



What Every

Store Clerk

Needs to

Know About

Selling Alcohol

Information for Grocery Store and Liquor Store Clerks

*Promoting Responsible Alcohol
Sales and Service*

Reasons Why You Should Not Sell Alcohol To Minors Or Visibly Intoxicated Persons

- ▶ Selling alcohol is a serious responsibility. Alcohol is a legal drug that is available only to individuals 21 or older. Your employer, friends, family and community expect you to help control how this drug is sold.
- ▶ Alcohol is a leading cause of death among young people. If you sell alcohol to a minor, you could share in causing the undue deaths of others.
- ▶ If you sell alcohol to minors, you could be held responsible for liabilities, death or damages from alcohol-related accidents.
- ▶ You could be convicted of a Class A Misdemeanor for selling alcohol to a minor. Your first conviction is a mandatory fine of at least \$500; a second conviction is a mandatory fine of at least \$1,000; a third conviction is a mandatory fine of at least \$1,500 fine and not less than 30 days in jail.
- ▶ The most extreme punishment for selling alcohol to a minor or a visibly intoxicated person is a Class A Misdemeanor, which is a criminal offense punishable by fines up to \$6,250 and a year of jail.
- ▶ If you are cited for selling alcohol to a minor or visibly intoxicated person, you have to appear before a judge in court.
- ▶ You may end up with a criminal record that could affect your future.



- ▶ As of January 2010, a new law provides *possible* reduced criminal penalties for those who sell alcohol to minors. To be eligible for the reduced penalty, you must:
 - o Complete an OLCC-approved seller training program, or
 - o Have a valid Alcohol Service Permit

It is the employee's responsibility to keep a record regarding their completion of an OLCC-approved training program. It will be up to the employee to provide such records to the court to be considered for a possible reduced criminal penalty.

For information on finding OLCC-approved seller training programs or how to obtain an alcohol service permit contact your local OLCC office or go the OLCC website: www.oregon.gov/OLCC and click on Seller and Clerk Training Programs.

- ▶ If you sell alcohol to a minor or fail to check ID, you will be required to receive additional training before you may continue your current job.

You Must Check ID Of Anyone Who Appears Under 26

Current Oregon law states that **only these four types** of identification can be accepted **alone** as proof of age:

1. Valid state **DRIVER LICENSE** with a photo.
2. Valid **DMV ID** card with photo, name, date of birth and physical description from any state.
3. A valid **U.S. MILITARY ID**
4. A valid **PASSPORT**

18 Helpful Hints When Checking ID

1. Do not rely entirely on a customer's appearance or behavior when checking identification!
2. Some minor males may have beards and mustaches. Some may have bald or shaved heads. Some minor males are big, which may make them appear older.
3. Some minors act very confident and sure of themselves when attempting to purchase alcohol. Some minors will make direct eye contact with you while lying about their age.
4. Some minor females may wear makeup or clothing that makes them appear older.
5. However, keep in mind that some minors might appear nervous, may not make eye contact with you, may not have facial hair, or may have smooth, unlined faces.
6. Ask the customer to hand you the ID so you can closely examine it.
7. Look for signs that the ID has been tampered with. Some signs are: irregular laminations; anything other than a smooth surface; bumpy or raised surfaces by the picture; cuts anywhere on the ID; changes to birth dates, expiration dates or "minor until" dates.
8. Look at the printing type on the ID. Do all letters and numbers appear the same?
9. Compare the picture on the ID to the person before you. Do they look the same? Does the physical description on the ID match the person standing before you? (Remember that weight and hair may change, but height rarely will.)

10. Check the expiration date. If the ID has expired, it is unacceptable.
11. You may choose to check the ID of anyone who wants to purchase alcohol.
12. Look at the back of the ID. Oregon and most other states have printed information on the back.
13. Check for a signature. All Oregon driver licenses and ID cards have a place on them for the signature. Do not accept without a signature.
14. The new Oregon minor driver licenses and ID cards clearly state in red - "Minor" - until the month, day and year the person turns 21. If that date has not already come, do not sell alcohol to that person!
15. Without giving the person the ID, ask them some questions. Examples: What is your address? What is the zip code? Spell your middle name. What is your date of birth? Ask their age. Ask when they graduated from high school.
16. An important thing to remember is that minors come in all shapes and sizes. Think about it. Among a group of minors wanting alcohol, the one who looks the oldest is probably the one sent into the store to try to buy it. There are a lot of kids who will walk right into a store and not think twice about trying to illegally purchase alcohol -- they simply do not act nervous.
17. You cannot tell by a person's face, clothes or behavior alone how old the person may be. Kids are clever and smart, and will try many tactics to get you to sell them alcohol.
18. The law says if you're not sure the customer is 21, refuse to sell alcohol to that person! Help eliminate the guesswork: Don't sell unless you're sure.

Some Tips For Recognizing Visibly Intoxicated Persons

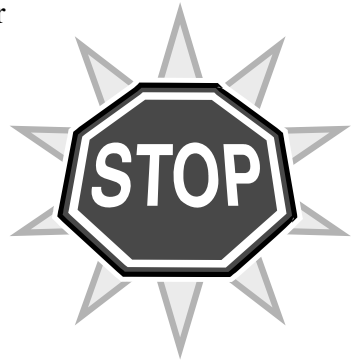
“Visible intoxication” is intoxication you can see. If you can tell by looking at someone that the person has been drinking or using other drugs, the person is visibly intoxicated. Remember: **IF YOU ARE NOT SURE, DON'T SELL!**



- ▶ Swaying, staggering or stumbling when walking
- ▶ Falling down
- ▶ Eyes that are bloodshot, glassy or look drowsy
- ▶ Difficulty handling money
- ▶ Slurred, rambling, loud or noisy speech
- ▶ Clumsy
- ▶ Difficulty standing

Refusing To Sell Alcohol

If you don't think a customer is 21, or if you see a customer showing signs of visible intoxication, you must not sell alcohol to that person. Your employer should have a policy about what is expected of you when you have to refuse a sale. Here are some tips on refusing to sell alcohol that may be helpful:



- ▶ Try being polite since people are generally more cooperative when treated respectfully.
- ▶ Act confidently, as this convinces people you know what you're doing.
- ▶ Be tactful; don't accuse a customer of being intoxicated. Simply say you cannot sell them alcohol at this time.
- ▶ Try being discreet and making an effort not to embarrass the customer in front of others.
- ▶ Be firm about your decision. Don't allow the customer to talk you out of your decision. If necessary, ask for assistance from a manager, another employee or appropriate authorities.

Note To Store Owners, Liquor Agents And Managers

Employees who will sell alcohol or tobacco must read and sign this brochure before they can legally sell alcohol or tobacco.

After the employee has signed this statement, keep it on file so it is available upon request by OLCC staff.

I read and understood the information in this brochure. I understand that as a store clerk, I am responsible for not selling alcohol to minors or visibly intoxicated persons. I must check the ID of anyone who looks under 26. I must verify a person is at least 21 if the person wants to purchase alcohol. It is illegal for me to sell alcohol to anyone under 21. It is illegal for me to sell alcohol to a visibly intoxicated person.

I also understand I'm responsible for not selling tobacco to minors. It is illegal for me to sell tobacco to anyone under 18.

Signature of clerk:

Date signed:

Printed or typed name of clerk:

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Retail Services

Phone (503) 872-5015
Fax (503) 872-5355

www.oregon.gov/OLCC





Alcohol Selling Quiz

Cut along dotted line

1. What are the four pieces of identification that are acceptable by themselves?

1. _____
2. _____
3. _____
4. _____

2. What are the four items you must check on ID to determine if the identification is acceptable?

1. _____
2. _____
3. _____
4. _____

3. List at least four signs of visible intoxication:

1. _____
2. _____
3. _____
4. _____

(Please turn over for the rest of the quiz)

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4. If you are in doubt whether the customer is 21 or older, but think he or she probably is, should you sell alcohol beverages to them anyway?

Yes

No

5. List five positive approaches that can be used to help you refuse to sell alcohol to a minor or a visibly intoxicated person:

1. _____

2. _____

3. _____

4. _____

5. _____

6. Selling alcohol to a minor or to a visibly intoxicated person is a Class A Misdemeanor.

True

False

7. If you are convicted of selling alcohol to a minor, what are the sanctions for:

1st offense: _____

2nd offense: _____

3rd offense: _____

8. You must check the ID of any alcohol customer who appears to be under _____ years of age.

Name: _____

Date: _____

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