

RESPONSIBLE

ALCOHOL

SALES AND SERVICE



Special Permit

Let's Control It
ALCOHOL RESPONSIBILITY MATTERS

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WHAT IS A SPECIAL PERMIT?

A special permit allows qualified organizations to sell and serve beer and table wine at a special event. A special event is a short, infrequent, out-of-the-ordinary occurrence such as a picnic, fair, festival, reception, seasonal event, veteran/fraternal organization or sporting event for which there is an outcome, conclusion or result.

Special permits can be issued for up to three consecutive days, except each permit holder may have one special event per year that lasts up to seven days for a fair. Sports organizations or junior hockey league special permits are issued for the season.

A special permit entitles the holder to sell and serve beer and table wine at retail from a booth, stand, or fixed place of business within the exhibition enclosure confined to a specific premises or designated areas described in the application (including bleachers or grandstands). Guests may ONLY consume beer and/or table wine within the designated area where the special permit is issued. No packaged sales of alcohol may occur or be removed from the designated area.

An application can be found at:

<http://revenue.mt.gov/home/liquor/forms> in the Special Applications& Permits section or by calling (406) 444-4015. Or you may apply online at <http://revenue.mt.gov/apply-electronically>.

This booklet will provide information on how to obtain special permits, what organizations qualify for a special permit and skills on responsible sales and service of alcoholic beverages to help you stay in compliance with liquor laws and regulations as well as protect your organization's liability.

COST & APPROVED ORGANIZATIONS

In order to obtain a special permit, a non-profit organization needs to submit an application, signed by their local law enforcement agency, to the Department of Revenue along with the appropriate fee.

\$10 per day limit 3 events per year	501(c)(3) Organization
	Accredited Montana post secondary school
	Organization operated to raise funds for a needy person
	Veterans or fraternal organizations that hold a liquor license may get a special permit for an event off of their licensed premises
\$10 per day limit 12 events per year	501(c)(3) Intercollegiate athletic fundraising organization
	501(c)(4) Civic League or Organization
	501(c)(6) Chamber of Commerce or business league
	A licensed winery located in Montana who wants to sell/serve at a speical event off of their license premises
\$20 per day limit 12 events per year	Veteran/Fraternal Organization that does not hold a liquor license and wants to sell/serve distilled spirits at a special event
\$1,000 per seasonal event	Professional Sports Organization
	Junior Hockey Team

*Chambers of Commerce or business leagues need to provide proof of liquor liability insurance. Requests for special permits must be received by the department at least three days prior to the event.

ALCOHOL EDUCATION

The alcoholic beverage industry is governed by local, state and federal laws and regulations. By obtaining a special permit, permit holders assume the responsibility of complying with all of these laws and regulations. This booklet provides special permit holders with information needed to stay in compliance with these laws and develop successful alcohol policies that can be implemented to increase profits while decreasing problems. Responsible alcohol management can help make your event successful.

Steps in Successful Alcohol Management

1. Create an alcohol sales policy.
2. Train everyone involved with the event on your policies and procedures.
3. Provide a Responsible Alcohol Server Training.
4. Closely monitor your event to ensure all policies and procedures are being followed.
5. Meet after the event to discuss what worked well and what can be improved for next year.

Materials to help you with each of these steps are located at:
www.AlcoholServerTraining.mt.gov.

TRAINING CAN HELP IMPROVE

Public Health and Safety



Educating servers and sellers of alcohol about Montana's liquor laws helps them understand their legal responsibilities. That understanding can lead to a number of outcomes that improve the public health and safety, including:

- * A reduction in illegal sales to underage youth
- * A reduction in illegal sales to intoxicated individuals
- * The promotion of responsible consumption
- * A reduction in the number of drunk drivers
- * A reduction in alcohol abuse

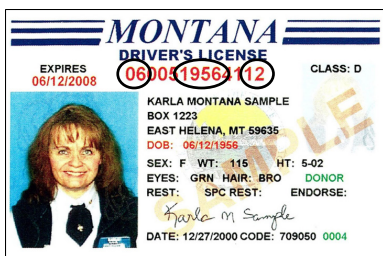
Training also provides information to employees that can help protect them from third-party liability lawsuits.

ACCEPTABLE FORMS OF IDENTIFICATION

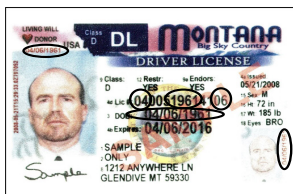
- Current state or Canadian driver license
- Current state or Canadian identification card
- Current armed service identification card
- Valid passport or passport card
- Montana tribal identification card
- Montana temporary driver license and identification card
- Montana probationary driver license

NEVER serve or sell to a customer who cannot provide a legal form of identification!

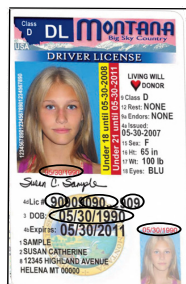
Montana Identifications



This style is valid until the expiration date.



2009 Issue



The only numbers to be concerned with are circled. Check to see that these numbers match those of the date of birth listed on the identification. Many times people with fake or altered identifications have only the date of birth altered, thinking that the server or seller will only be checking the date of birth.



2016 Issue

An expired identification is NOT valid proof of age for the purchase of alcohol.

SECURITY FEATURES OF THE 2009 LICENSE

Floating images: Two rows of grizzly bears with some that appear to sink into the card and others that appear larger and float on top of the card. The floating bear image is visible with the naked eye on the face of the identification. The bear is in the security laminate and can appear in different places depending on the identification.



Security laminate: The new laminate is made up of microscopic glass beads placed as an overlay on top of all the data printed on the card. This laminate has a particular feel to it - like a very, very fine sand paper.

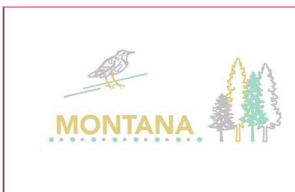


Watermark: The watermark of the Lewis and Clark Expedition appears when a white light is placed behind the identification.

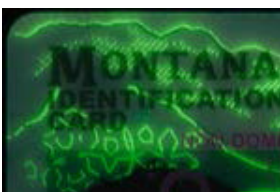


UV image: The pick and ax image appears when placed under a UV light.

SECURITY FEATURES OF THE 2016 LICENSE



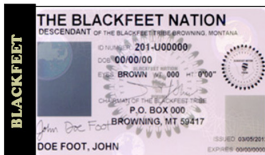
Security laminate: Tri-color pattern with ponderosa pine tree, meadowlark bird and custom graphic.



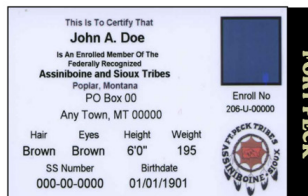
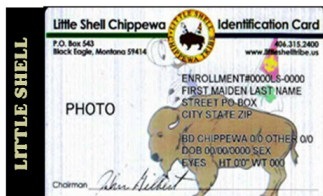
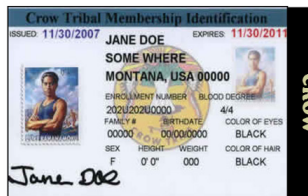
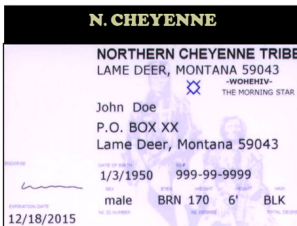
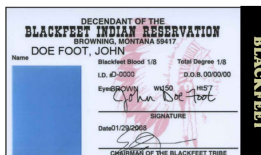
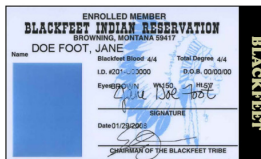
UV image: Mountains, moon and the bitterroot flower appears when placed under a UV light.

MONTANA TRIBAL IDENTIFICATIONS

New Cards



Previous Cards



VERIFYING IDENTIFICATION

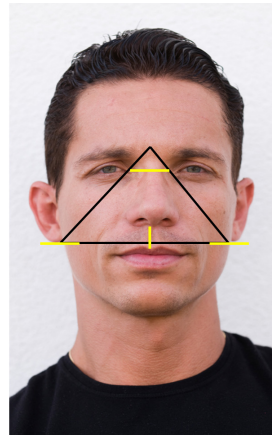
FLAG System

The FLAG system consists of Feel, Look, Ask, Give Back.

Feel: feel the edge of the photo to try to determine if the picture was pasted on. Flicking the edge of the ID can help reveal any loose or separating laminate which can indicate a fake or alterations.

Look: Look at the picture and then look at the person.

Using the ‘facial triangle’ can also assist you in determining if the person providing the ID is the same person in the ID. Look at where the bottom of the ears line up on the face, the space between the bottom of the nose and the top line of the top lip and the space between the eyes. These features do not change unless a person has had major surgery. By looking at a persons face this way, the focus is on the entire face, not just their hair and eyes. You should be able to see all facial features in the ghost photo. If the ghost photo is so light that the features cannot be seen, then this could indicate a fake identification.



Ask: Ask questions. Don't assume that the person will answer correctly. In a lot of cases the person will automatically answer with their true birthdate, not the one on the identification.

Give Back: If the identification passes the visual screening, give it back to the customer and continue with the sale or service.

Remember: You can always ask for a second form of identification. It is the job of the customer to provide identification. However, it is the server or seller's job to ASK for it.

Promote a *Safe* and *Responsible* Event!

PREVENTING SALES TO INTOXICATED PERSONS

It is illegal to serve or sell alcohol to anyone who is actually, apparently or obviously intoxicated. It is easier to slow down service during early stages of consumption than to stop service once a customer has become intoxicated.

Here are some strategies to prevent serving or selling to an intoxicated person:

- Know the alcohol proof of beverages served
- Offer an alternative nonalcoholic beverage
- Continually evaluate customers
- Don't stack drinks
- Remind the customer it is against the law to serve them to the point of intoxication

“An ounce of prevention is worth a pound of cure.”

–Benjamin Franklin

REMEMBER

The server or seller controls the sale or service of alcohol.

NOT *the customer!*

PREVENTING SALES TO UNDERAGE PERSONS

There are many signs that may indicate someone is not of legal drinking age. They may:

- Avoid eye contact
- Appear nervous
- Act overly confident
- Pool their money
- Lack physical maturity
- Come in groups

Identifying an underage person is only half the battle. It is also important to know the strategies that are also commonly used:

- Using a fake identification
- Using a real identification from a friend
- Flirting or making friends with the server or seller
- Bribing the server or seller
- Trying to look older

STANDARD DRINK UNITS

The graphic shows which drink sizes are equal to one standard drink unit, which means they all have the approximately 1/2 oz. of ethyl (pure) alcohol. The liver can only process approximately 1/3 oz. (to be exact, 0.6 oz.) of ethyl alcohol per hour. Therefore, it would take the liver approximately one hour to process one standard drink unit.

**12 fl oz of
regular beer**

=

**8–9 fl oz of
malt liquor**
(shown in a
12 oz glass)

=

**5 fl oz of
table wine**

=

**1.5 fl oz shot of
80-proof spirits**
("hard liquor"—
whiskey, gin, rum,
vodka, tequila, etc.)



about 5%
alcohol



about 7%
alcohol



about 12%
alcohol



about 40%
alcohol

The percent of "pure" alcohol, expressed here as alcohol by volume (alc/vol), varies by beverage.

SOBERING FACTS

There are many tricks of the trade to “sober up” a person. However, they are truly not effective.

- * Coffee increases the appearance of alertness, but does not improve the body’s ability to function. It only creates a wide-awake drunk.
- * Exercising and dancing causes sweating, but does little to sober a person up.
- * A cold shower temporarily increases alertness, but does not lessen the impairment alcohol causes.
- * Eating food while drinking slows the absorption rate of alcohol, but does not stop impairment from occurring.



The only thing that “sobers”
a person up is **TIME!**

CIVIL/DRAM SHOP LAW

This law allows for owners, managers and employees to be held financially liable if alcohol is sold or served to a customer who subsequently injures someone or causes property damage, typically by driving while intoxicated. This type of liability can apply to both owners and employees and volunteers.

CRIMINAL LIABILITY

This type of liability addresses the legal responsibility for one's acts or omissions. Failure of a person or entity to meet that responsibility leaves that person or entity open to a lawsuit for any resulting damages.

For sales to underage and intoxicated persons, this type of liability typically applies to the server or seller. The outcome of a criminal suit is not necessarily dependent on the outcome of the civil/dram shop suit for the same incident. Both cases could be tried and resolved independently.

The criminal penalties for a server or seller for sales to an underage person are:

First offense:

- Up to a \$500 fine and/or up to six months in jail

Second offense:

- Up to a \$1,000 fine and/or up to six months in jail

The penalties for a server or seller for sales to an intoxicated person are:

- Up to a \$500 fine and/or up to six months in jail

MONTANA LAW:

No alcohol sales to persons under 21:

It is illegal for any licensee, a licensee's employee, or any other person to sell, deliver, or give away or cause or permit to be sold, delivered, or given away alcohol to any person under 21 years of age.

16-3-301(4)(a) MCA

No sales to intoxicated persons:

It is illegal for any licensee, a licensee's employee, or any other person to sell, deliver, or give away or cause or permit to be sold, delivered, or given away alcohol to any person who is actually, apparently or obviously intoxicated. If the customer is intoxicated, it doesn't matter if they are driving or not. It is still illegal. Many bad things can happen even if the customer is not driving.

16-3-301(4)(b) MCA

Hours of operation:

Special permits may be issued for a 24 hour period. Operating hours are from 8am-2am at which time all alcoholic beverages must be removed from the individuals' possession.

16-4-301(2)(c) MCA & ARM 42.12.136(d)

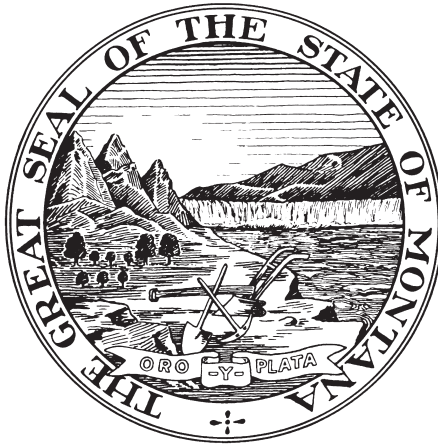
Privileges/Responsibilities:

National Minimum Drinking Age: A person must be 21 years of age to legally purchase and consume alcohol.

23 U.S. Code § 158

Server/Seller: A person must be 18 years of age to serve open container alcohol.

39-2-306 MCA



Department of Revenue

Liquor Control Division
2517 Airport Road
P.O. Box 1712
Helena, MT 59601

A Special Permit hard copy can be found at:
<http://revenue.mt.gov/home/liquor/forms> in the Speciality
Applications and Permits section.

To apply online for a Special Permit visit:
<http://revenue.mt.gov/apply-electronically>
Jessica Barnes (406) 444-4015 or Shelly Clinch (406) 444-4324

For information on Server Training:
AlcoholServerTraining.mt.gov
Lisa Scates, Alcohol Education Coordinator, (406) 444-4307
Kacey Collins, Alcohol Education Specialist, (406) 444-6457

Cost Disclosure Here