



## **Program Roll-Out Guidelines:**

### **INDIANA**

The ServSafe Alcohol program is approved in Indiana if the ServSafe Alcohol instructor is also a Certified Indiana Trainer.

Alcohol server training is mandatory in Indiana for owners or their manager representatives and all holders of employee permits. Owners are required to ensure that employees are trained. Employees have 120 days from beginning employment to receive training. Recertification is required every three years.

Currently the Indiana Restaurant Association is approved to provide Indiana Certified Training programs for ServSafe Alcohol.

In house trainers and third party trainers are allowed. In house trainers may only train their own employees. Third party trainers may train all servers.

For information on class availability, locations and times, contact the Indiana Restaurant Association at (800) 678-1957.

The ServSafe Alcohol online course is not approved in Indiana

#### **STATE LAWS:**

Rules relating to alcoholic beverages can be found in the Indiana Administrative Code at <http://www.in.gov/legislative/iac/title905.html> and the Indiana Code at <http://www.in.gov/legislative/ic/code/title7.1/>.

**STATE OF INDIANA EXCISE POLICE  
RESTRICTED EMPLOYEE PERMIT LAWS**

***The Indiana State Excise Police would like you to know...***

1. A person who thought to be less than 26 years of age should be asked to produce reliable proof of age. Suggested items of identification are picture ID's including but not limited to a valid driver's license, state issued ID card, U.S. Government identification (IC 9-24-16-1). Anyone purchasing alcoholic beverages for carry out must show proof of identification. It is a defense if the individual appears to be over the age of 50. If the age of the person is still in doubt, request additional identification. It is the permittee's and/or server's responsibility to make sure a person is over the age of 21.
2. The legal hours for the dispensing of alcoholic beverages are 7:00 a.m., prevailing local time, to 3:00 a.m., prevailing local time, the following day (I.C. 7.1-3-1-14). Retailer permittees may allow the consumption of alcoholic beverages for a period of thirty (30) minutes after the legal dispensing hours only if the alcoholic beverages to be consumed were purchased and received by the consumer before the applicable times (see above hours) to stop the dispensing of alcoholic beverages. After this (30) minute period, all containers that have previously had alcoholic beverages in them must be cleared from the tables, counters, bars (excluding the back bar), etc. (IAC 1-10-1)
3. It is unlawful to dispense alcoholic beverages on Christmas day. Alcoholic beverages cannot be sold from 3:00 a.m., prevailing local time until 7:00 a.m., prevailing local time of the following day.
4. Alcoholic beverage vs. Non-alcoholic beverage: Some confusion currently exists concerning beverages e.g., Cutter's, O'Doul's, Sharp's etc. These types of beverages are not regulated as an alcoholic beverage in Indiana, as they are not classified as alcoholic beverages by Indiana law. The term alcoholic beverage means a liquid or solid that: (a) is, or contains one-half percent (0.5%) or more alcohol by volume; (b) is fit for human consumption; and (c) is reasonably likely, or intended, to be used as a beverage (I.C. 7.1-1-3-5).
5. It is a criminal offense to sell or furnish alcoholic beverages to an intoxicated person. In addition, the provider may experience severe and/or costly civil liabilities if death or injury, even to a third party, occurs as a result of the act (I.C.7.1-5-10-15).
6. Permit premises where alcoholic beverages are consumed by the "Drink" are required to have food service available, at all time, for at least 25 persons. Minimum food service required consists of hot soups, hot sandwiches, coffee, milk and soft drinks (905 IAC 1-20-1).
7. An applicant for an employee permit (Bartender/waitress/clerk, etc) may "work on" the receipt o a cashier's check or money order, which was made payable to the Indiana Alcohol and Tobacco Commission ( ATC). An applicant may "work on" this receipt for a period of thirty (30) das from the date of issuance of the cashier's check or money order. The actual application and cashier's check or money order must be sent to the Indiana ATC before the receipt may be "worked on" (I.C. 7.1-3-18-9 (C)).
8. Those persons 18 years old may be employed at a premise. Premises provided they do not handle, serve or sell alcoholic beverages (I.C.7.1-5-7-13). However, employees

employed in a drug store or grocery store must be 18 years old in order to ring up the sale of alcoholic beverages in the course of their employment ( I.C. 7.1-5-13)

9. It is unlawful for a permittee in a sale or contract to dispense alcoholic beverages to discriminate between purchasers by granting a price discount, allowance or service charge (cover not included in this) which is not available to all. For example "Drinks half-price to females, "or "Prices reduced between 5:00 p.m. and 7:00 p.m." (I.C.7.1-5-5-7) and I.C.7.1-5-10-20)
10. Minors ( Those under 21 years or age) possessing alcoholic beverages: It is illegal for a minor to knowingly: 1) possess an alcoholic beverage: 2) consume an alcoholic beverage; or 3) transport it on a public highway when not accompanied by at least one of his/her parents or guardians (I.C.7.1-5-7-7). It is unlawful for a person to sell barter, exchange, provide or furnish an alcoholic beverage to a minor. (I.C.7.1-5-7-8)

If a minor is found to have violated these provisions while operating a motor vehicle, the court may order the driver's license of the minor suspended for up to one year. However, if the minor is less than 18 years of age, the court shall order the driver's license of the minor suspended for at least sixty (60) days.

Note: The above information is provided only to serve as a guide to the many laws of the State of Indiana. The responsible and legal use of alcoholic beverages is always encouraged. When in doubt, about any law, check it out beforehand so problems may be avoided.

(Source: <http://www.in.gov/atc/iseep/restrictedlaws.htm>)