

Alcohol Delivery Compliance and Enforcement

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Who We Are...

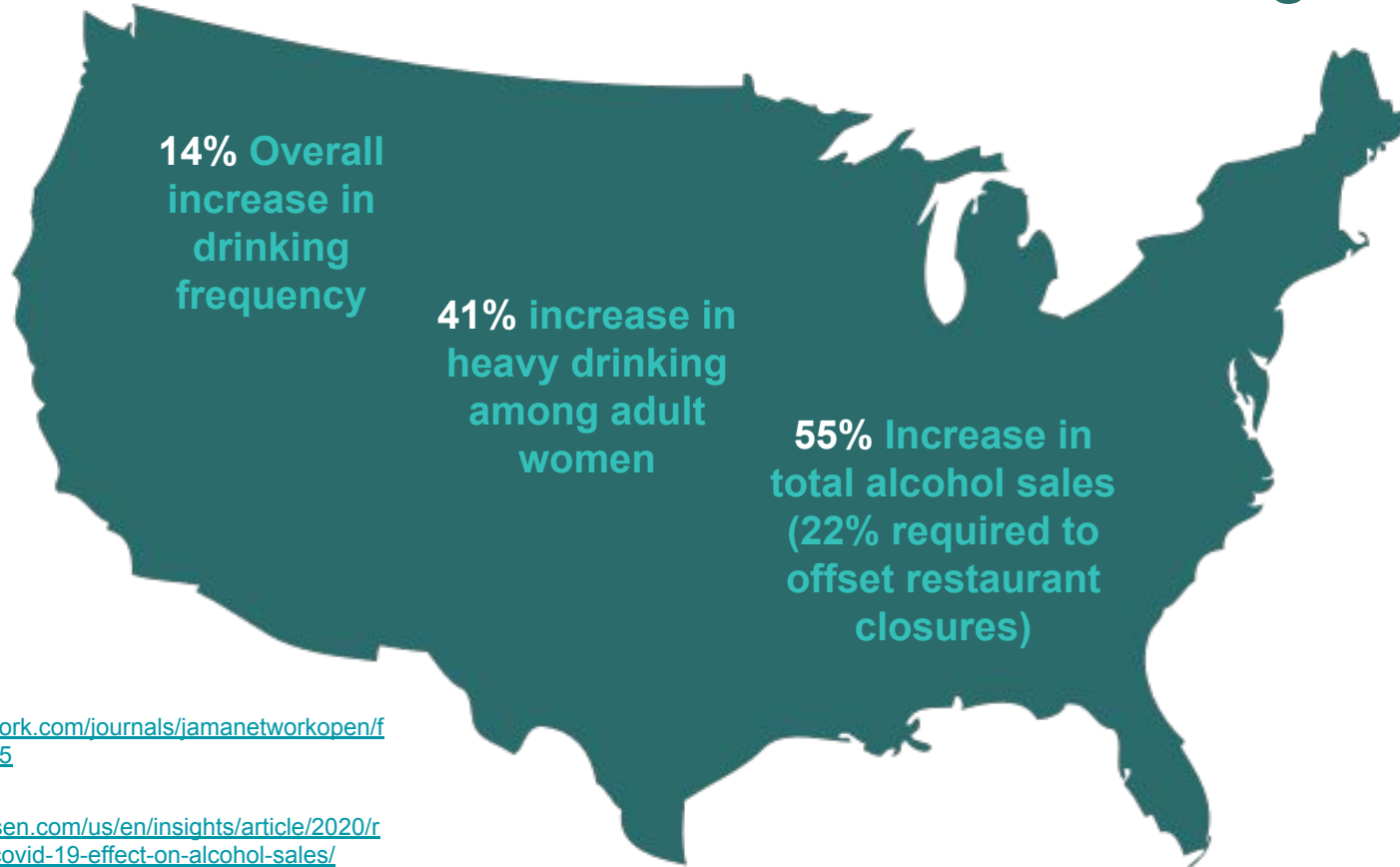


Public Health Concerns

- Oregon has the 5th highest Alcohol Use Disorder Rate in the U.S.
- Increased access is proven to increase alcohol consumption, underage drinking and alcohol use disorder
- Alcohol-related death is the 3rd leading cause of preventable death in Oregon
- Binge drinking costs state and local governments \$3.5 billion annually
- COVID is exasperating the crisis



The Pandemic's Effect on Drinking



<https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2770975>

<https://www.nielsen.com/us/en/insights/article/2020/rebalancing-the-covid-19-effect-on-alcohol-sales/>

Compliance: Problem with Home Delivery

Vendors completed
45% of online orders to
underage buyers



Only 28% of orders
were rejected due to
age verification



10% of 12th grade
students report
obtaining alcohol
through home delivery



Williams RS, Ribisl KM. Internet Alcohol Sales to Minors. *Arch Pediatr Adolesc Med.* 2012;166(9):808–813. doi:10.1001/archpediatrics.2012.265

Fletcher, L. A., Toomey, T. L., Wagenaar, A. C., Short, B., & Willenbring, M. L. (2000). Alcohol home delivery services: A source of alcohol for underage drinkers. *Journal of Studies on Alcohol, 61*, 81–84.

Compliance: Problem with Home Delivery

Serving Intoxicated People

ORS 471.410.1: A person may not sell, give or otherwise make available any alcoholic liquor to any person who is visibly intoxicated.

Serving Underage People

ORS 471.410.2: No one other than the person's parent or guardian may sell, give or otherwise make available any alcoholic liquor to a person under the age of 21 years.

Compliance: Problem with Home Delivery

- How do we enforce these laws when the product is being delivered to the customer's door?
- Who is held responsible when underage customers or intoxicated customers are served?



National Liquor Law Enforcement Association (NLLEA)

BEST PRACTICES AND RECOMMENDATIONS

- **Check identifications (IDs) for all alcohol sales and deliveries**

Check out this resource from Vermont on how to check IDs for individuals wearing masks or hats.⁴⁰

- **Conduct effective compliance checks**

These should happen quarterly, be random, and penalties should be swift, certain, and severe. Check out this resource from North Carolina on how to conduct effective compliance checks during COVID-19.⁴¹

- **Develop evidence-based policies for delivery drivers**

This should include that: a) The customer ordering, paying, and receiving the alcohol is the same person, is over the age of 21, and shows no sign of impairment; b) Drivers should check that the person taking the delivery is at least 21 years of age and showing no signs of impairment; c) Drivers must ensure alcohol is received and not left unattended on the premises; d) All delivery drivers should be required to have a permit; e) Alcohol outlets should incentivize delivery drivers to not make underage sales by paying them if they bring the alcohol back to the outlet rather than sell it to an underage or impaired individual.

National Liquor Law Enforcement Association (NLLEA)

BEST PRACTICES AND RECOMMENDATIONS

- **Conduct training for servers, bartenders, & delivery drivers**

Servers, bartenders, and delivery drivers should be trained on both state and local alcohol policies and taught how to properly check IDs.

- **Package and label alcoholic products properly**

Check out these resources from Iowa ^{42,43,44} and Illinois ⁴⁵ on how to properly seal products (e.g., a sticker on top of the can is not enough) and properly label products (e.g., clearly state it is alcohol, the ingredients). Customers should also receive information on how to comply with open container laws (e.g., a reminder to put the alcohol in the trunk).

- **Establish and enforce liability and penalties for illegal sales**

It needs to be clear who is liable for illegal sales (e.g., the delivery drivers, the servers, the owners) and penalties for conducting or delivering those sales need to be swift, certain, and severe.⁴⁶

National Liquor Law Enforcement Association (NLLEA)

BEST PRACTICES AND RECOMMENDATIONS

- **Increase funding for Alcohol Law Enforcement (ALE)**

Many ALEs are already at capacity ²⁸ and now have had to add on checking that COVID-19 requirements (e.g., social distancing, masks) are met. More funding is needed. Policy does not happen in a vacuum and laws are only as good as their implementation (including funding) and enforcement.

- **Use science and data to inform policies and practices**

ALEs need to improve data collection processes at both the state and local levels (e.g., place of last drink, inspections of license premises, administrative/criminal code violations at and around license premises) and these data need to be studied. It is important to know the potential harms of these laws and how it will both benefit and harm alcohol licensees and public health.

Oregon Recovers' Recommendations

1. Funding for Increased number of Compliance Agents and Compliance Checks
2. Enact strict fines for third party non-compliance
3. **Liability and risk of losing liquor license must remain with retailers**



Sam Nishi, Age 24
Oregon Recovers Staff