

# LAW ORIENTATION FOR RETAILERS

## OFF-PREMISES SALES LICENSE

### SELF TEST

***Instructions:*** Using the ***LAW ORIENTATION FOR RETAILERS*** booklet, answer ***all 38 questions***. Fill out your information at the top of the test, and sign your name and date the test at the end.

Name of applicant/manager \_\_\_\_\_ Date \_\_\_\_\_

Business name \_\_\_\_\_

Business address \_\_\_\_\_ City, Zip \_\_\_\_\_

Your license year is the 12 month period from \_\_\_\_\_ to \_\_\_\_\_

### ALCOHOL AND PREGNANCY WARNING SIGN

1. I must post one warning sign about the danger of alcohol consumption for pregnant women at my business. There are two acceptable locations:
  - a. on the counter or at the point of sale
  - b. outside or inside
  - c. at the entrance or at the point of sale
  - d. at the point of sale or the alcohol cooler

### WHAT YOUR LICENSE ALLOWS

2. In Oregon, I may legally sell alcohol between the hours of:
  - a. 7am to 2:00am
  - b. 7am to 2:30am
  - c. 8am to 5:00pm
  - d. none of the above
3. During business hours, licensees must have someone available who can communicate effectively with customers and OLCC employees. "Communicate effectively" means:
  - a. knowing how to sell/serve alcohol lawfully
  - b. explaining laws to customers
  - c. communication with OLCC staff
  - d. understanding and speaking English
  - e. all of the above

4. I am applying for an Off-Premises Sales License. This license allows sale of only beer (malt beverages) wine, and cider. My employees who sell alcohol must be at least \_\_\_ years old.
- a. 16
  - b. 18
  - c. 21
  - d. 26
5. I may not permit the drinking of alcohol on my licensed premises, except:
- a. on special occasions
  - b. when the business is closed
  - c. for tastings
  - d. all of the above
6. OLCC requires clerks to read the brochure *What Every Store Clerk Needs to Know About Selling Alcohol*. I will verify my clerks have read and signed the brochure by:
- a. keeping the brochure on file as long as the clerk works for me
  - b. being with them when they read it
  - c. watching them sign it
  - d. both a and b

## RENEWING YOUR LICENSE

7. What happens if I don't renew my license by the time it expires?
- a. your license will be canceled
  - b. you must stop selling and serving alcohol
  - c. you will receive a fine
  - d. all of the above
8. Who from the licensed premises must sign the renewal application before I send it and my check to OLCC?
- a. all individuals listed as licensees on the renewal form or any member of my licensed entity (corporation, limited liability company)
  - b. all of my employees
  - c. my spouse
  - d. the server education designee
  - e. all of the above

## CHECKING ID

9. A person must be \_\_\_\_\_ years old to purchase alcohol.
- a. 18
  - b. 21
  - c. 26
  - d. 16
10. I must check the ID of anyone who looks to be under \_\_\_\_\_ years old.
- a. 30
  - b. 24
  - c. 26
  - d. none of the above
11. OLCC and police agencies may use people (minor decoys) under 21 years old to attempt to purchase alcohol from your business. It is very important to check identification of young appearing customers who want to buy alcohol. Oregon law says there are only 4 kinds of acceptable ID to prove someone's age. They are:
- a. valid driver license
  - b. valid birth certificate
  - c. valid consular card
  - d. valid VISA
  - e. valid U.S. military ID
  - f. valid passport
  - g. valid state-issued DMV ID
12. How do I tell if the ID is valid? Circle five:
- a. check expiration date
  - b. have person sign name
  - c. compare person to information on ID
  - d. examine ID in good light
  - e. ask the person questions
  - f. have them show you their check book
  - g. look & feel for signs of altered ID
13. If a driver's license has expired, is it a valid piece of ID that I may accept?
- a. yes
  - b. no
14. What should I do if I believe the ID is false?
- a. try to keep the ID for OLCC or DMV
  - b. sell them alcohol
  - c. refuse to sell them alcohol
  - d. both a and c

## THE LAW, YOU, AND VISIBLY INTOXICATED PERSONS

15. “Visibly intoxicated” means a person is showing signs of using alcohol or other drugs. Circle five signs of visible intoxication:
- a. slurred speech
  - b. bloodshot eyes
  - c. happy
  - d. loud speech
  - e. tired
  - f. fumbles with money
  - g. sense of humor
  - h. swaying, staggering
  - i. messy clothing

## MONITORING CUSTOMERS INSIDE AND OUTSIDE YOUR BUSINESS

16. It is a violation to sell alcohol to a customer showing signs of visible intoxication. What other types of problems do I need to be aware of and avoid while operating my Off-Premises business? Circle six:
- a. patrons drinking on the street
  - b. motorcycles
  - c. alcohol or litter in neighbors’ yard
  - d. drug dealing or drug use outside
  - e. parking
  - f. noise/disturbances from patrons outside
  - g. alcohol containers or litter on street
  - h. nearby pets
  - i. adults purchasing alcohol for minors

## PROHIBITED CONDUCT

17. Who is responsible for any disturbance or criminal activity my employees allow?
- a. my employees
  - b. me (the licensee)
  - c. a only
  - d. both a and b
18. If I have an Off-Premises Sales License, is it legal for customers to drink alcohol on my property, outside of the store?
- a. yes
  - b. no
19. Is it legal to allow a patron to leave my business with an open container of alcohol?
- a. yes
  - b. no

20. Is it legal for my employees to drink alcohol while on break or lunch?
- a. yes
  - b. no
21. May I sell alcohol through a drive-up window?
- a. yes
  - b. no
22. Is it legal for me to give alcohol as a prize?
- a. yes
  - b. no
23. Do I have to let OLCC employees or police officers in to inspect my business?
- a. yes
  - b. no
24. Am I responsible for my employees' activities when I'm not at the business?
- a. yes
  - b. no

### **OWNERSHIP OF YOUR BUSINESS**

25. What must I do before allowing anyone to purchase all or part of my business, purchase stock in my corporation or become a member of my limited liability company?
- a. notify OLCC of any change in owners, stockholders or members
  - b. get approval from OLCC
  - c. notify the Secretary of State Corporation Division
  - d. all of the above

26. If I own the business in my own name and want to form a corporation, what must I do?
- a. notify OLCC
  - b. file a change of ownership application with OLCC
  - c. notify the Secretary of State Corporation Division
  - d. get approval from OLCC
  - e. all of the above

### **CHANGES IN OPERATION**

27. If I change the trade name of my business, am I required to notify OLCC?
- a. yes
  - b. no

### **CLOSING YOUR BUSINESS**

28. I must notify the OLCC in writing when my premises will be closed for more than \_\_\_\_\_.
- a. 24 hours
  - b. 10 days
  - c. 14 days
  - d. 6 months

### **ADVERTISING**

29. Is it legal for me to advertise alcohol by posting flyers or leaflets on public property?
- a. yes
  - b. no

### **FINANCIAL ASSISTANCE**

30. Can a Wholesaler or Manufacturer (W/M) give me gifts that are valued at more than \$30 for the calendar year?
- a. yes
  - b. no

31. It is a violation to pay a W/M with a NSF (Non Sufficient Funds, bounced, or bad) check?
- a. yes
  - b. no
32. Do I need OLCC approval before returning (not exchanging) alcohol products to a W/M?
- a. yes
  - b. no
33. If I hold a tasting, when can the Manufacturer be involved?
- a. When I (the retailer) provide the alcohol
  - b. When the Manufacturer provides an employee to assist in the tasting
  - c. When I pay for any advertising of the tasting
  - d. If the Manufacturer has not had more than 8 tastings at my premises in a year
  - e. All of the above

## HEARINGS

34. If OLCC refuses my license request, or if I get a ticket for violating a liquor law, do I have a chance to contest the refusal or ticket in a hearing?
- a. yes
  - b. no

## VIOLATION & PENALTY SCHEDULE

35. If I or my employees violate liquor laws, I understand that I may get a penalty. The maximum civil penalty OLCC charges per violation is \_\_\_\_\_. In an extreme case, the license may be cancelled.
- a. \$3500
  - b. \$1500
  - c. \$4950
  - d. \$ 500

### RESPONSIBLE VENDOR PROGRAM

36. Qualifying licensees may participate in the Responsible Vendor Program and be eligible for reduced penalties.
- a. true
  - b. false

### THE BOTTLE BILL

37. The types of containers included in Oregon's Bottle bill are – circle three:
- a. wine bottles
  - b. beer/malt beverages
  - c. fruit/vegetable juices
  - d. water/flavored water
  - e. carbonated beverages
38. You must accept cans and bottles with a little water, original liquid or dust in them.
- a. true
  - b. false

I certify that I have personally reviewed the OLCC Law Orientation materials and that I have personally answered all 38 questions.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date