

# House Bill 3470

Sponsored by Representative WEIDNER

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows brewery-public house licensee or winery licensee to operate mobile premises for purpose of dispensing securely covered containers of alcoholic beverages from parked premises.

## A BILL FOR AN ACT

1  
2 Relating to mobile premises for the dispensing of alcoholic beverages; creating new provisions; and  
3 amending ORS 471.159.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 471.**

6 **SECTION 2. (1) As used in this section, "mobile premises" means a motor vehicle or**  
7 **trailer, both as defined in the Oregon Vehicle Code:**

8 (a) **That is not licensed under ORS chapter 624; and**

9 (b) **In which all alcoholic beverages, containers, dispensing equipment and dispensing**  
10 **activities are located in enclosed areas of the motor vehicle or trailer.**

11 (2) **In addition to any privileges described in ORS 471.200 or 471.223, the holder of a**  
12 **brewery-public house license or winery license may operate a mobile premises for the pur-**  
13 **pose of selling malt beverages, wine or cider in securely covered containers supplied by the**  
14 **licensee or the customer having capacities of not more than two gallons each. A mobile**  
15 **premises may be used for selling alcoholic beverages only when parked on private property**  
16 **with the permission of a person in lawful possession of the property or at a special event li-**  
17 **icensed by the Oregon Liquor Control Commission.**

18 (3) **The brewery-public house licensee or winery licensee must have the mobile premises**  
19 **inspected and approved by the commission prior to using the mobile premises for the pur-**  
20 **poses described in subsection (2) of this section. A mobile premises is subject to periodic in-**  
21 **spection at the same time as the licensed brewery-public house or winery premises and at**  
22 **other times as the commission deems appropriate. The commission may adopt rules estab-**  
23 **lishing reasonable fees for the inspection or reinspection of a mobile premises.**

24 (4) **Unless exempted by the commission, a mobile premises is subject to the commission**  
25 **rules applicable to the brewery-public house or winery premises of the licensee. The com-**  
26 **mission may adopt additional or different rules governing the operation of a mobile premises,**  
27 **including but not limited to rules specifying the number of mobile premises that a licensee**  
28 **may operate, mobile premises design standards, hours of operation, minimum container sizes**  
29 **and sales location requirements.**

30 (5) **The commission may withdraw the approval of a mobile premises for violation of any**  
31 **rule adopted under this chapter. A mobile premises is a part of the licensed premises of the**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **brewery-public house or winery licensee and is subject to any license cancellation, suspension**  
2 **or other sanctions that the commission imposes against the premises.**

3 **SECTION 3.** ORS 471.159 is amended to read:

4 471.159. (1) The Oregon Liquor Control Commission may not license a location that does not  
5 have defined boundaries.

6 (2) A licensed premises need not be enclosed by a wall, fence or other structure, but the com-  
7 mission may require that any licensed premises be enclosed as a condition of issuing or renewing  
8 a license.

9 (3) Except as provided in ORS 471.182 **and section 2 of this 2013 Act**, the commission may not  
10 license premises that are mobile.

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