

Policy Summary

Responsible Beverage Service

This policy summary is excerpted from:

The September 2016 Report to Congress on the Prevention and Reduction of Underage Drinking

Responsible Beverage Service

Policy Description

Responsible beverage service (RBS) training policies set requirements or incentives for retail alcohol outlet participation in programs that (a) develop and implement policies and procedures for preventing alcohol sale and service to minors and intoxicated persons, and (b) train licensees, managers, and servers/sellers to implement RBS policies and procedures effectively.

Server/seller training focuses on serving and selling procedures, recognizing signs of intoxication, methods for checking age identification, and techniques for intervening with intoxicated patrons. Manager training includes server/seller training, policy and procedures development, and staff supervision. RBS programs typically have distinct training curricula for on- and off-sale establishments because of the differing characteristics of these retail environments. All RBS programs focus on preventing sale and furnishing to minors.

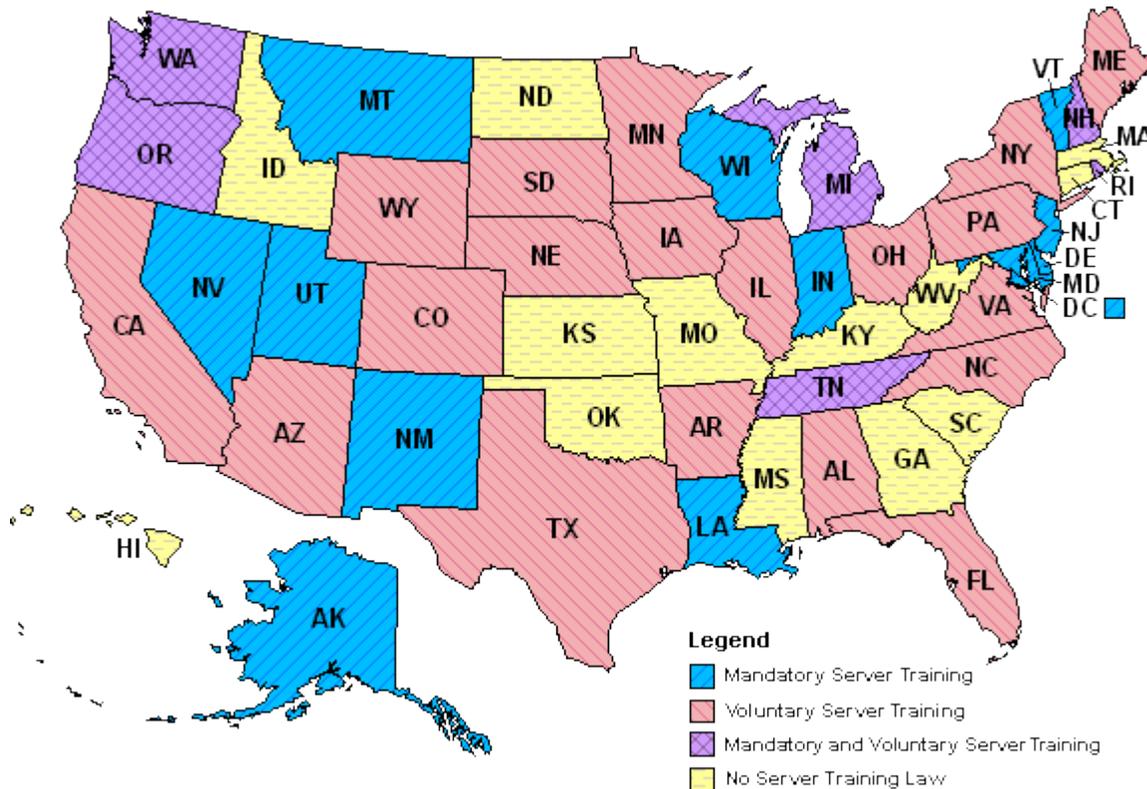
RBS training can be mandatory or voluntary. A program is considered mandatory if state provisions require at least one specified category of individual (e.g., servers/sellers, managers, or licensees) to attend training. States may have either mandatory programs, voluntary programs, or both. For example, a state may make training for new licenses mandatory while also offering voluntary programs for existing licensees. Alternatively, a state may have a basic mandatory program while also offering a more intensive voluntary program that provides additional benefits for licensees choosing to participate in both.

States with voluntary programs usually provide incentives for retailers to participate in RBS training but do not impose penalties for those who decline involvement. Incentives vary by state and include (a) a defense in dram shop liability lawsuits (cases filed by injured persons against retail establishments that provided alcohol to minors or intoxicated persons who later caused injuries to themselves or third parties); (b) discounts for dram shop liability insurance; (c) mitigation of fines or other administrative penalties for sales to minors or sales to intoxicated persons; and (d) protection against license revocation for sales to minors or intoxicated persons.

See the “Dram Shop Liability” section of this report for further discussion of this policy. The “Furnishing of Alcohol to Minors” section has additional information regarding prevention of alcohol sales to minors, and the “False Identification” section includes materials related to age identification policies.

Status of Responsible Beverage Service Training Policies

As of January 1, 2015, 37 states and the District of Columbia have some type of RBS training provision (see Exhibit 4.3.21). Out of these, 18 states and the District of Columbia have some form of mandatory provision, and 25 states provide for voluntary training. Of the 18 mandatory states, 15 states and the District of Columbia apply their RBS training provisions to both on- and off-sale establishments; 2 states (Michigan and Rhode Island) apply them to on-premises establishments only; and New Jersey limits its provisions to off-sale establishments. Thirteen of the mandatory states and the District of Columbia apply their provisions to both new and existing establishments, and four states (Michigan, New Hampshire, New Jersey, and Wisconsin) apply them to new establishments only.

Exhibit 4.3.21: Responsible Beverage Service as of January 1, 2015

Six states (Michigan, New Hampshire, Oregon, Rhode Island, Tennessee, and Washington) have both mandatory and voluntary provisions:

- Michigan: The mandatory provisions apply to new on-premises establishments; the voluntary provisions apply to existing on-premises establishments.
- New Hampshire: The mandatory provisions apply to new on- and off-premises establishments; the voluntary provisions provide incentives available to both types of establishments.
- Oregon: Both the voluntary and mandatory provisions apply to both types of establishments, with the voluntary provisions offering incentives for participation in both.
- Rhode Island: The mandatory provisions apply to existing on-premises establishments. The voluntary provisions offer dram shop liability defense incentives and do not specify which type of establishment may participate.
- Tennessee: The mandatory provisions apply to new and existing on- and off-premises establishments. The voluntary provision offers mitigation of fines or other administrative penalties for sales to minors or sales to intoxicated persons.
- Washington: The mandatory provisions are applicable to new and existing on- and off-premises establishments. The voluntary provisions are applicable to new, off-premises establishments.

Trends in RB Policies

Between 2003 and 2015, the number of states with mandatory policies increased from 15 to 19, and the number of states with voluntary policies rose from 17 to 25 (see Exhibit 4.3.22). The number of states with no RBS training policy decreased from 22 to 13.

References and Further Information

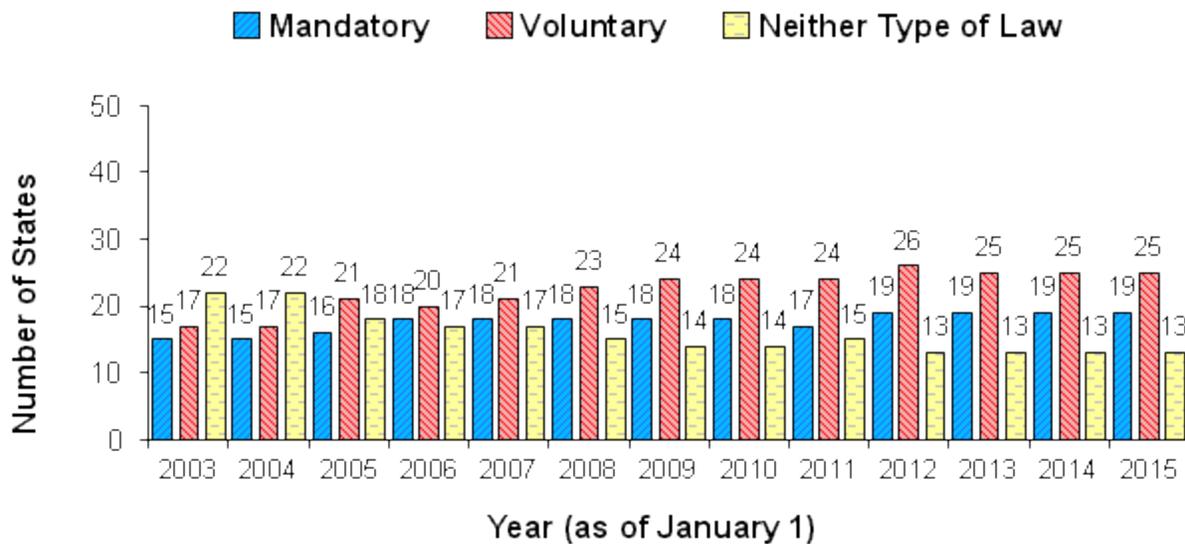
All data for this policy were obtained from the Alcohol Policy Information System (APIS) at <http://www.alcoholpolicy.niaaa.nih.gov>. Follow links to the policy titled “Beverage Service Training and Related Practices.” APIS provides further descriptions of this policy and its variables, details regarding state policies, and a review of the limitations associated with the reported data. To see definitions of the variables for this policy, visit stopalcoholabuse.gov and go to Report to Congress, Supplemental Information, “Definitions of Variables.”

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Exhibit 4.3.22: Number of States with Responsible Beverage Service, January 1, 2003, through January 1, 2015



Note: some jurisdictions have both types of laws

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