*Maryland has common law (tort law) that requires servers/sellers to protect an intoxicated person from harming themselves or others. Must prove negligence.*

- Incident log (bound book), keep records for 3 years
- Identify how it occurred
- Notify management
- Collect witness information, ask them to sign the document
- Police non-emergency number 301-279-8000; develop a relationship with local police



# 6,000 PEDESTRIANS ARE KILLED EACH YEAR : 33 PERCENT WERE INTOXICATED

NTSB



# OFF-PREMISES INTOXICATION

- 
1. What would you do if someone extremely intoxicated comes into your establishment?
  2. What steps would you take?
  3. Does your staff know what to do?





## DRINKING IN PUBLIC

*A person may not drink any alcoholic beverage while:*

- *(MD Alcohol Code: 6-321(b))*
- On public property unless authorized;
- In a parking lot open to the public in general;
- In a parked vehicle at the above locations.

# NUDITY AND SEXUAL DISPLAYS

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A licensee can not permit prostitution or lewdness on the premises.

- Any person to be nude or in clothing which exposes private parts
- Any performance or exhibition, including pictures, video, and electronic reproductions that simulate or depict sexual acts or nude dancing; or
- The placement of money on or about the person of any performer or entertainer

# GAMBLING

**A licensee will not allow licensed premises to be used for booking or gambling**

- *Bingo & Raffle permits are issued by MC Permitting Services  
240-777-6200*

**If all three of the following are present, then it is gambling and it is prohibited:**

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

## SECTION 4: BEST PRACTICES

### *Suggestions for Responsible Hospitality*

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- Promote establishments as a safe, social and enjoyable regardless of beverage choice
- Avoid promotions that encourage over-consumption
- Train servers on roles and responsibilities (how to prevent over service and sales to minors)
- Observe laws regarding server age
- Train servers on acceptable valid identifications



## BEST PRACTICES

### *Suggestions for Responsible Hospitality*

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- Publicize alcohol policies in visible locations
- Make alcohol-free beverages available whenever alcohol beverages are served
- Ensure that employees do not consume alcohol beverages while working
- Arrange alternative transportation for impaired patrons





## COMMUNITY OUTREACH PROGRAMS

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- Point of sale materials and ID checking tools
- Training and business assessments
- Promote responsible service and deter youth alcohol access and over service *Trainings, Safety Alliance and Cops in Shops*
- Staying Connected to Communities
  - *Coalitions, Business Leagues, Community Meetings*



## SECTION 5: DETECTING FALSE IDENTIFICATION

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Acceptable ID's:

- State driver's license with picture
- State MVA ID card
- Military identification
- Passport
- Immigration card

**An expired ID is not a valid ID!**

It is the employee's responsibility to determine if a patron is 21.



# DETECTING FALSE IDENTIFICATION

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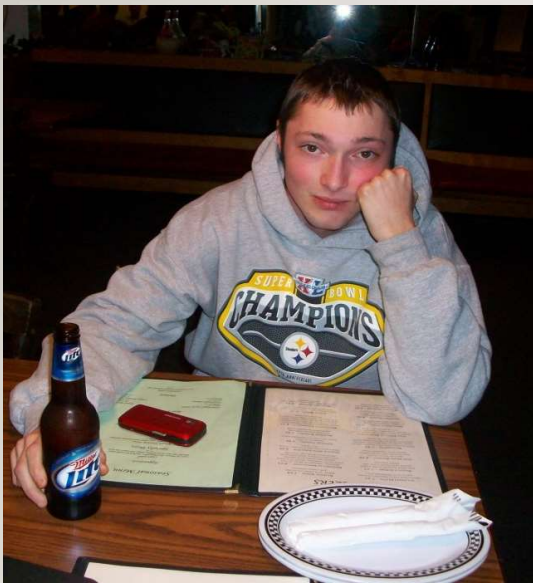
## *Low Grade Fake ID*

- ✓ No such thing as a *US ID Card*
- ✓ States: Non-Government Photo ID
- ✓ Signed in Pen
- ✓ Uses “Secure Hologram”
- ✓ Most fake IDs will crease when bent



# HOW OLD WOULD YOU GUESS?

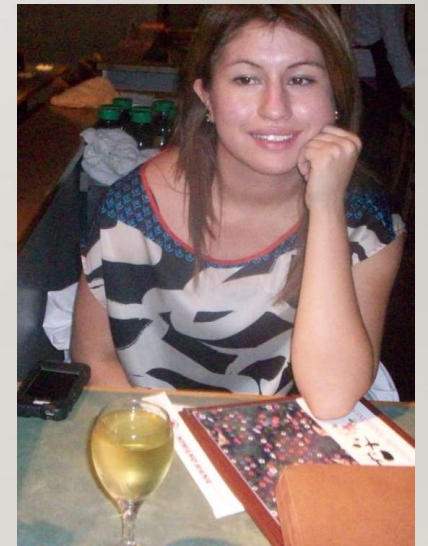
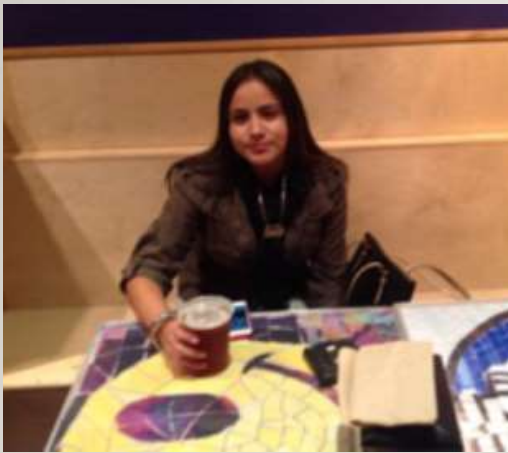
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# HOW OLD WOULD YOU GUESS?

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## G-R-E-E-T

- G- Get ID into your hands
- R- Read the Information on ID
- E- Examine the ID vs. Carrier
- E- Employ tools to validate ID
- T- Test Individual

# DETECTING FALSE IDENTIFICATION

- Magnification
  - reveals microprint
- Over 21 ID design is horizontal
- Maryland ID



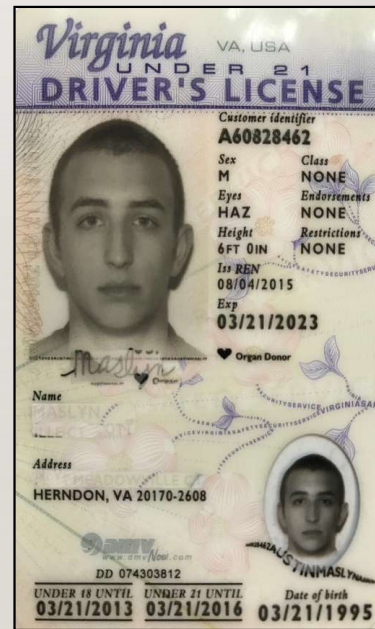
**Birthday**

**Microprint**

**Expiration**

# DETECTING FALSE IDENTIFICATION

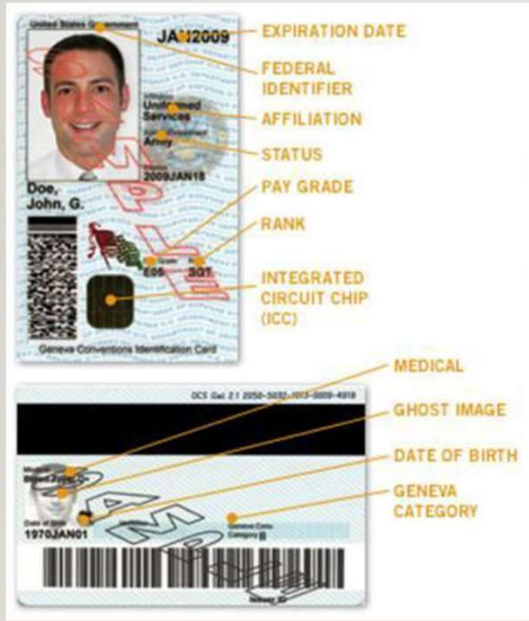
- Vertical IDs are issued to residents under 21 years old.





# DETECTING FALSE IDENTIFICATION

- Military ID



- US Passport or passport card







# THANK YOU!

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**Contact Information:** **Montgomery County Alcohol Beverage Services (ABS)**  
**Division of Licensure, Regulation & Education**  
**[ABS@montgomerycountymd.gov](mailto:ABS@montgomerycountymd.gov)**

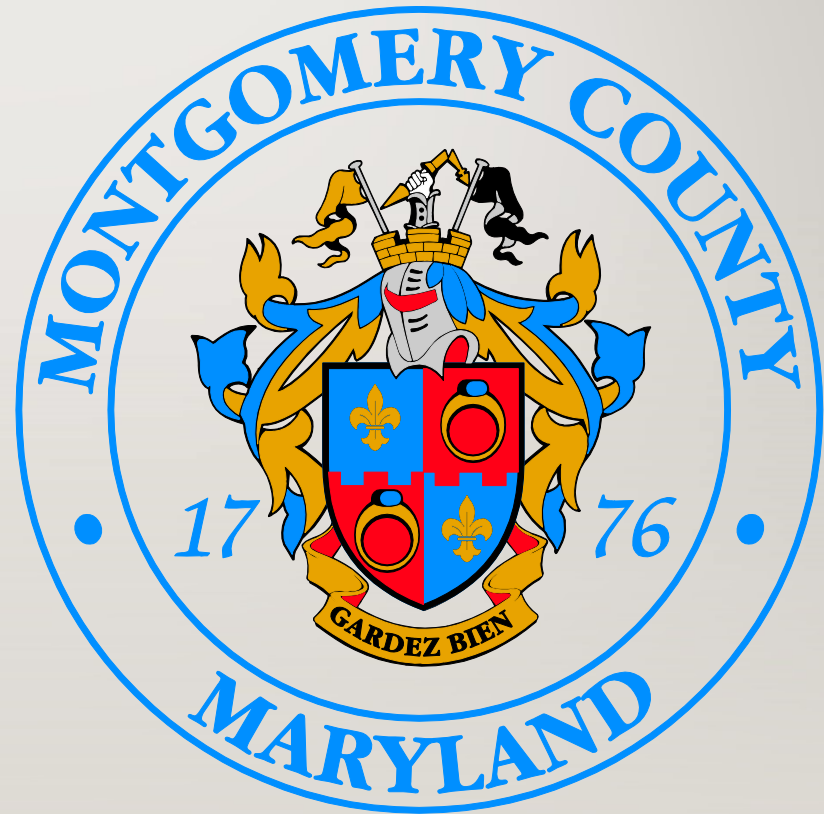
Licensing/Main Office:	240-777-1999
Licensing Manager, Jocelyn Rawat	240-777-1997
Compliance Manager, Ron Price	240-777-1985
Pre-Licensing, Melissa (Missi) Johns	240-777-1936
Community Outreach, Gabriela Monzon-Reynolds	240-777-1954

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**SECTION 6:**  
BOARD OF LICENSE  
COMMISSIONERS  
(LIQUOR BOARD)

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# BOARD OF LICENSE COMMISSIONERS

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- ABS-LRE staff supports the County Executive appointed Board of License Commissioners (Liquor Board).
- Approve new and transfer licenses and approve one day licenses
- Any changes (including floor plans, seating capacity and hours of operation) must be submitted to the licensing office. Notify the licensing office in writing to let them know of changes.
- Annual Renewals
- Show-cause Hearings/violations
- Fine up to \$20,000, may suspend or revoke licenses.
  - If a license is revoked, the licensee may never again hold an alcohol license in Maryland

# ANNUAL LICENSE RENEWAL

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

**SECTION 7:**  
HEARING &  
QUALIFICATION PROCESS

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# QUALIFYING QUESTIONS

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

# QUALIFYING QUESTIONS

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- You will be asked to present a **floor plan** prior to the hearing showing all areas of your facility, including enterances, individual seats, storage areas, bathrooms, kitchen, bar, outdoor cafes, exits and walls.
- You will be asked to submit a copy of your **menu if you serve food**.
- You will be asked to take an **ID test** through Zoom prior to your hearing date. During the test, you will analyze 10 ID's for validity.

# QUALIFYING QUESTIONS

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- **You must maintain employee records and all alcohol receipts.**
- **Where** will you keep your employee **records and alcohol invoices/receipts**?
  - *On premise, unlocked, available at all times for the inspector or police*
- **How long** will you keep **employee records** after they are no longer working for you?
  - *One year after they leave, current employees will have records on premise at all times.*
- **How long** will you keep your alcohol **invoices/receipts**?
  - *Two years or longer*
- Where will you **purchase** your **alcohol**?
  - *Montgomery County Alcohol Beverage Services or one of the Montgomery County Liquor Stores*

# QUALIFYING QUESTIONS

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

# QUALIFYING QUESTIONS

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- Be prepared to talk about any alcohol **experience** you may have had (serving food and/or alcohol, bartending, managing a facility, owning a business, etc.).
- Are you familiar with the Alcohol **Compliance Check Program**? Tell us about it.
  - *The compliance check program is when the County sends in a youth who is under 21 years of age to try to buy alcohol in your establishment, with their own vertical ID.*
  - *First time violation is typically a \$1,000 fine for the business and a criminal citation issued to the person who made the alcohol sale.*



# THE LIQUOR BOARD HEARING

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- Outdoor cafes require Board approval, 36”(3ft) high barrier, limited ingress/egress
- If you close for 10 consecutive days, you must notify the Board in writing to avoid a 10-day notice leading to the expiration of the license

Your license is a privilege not a right, take care of it!

# THE LIQUOR BOARD HEARING

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- You will receive a cover letter and copy of the resolution within 10 days.
- Following the hearing, call the Licensing Office 240-777-1999 to **schedule a final inspection** so you may then pick up your alcohol license.
- For the final inspection, you will need:
  - *Certificate of Use and Occupancy*
  - *Food Service Facility License*
  - *Alcohol Certificate*
  - *Maryland Sales and Use Tax License.*
  - **Traders License**

# THE LIQUOR BOARD HEARING

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- You have 30 days upon receipt of the Resolution to transfer your license and 2 years to pick up a new license.
- You have 30 days to turn in a transfer application from the purchase of a business.
- Questions?

# THANK YOU!

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**Contact Information:** **Montgomery County Alcohol Beverage Services (ABS)**  
**Division of Licensure, Regulation & Education**  
**[ABS@montgomerycountymd.gov](mailto:ABS@montgomerycountymd.gov)**

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