

LAW ORIENTATION FOR RETAILERS

ON-PREMISES SALES LICENSE (Full On-Premises Sales & Limited On-Premises Sales)

SELF TEST

Instructions: Using the ***LAW ORIENTATION FOR RETAILERS*** booklet, answer ***all 65 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 3:00am
 - 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 and employees
 - c. communicating with OLCC staff
 - d. understanding and speaking English
 - e. all of the above

4. I am applying for a _____ Sales License. This license allows me to sell the following types of alcoholic beverages:
- a. beer (malt beverages)
 - b. wine and cider
 - c. hard liquor (distilled spirits)
 - d. all of the above
 - e. a and b only
5. With an On-Premises license I may permit a customer to remove a partially-consumed bottle of wine from my establishment under the following circumstances:
- a. the person is over 21
 - b. the wine is served with other drinks
 - c. the wine is served with the patron's meal
 - d. the wine is resealed
 - e. a, c and d

FOOD SERVICE AND DINING SEATING REQUIREMENTS

6. If I have a Full On-Premises sales license and my business is open later than 5:00pm, how long must my dinner meal period last?
- a. 30 minutes
 - b. 3 hours
 - c. until closing
 - d. 2 hours
7. What is considered a "meal" during a meal period?
- a. any available snack
 - b. combination of a substantial food item with a side or side dishes available
 - c. a side dish
 - d. appetizer
8. Circle at least three examples of different substantial food items:
- | | | |
|------------|---------------|---------------|
| a. bread | d. pizza | g. appetizers |
| b. soup | e. sandwiches | h. sausages |
| c. popcorn | f. chips | i. dessert |

9. If I have a Full On-Premises sales license, I must offer at least ____ different substantial food items at all times, outside of my dinner meal period.
- a. 5
 - b. 8
 - c. 2
 - d. 4

LIQUOR LIABILITY INSURANCE

10. While I hold a license I must carry at least _____ of liquor liability insurance at all times.
- a. \$1 million
 - b. \$500,000
 - c. \$300,000
 - d. \$250,000
11. What proof do I give the OLCC of my liquor liability insurance?
- a. a letter from my insurance company
 - b. a copy of the insurance certificate
 - c. the phone number of my insurance agent
 - d. none of the above

RENEWING YOUR LICENSE

12. 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
13. Who from the licensed premises must sign the renewal application before I send the form and my fee to the 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

14. A person must be _____ years old to purchase alcohol.
- a. 18
 - b. 21
 - c. 26
 - d. 16
15. 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
16. 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
17. 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
18. If a driver's license has expired, is it a valid piece of ID that I may accept?
- a. yes
 - b. no
19. 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

MINOR EMPLOYEES, PERMITTEES & ENTERTAINERS

20. Circle four situations when a minor employee/service permittee may be in a prohibited area:
- a. to order and pick up drinks
 - b. they are minor entertainers
 - c. to deliver food orders
 - d. to visit a patron
 - e. to perform limited duties
 - f. to watch adult entertainment

THE LAW, YOU, AND VISIBLY INTOXICATED PERSONS

21. “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
22. If a customer shows signs of visible intoxication after being served alcohol, what must I do?
- a. tell the customer to leave
 - b. give the customer coffee
 - c. make a “good faith effort”
 - d. call a cab
23. What is a “good faith effort”?
- a. calling the police
 - b. warning the customer not to drink too much
 - c. placing your hand on the drink and trying to remove it
 - d. making a verbal request for the drink if you think touching it would cause a disturbance.
 - e. both c and d

MONITORING CUSTOMERS INSIDE AND OUTSIDE YOUR BUSINESS

24. 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 a business with a restaurant, tavern or lounge? 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

25. 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
26. May I allow a patron to leave my premises with an open container of alcohol?
- a. yes
 - b. no
27. Is it legal for my employees to drink alcohol while on break or lunch?
- a. yes
 - b. no
28. Is it legal for me to give alcohol as a prize?
- a. yes
 - b. no
29. Do I have to let OLCC employees or police officers in to inspect my business?
- a. yes
 - b. no
30. Am I responsible for my employees' activities when I'm not at the business?
- a. yes
 - b. no

KEEPING AN INCIDENT LOG

31. For my protection, OLCC encourages me to keep a daily "incident log." Circle four types of incidents that should be recorded in the log:
- a. when an incident is reported to OLCC or police
 - b. when a customer complains about the food
 - c. any time I or my employee think it is necessary
 - d. any time an employee intervenes to prevent or stop patron conduct
 - e. when a neighbor complains
 - f. any time the premises is busy
 - g. someone asks to post a flyer

DPSST CERTIFICATION REQUIREMENTS

32. If I hire a private security professional to perform security functions either full or part-time at my licensed premises, are they required to be DPSST certified?
- a. yes
 - b. no

WHO NEEDS TO TAKE SERVER EDUCATION & HAVE A SERVICE PERMIT

33. If my individual name appears on my liquor license as a licensee, do I need a service permit to serve alcohol at my business?
- a. yes
 - b. no
34. If my business is licensed as a legal entity (corporation, limited liability company) and I participate in or supervise employees who mix, sell or serve alcohol, do I need a service permit?
- a. yes
 - b. no
35. My employees must pass a server education class within ___ days of signing a service permit application.
- a. 30
 - b. 15
 - c. 45
 - d. 90
36. Licensees and service permittees must take the server education course every _____.
- a. 18 months
 - b. 2 years
 - c. 3 years
 - d. 5 years

37. How can I show OLCC that my employees have valid service permits?
- leave it to my employees
 - keep copies of service permits on the premises
 - leave it to the OLCC
 - keep copies of old applications on file
38. As a licensee, I am responsible for any liquor law violations of my employees.
- true
 - false
39. If I hire someone who does not have a valid service permit, when must my new employee fill out and submit a service permit application?
- before he/she manages anyone who mixes, sells or serves alcohol
 - the next time I see him/her
 - before he/she mixes, sells or serves alcohol
 - the first of the month
 - both a and c
40. I must verify the employee's age and identity.
- true
 - false
41. I, the licensee, am responsible for sending the service permit application and fee to the OLCC.
- true
 - false
42. I must submit the service permit application and fee by:
- the employee's birthday
 - the day the employee begins working
 - the end of the next business day after the employee begins working
 - the first of the month

43. A service permit is valid for _____ years.
- a. 18 months
 - b. 3 years
 - c. 4 years
 - d. 5 years
44. Are my employees required to have a service permit or application copy available for inspection when they are working?
- a. yes
 - b. no

ALCOHOL SERVICE BY EMPLOYEES 18-20 YEARS OLD

45. Employees ages 18 to 20 years old must have valid service permits if they take orders or serve alcohol. Circle three types of activities an 18-20 year old employee may **NOT** do:
- a. serve alcohol with food
 - b. take drink orders from customers
 - c. take food orders in areas prohibited to minors
 - d. pick up drink orders from bar
 - e. serve drinks in bar/lounge
 - f. mix drinks

OWNERSHIP OF YOUR BUSINESS

46. 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 LLC?
- a. notify OLCC of change in owners, stockholders or members
 - b. get approval from OLCC
 - c. notify the Secretary of State Corporation Division
 - d. all of the above
47. 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
 - c. file with the Secretary of State Corporation Division
 - d. get approval from OLCC
 - e. all of the above

48. If a person or firm contracts to provide the food service portion of my business are they considered an owner?
- a. yes
 - b. no

CHANGES IN OPERATION

49. Before I change the primary use of a room, do I have to get prior approval from OLCC?
- a. yes
 - b. no
50. If I want to begin serving alcohol on my premises' deck or patio, or if I want to add a beer garden, what must I do?
- a. call the city
 - b. check with the neighbors
 - c. get prior approval from OLCC
 - d. none of the above

CLOSING YOUR BUSINESS

51. I must notify the OLCC in writing when my premises will be closed for more than _____.
- a. 10 days
 - b. 6 months
 - c. 24 hours
 - d. 14 days
52. If I close my entire business for a private party, I must:
- a. keep at least one door unlocked
 - b. notify the neighbors
 - c. give OLCC 48 hour notice prior to the event
 - d. both a and c

ADVERTISING

53. Is it legal for me to advertise alcohol by posting flyers or leaflets on public property?
- a. yes
 - b. no
54. Manufacturers instantly redeemable and mail-in coupons are allowed for which of the following?
- a. generic beef products
 - b. items I, (the retailer) have prepared
 - c. food, non-alcohol and non-food items
 - d. generic soda
55. May I advertise Happy Hour prices outside of my business?
- a. yes
 - b. no
56. How may I let my patrons know about my “happy hour?”
- a. advertise in the newspaper
 - b. advertise in magazines
 - c. advertise outside my premises
 - d. advertise inside my premises
 - e. all of the above

FINANCIAL ASSISTANCE

57. 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
58. Is it a violation to pay a W/M with an NSF (Non Sufficient Funds, bounced or bad) check?
- a. yes
 - b. no

59. Do I need OLCC approval before returning (not exchanging) alcohol products to a W/M?
- a. yes
 - b. no
60. 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

61. 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

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

RESPONSIBLE VENDOR PROGRAM

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

THIRD PARTY LIABILITY

64. If I or my employee sells alcohol to a minor or visibly intoxicated person, can I be held responsible for injuries and damages caused by that person?
- a. yes
 - b. no
65. “Third Party Liability” is a _____ and will be decided in a court of law.
- a. matter for the licensee
 - b. misdemeanor crime
 - c. felony crime
 - d. civil matter

I certify that I have personally reviewed the OLCC Law Orientation materials and that I have personally answered all 65 questions.

Signature

Date