

Special Permit



What is a special permit?

How do I get one?

What can I do with a special permit?

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.

This booklet will provide information on how to apply for a special permit and what organizations qualify for a special permit. Also covered, are skills on responsible sales and service of alcoholic beverages to help you stay in compliance with alcoholic beverage laws and protect your organization's liability.

Where do I start?

You can file your application electronically at <https://tap.dor.mt.gov> with the Department of Revenue (DOR) Alcoholic Beverage Control Division (ABCD). Or find the form on the DOR website MTRevenue.gov. You must have local law enforcement sign the special permit form or for electronic submissions the special permit authorization form.

What are the associated costs?

\$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 an alcoholic beverages license may get a special permit for an event off 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 special event off their licensed premises

\$20 per day - limit 12 events per year

Veteran/Fraternal Organization that does not hold an alcoholic beverages license and wants to sell/serve beer, wine and distilled spirits at a special event
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\$1,000 per season

Professional Sports Organization

Junior Hockey Team

Requests for special permits must be received by the department at least three days prior to the event.

*Chambers of Commerce/business leagues need to provide proof of liquor liability insurance.

Alcoholic Beverage 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 on the DOR ABCD website at <https://svc.mt.gov/dor/liquorserver/public/materialpub.aspx>

Training and Public Health and Safety

Educating servers and sellers on Montana's alcoholic beverage 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

It is unlawful 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 any alcoholic beverage to any person who is actually, apparently or obviously intoxicated. [16-3-301\(4\)\(b\), MCA](#)

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



Began issue in 2009



Began issue in 2016

Check to see that all the circled numbers match those of the date of birth listed on the driver license or identification. Many times people have only altered the date of birth.

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

Security Features of the 2009 License

Security laminate: The laminate is made up of microscopic glass beads placed as an overlay on top of all the data printed on the card. This laminate feels like a very, very fine sandpaper.



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



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



Ultraviolet image: The pick and ax image appear when placed under an ultraviolet light.

Security Features of the 2016 License



Security laminate: Tricolor pattern with ponderosa pine tree, meadowlark bird and custom graphic.



Ultraviolet image: Mountains, moon and the bitterroot flower appear when placed under an ultraviolet light.

Montana Tribal Identifications

For more information, visit the Montana Tribal ID website: <http://tribalnations.mt.gov/tribalid>.

For a PDF poster of tribal IDs, click [here](#).

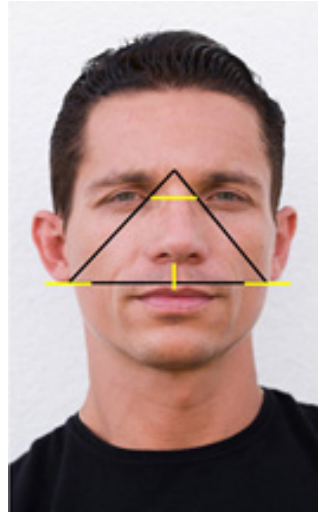
Verifying Identification

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

Feel: feel the edge of the photo to determine if the picture was pasted on. Flicking the edge of the driver license or identification can help reveal any loose or separating laminate.

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 driver license or identification is the same person.

Look at where the bottom of the ears line up on the face, the space between the eyes and the space between the bottom of the nose and the top line of the top lip. By looking at a person's 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 driver license or 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 driver license or identification.

Give Back: If the screening is passed, give it back to the customer and continue with the sale or service.

Remember: You can always ask for a second form of identification.

Promote a Safe and Responsible event!

Preventing Sales to Intoxicated Persons

It is illegal to serve or sell alcoholic beverages 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 alcoholic 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

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:

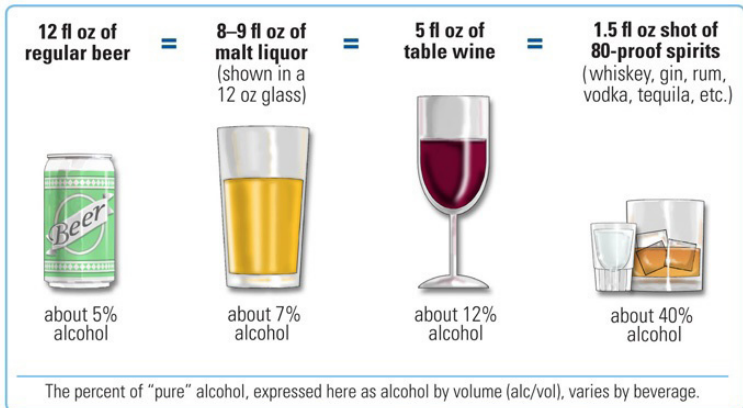
- Avoid eye contact
- Appear nervous
- Act overly confident
- Pool their money
- Lack physical maturity
- Come in groups

Commonly used strategies to obtain alcohol:

- Using a fake driver license or identification
- Using a real driver license or 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.



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 damage to property, typically by driving while intoxicated.

Criminal Liability

This type of liability addresses the legal responsibility for a person’s acts. 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 are tried and resolved independently.

The penalties for a server or seller who provides alcoholic beverages to an intoxicated person are:

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

The criminal penalties for a server or seller who provides alcoholic beverages 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

Montana Law:

No alcohol sales to persons under 21:

It is unlawful 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 any alcoholic beverage to any person under 21 years of age. [16-3-301\(4\)\(a\), MCA](#)

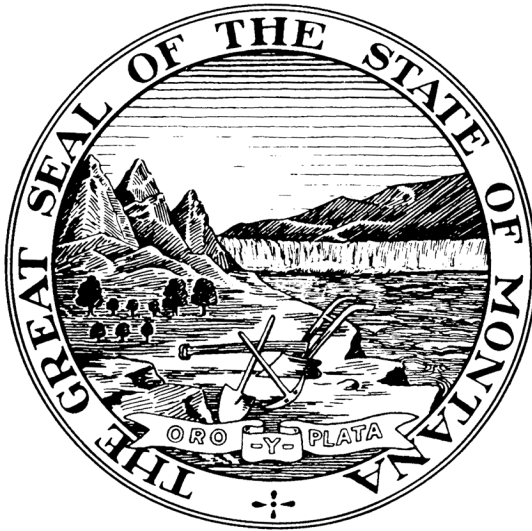
National Minimum Drinking Age: A person must be 21 years of age to legally purchase and consume alcohol. 23 U.S. Code § 158

Hours of operation:

Special permits may be issued for a 24-hour period. Hours of operation are from 8 a.m. to 2 a.m., at which time all alcoholic beverages must be removed from the individuals' possession. [16-4-301\(2\)\(c\), MCA](#) & [ARM 42.13.1104\(1\)\(e\)](#)

Privileges/Responsibilities:

Server/Seller: A person must be 18 years of age to serve open container alcohol. [39-2-306, MCA](#)



Department of Revenue

Alcoholic Beverage Control Division

2517 Airport Road
P.O. Box 1712
Helena, MT 59624

Phone: (406) 444-6900

Fax: (406) 444-0722

Montana Relay 711

Website: MTRevenue.gov

For information on Server Training:
AlcoholServerTraining.mt.gov
Alcoholic Beverage Education Specialist
(406) 444-4307

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Alcoholic Beverage Control Division

