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## ***Maine***

<b>STATE LIQUOR AUTHORITY</b>	State of Maine Liquor & Lottery Commission Bureau of Alcoholic Beverages & Lottery Operations 8 State House Station Augusta, Maine 04333-0008 Phone: 207-287-3721 Fax: 207-287- 3723 Website: www.maineliquor.com
<b>AGE TO CONSUME</b>	21 Non-alcohol beer and wine cannot be sold or served to a minor.
<b>AGE TO SERVE</b>	17 with a supervisor on duty who is at least 21
<b>AGE TO POUR</b>	17 with a supervisor on duty who is at least 21
<b>AGE TO SELL (PACKAGED LIQUOR)</b>	17 with a supervisor on duty who is at least 21
<b>MINORS ALLOWED ON PREMISE?</b>	Minors are prohibited from being in establishments with the following licenses: Tavern, Hotel Lounge and Class A Lounge, unless with a parent, legal guardian or if working in the scope of their employment.
<b>CAN PARENTS SERVE?</b>	It is illegal for an individual under 21 years of age to consume or possess alcoholic beverages, except as follows: (1) for medical purposes pursuant to a prescription of a physician duly authorized to practice medicine in this State; (2) at a religious ceremony; (3) when the parent or guardian of the person under 21 years of age gives the alcoholic beverage to the person and when possession is in the home of the parent or legal guardian and such parent or legal guardian is present.
<b>HOURS OF SERVICE</b>	<b>On-Premise Establishments</b> Monday-Saturday: 6:00 a.m. to 1:00 a.m. Sunday: 9:00 a.m. until 1:00 a.m. Note: Consumption and possession allowed for 15 min. past the legal hour of sale. <b>Off Premise/Retail Stores</b> Monday-Saturday: 6:00 a.m. to 1:00 a.m. Sunday: 9:00 a.m. to 1:00 a.m.
<b>ACCEPTED ID'S</b>	NOTE: A licensee or licensee's employee or agent may not sell, furnish, give or deliver liquor or imitation liquor to a person <b>under 27 years of age</b> unless the licensee or licensee's employee or agent verifies the person is not a minor by means of reliable photographic identification containing that person's date of birth. <ul style="list-style-type: none"> <li>▪ Valid driver's license</li> <li>▪ Valid state ID</li> </ul>
<b>LEGAL LEVEL OF INTOXICATION WHILE DRIVING</b>	.08 BAC
<b>DRAM SHOP LIABILITY</b>	Maine's dram shop law is extensive and complex. Regarding a server's liability, the state holds licensees and servers responsible for both negligent acts and reckless acts while serving. Serving a minor or visibly intoxicated guest when a reasonable person would have known that the guest was underage or intoxicated is considered negligent. Knowingly serving a minor or intoxicated guest, encouraging excessive drinking, or where service is so excessive that it could lead to alcohol poisoning, are all considered reckless. Servers are NOT liable for guests consuming alcohol or drugs off the premise, unless the guest shows visible signs of intoxication. Damage awards are limited to \$250,000, plus medical expenses. An intoxicated guest who is injured may not sue the server if the guest was 18 yrs old or older when served.

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<b>ID CONFISCATION</b>	Licensees may retain false IDs without liability. It must be for a reasonable period of time and the licensee must make a good faith effort to determine legal age. The holder of the ID must be informed of why the ID is being held.
<b>HAPPY HOUR &amp; OTHER SERVICE RESTRICTIONS</b>	Licensees cannot give patrons free drinks, serve more than two drinks to one person at one time, or encourage or promote any organized game which awards alcohol as a prize or promotes excessive drinking. The law allows a licensee to offer a food and drink combination for a special price. Maine distinguishes between "happy hour", "drink special" and/or "promotions".
<b>PENALTIES FOR SERVING OR SELLING TO A MINOR</b>	Class D crime. 1st offense: punishable by up to \$2,000 fine. 2nd offense within 6 years: \$500-\$2,000 fine. 3rd and subsequent offenses within 6 years: \$1,000-\$2,000 fine. If violation causes serious injury or death, Class C crime punishable by up to \$5,000 fine.
<b>WARNING SIGNS REQUIRED ON EFFECTS OF ALCOHOL ON FETUS?</b>	Not required by state. Check local ordinances.

**ADDENDUM: MAINE'S DRAM SHOP LAW**

Chapter 100: MAINE LIQUOR LIABILITY ACT (HEADING: PL 1987, c. 45, Pt. A, @4 (new)) §2501. Short title

This Act shall be known and may be cited as the "Maine Liquor Liability Act." [1987, c. 45, Pt. A, § 4 (new).] PL 1987, Ch. 45, §A4 (NEW).

## §2502. Purposes

1. Primary legislative purpose. The primary legislative purpose of this Act is to prevent intoxication-related injuries, deaths and other damages among the State's population. [1987, c. 45, Pt. A, § 4 (new).]
2. Secondary purposes. The secondary legislative purposes are to:
  - A Establish a legal basis for obtaining compensation for those suffering damages as a result of intoxication-related incidents in accordance with this Act; [1987, c. 45, Pt. A, § 4 (new).]
  - B Allocate the liability for payment of damages fairly among those responsible for the damages, which will encourage liquor liability insurance availability; and [1987, c. 45, Pt. A, § 4 (new).]
  - C Encourage all servers of alcohol to exercise responsible serving practices. [1987, c. 45, Pt. A, § 4 (new).] [1987, c. 45, Pt. A, § 4 (new).] PL 1987, Ch. 45, §A4 (NEW).

## §2503. Definitions

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings. [1987, c. 45, Pt. A, §4 (new).]

1. Intoxicated individual. "Intoxicated individual" means an individual who is in a state of intoxication as defined by this Act. [1987, c. 45, Pt. A, § 4 (new).]
2. Intoxication. "Intoxication" means a substantial impairment of an individual's mental or physical faculties as a result of drug or liquor use. [1987, c. 45, Pt. A, § 4 (new).]
3. Licensee. Notwithstanding section 2, subsection 14, "licensee" means any person to whom a license of any kind is issued by the commission and any person who is required to be licensed to serve liquor. [1987, c. 45, Pt. A, § 4 (new).]
4. Nonlicensee. "Nonlicensee" means any person who is neither a licensee nor an employee or agent of a licensee and is not required to be licensed under this Title. [1987, c. 45, Pt. A, § 4 (new).]
5. Server. "Server" means a person who sells, gives or otherwise provides liquor to an individual. [1987, c. 45, Pt. A, § Title 28-A, Chapter 100, MAINE LIQUOR LIABILITY ACT (HEADING: PL 1987, c. 45, Pt. A, @4 (new). Text current through the 122nd Legislature, Second Special Session (July 30, 2005), document created 2005-10-01, page 1. 4 (new).]
6. Service of liquor. "Service of liquor" means any sale, gift or other furnishing of liquor. [1987, c. 45, Pt. A, § 4 (new).]
7. Visibly intoxicated. "Visibly intoxicated" means a state of intoxication accompanied by a perceptible act, a series of acts or the appearance of an individual which clearly demonstrates a state of intoxication. [1987, c. 45, Pt. A, § 4 (new).] PL 1987, Ch. 45, §A4 (NEW).

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**§2504. Plaintiffs**

1. Persons who may bring suit. Except as provided in subsection 2, any person who suffers damage, as provided in section 2508, may bring an action under this Act, against a server for negligently or recklessly serving liquor to an individual. [1987, c. 45, Pt. A, § 4 (new).]
2. Persons who may not bring suit. The following may not bring an action under this Act against a server for negligently serving liquor to an individual:
  - A The intoxicated individual if he is at least 18 years of age when served by the server; [1987, c. 45, Pt. A, § 4 (new).]
  - B The estate of the intoxicated individual if the intoxicated individual was at least 18 years of age when served by the server; and [1987, c. 45, Pt. A, § 4 (new).]
  - C Any person asserting claims arising out of the personal injury or death of the intoxicated individual if the intoxicated individual was at least 18 years of age when served by the server. [1987, c. 45, Pt. A, § 4 (new).] [1987, c. 45, Pt. A, § 4 (new).] PL 1987, Ch. 45, §A4 (NEW).

**§2505. Defendants**

1. Licensee as a defendant. Any server who is a licensee or employee or agent of a licensee who commits an act giving rise to liability, as provided in sections 2506 and 2507, may be made a defendant to a claim under this Act. [1987, c. 45, Pt. A, § 4 (new).]
2. Nonlicensee as a defendant. Any server who is a nonlicensee who commits an act giving rise to liability, as provided in section 2506, subsection 1, and section 2507, may be made a defendant to a claim under this Act. [1987, c. 45, Pt. A, § 4 (new).] PL 1987, Ch. 45, §A4 (NEW).

**§2506. Negligent service of liquor; liability**

1. Negligent service to a minor. A server who negligently serves liquor to a minor is liable for damages proximately caused by that minor's consumption of the liquor. [1987, c. 45, Pt. A, § 4 (new).]
2. Negligent service to a visibly intoxicated individual. A server who negligently serves liquor to a visibly intoxicated individual is liable for damages proximately caused by that individual's consumption of the liquor. [1987, c. 45, Pt. A, § 4 (new).]
3. Negligent conduct. Service of liquor to a minor or to an intoxicated individual is negligent if the server knows or if a reasonable and prudent person in similar circumstances would know that the individual being served is a minor or is visibly intoxicated. [1987, c. 45, Pt. A, § 4 (new).]
4. Server's knowledge of individual's consumption. A server is not chargeable with knowledge of an individual's consumption of liquor or other drugs off the server's premises, unless the individual's appearance and behavior, or other facts known to the server, would put a reasonable and prudent person on notice of such consumption. [1987, c. 45, Pt. A, § 4 (new).]

**§2507. Reckless service of liquor; liability**

1. Reckless service to a minor. A server who recklessly provides liquor to a minor is liable for damages proximately caused by that minor's consumption of the liquor. [1987, c. 45, Pt. A, § 4 (new).]
2. Reckless service to a visibly intoxicated individual. A server who recklessly serves liquor to a visibly intoxicated individual is liable for damages proximately caused by that individual's consumption of the liquor. [1987, c. 45, Pt. A, § 4 (new).]
3. Reckless conduct. Service of liquor is reckless if a server intentionally serves liquor to an individual when the server knows that the individual being served is a minor or is visibly intoxicated and the server consciously disregards an obvious and substantial risk that serving liquor to that individual will cause physical harm to the drinker or to others. [1997, c. 373, §164 (amd).] For purposes of this Act, the disregard of the risk, when viewed in light of the nature and purpose of the server's conduct and the circumstances known to the server, must involve a gross deviation from the standard of conduct that a reasonable and prudent person would observe in the same situation. [1997, c. 373, §164 (amd).]
4. Evidence of reckless conduct. Specific serving practices that are admissible as evidence of reckless conduct include, but are not limited to, the following: [1987, c. 45, Pt. A, § 4 (new).]
  - A Active encouragement of intoxicated individuals to consume substantial amounts of liquor; [1987, c. 45, Pt. A, § 4 (new).]
  - B Service of liquor to an individual who is under 18 years of age when the server has actual or constructive knowledge of the individual's age; and [1987, c. 45, Pt. A, § 4 (new).]
  - C Service of liquor to an individual that is so continuous and excessive that it creates a substantial risk of death by alcohol poisoning. [1987, c. 45, Pt. A, § 4 (new).] PL 1987, Ch. 45, §A4 (NEW). PL 1997, Ch. 373, §164 (AMD).

**§2508. Damages**

1. Damages. Damages may be awarded for property damage, bodily injury or death proximately caused by the consumption of the liquor served by the server. [1987, c. 45, Pt. A, § 4 (new).]

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2. Damages under wrongful death and survival laws. Except as otherwise provided in this Act, damages may be recovered under Title 18-A, sections 2-804 and 3-817, as in other tort actions, subject to the damage limit of section 2509. [1987, c. 45, Pt. A, § 4 (new).] PL 1987, Ch. 45, §A4 (NEW).

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**§2509. Limit on awards**

1. Limitation on damages for losses other than expenses for medical care and treatment. In actions for damages permitted by this Act, the claim for and award of damages for all losses, except expenses for medical care and treatment, including devices or aids, against both a server and the server's employees and agents, may not exceed \$250,000 for any and all claims arising out of a single accident or occurrence. [1987, c. 45, Pt. A, § 4 (new).]
2. Multiple claimants. When the amount for all losses, except expenses for medical care and treatment, including devices and aids, awarded to or settled for multiple claimants, exceeds the limit imposed by this section, any party may apply to the Superior Court for the county where the server is located to allocate each claimant his equitable share of the total, limited as required by this section.
  - A Any award by the court in excess of the maximum liability limit specified by subsection 1 shall be automatically abated by operation of this section to the maximum limit of liability.

**§2510. Common law defenses**

Defenses applicable to tort actions based on negligence and recklessness in this State may be asserted in defending actions brought under this Act. [1987, c. 45, Pt. A, § 4 (new).]

PL 1987, Ch. 45, §A4 (NEW).

**§2511. Exclusive remedy**

This Act is the exclusive remedy against servers who may be made defendants under section 2505, for claims by those suffering damages based on the servers' service of liquor. [1987, c. 45, Pt. A, § 4 (new).]

PL 1987, Ch. 45, §A4 (NEW).

**§2512. Named and retained; several liability**

1. Named and retained. No action against a server may be maintained unless the minor, the intoxicated individual or the estate of the minor or intoxicated individual is named as a defendant in the action and is retained in the action until the litigation is concluded by trial or settlement. [1987, c. 45, Pt. A, § 4 (new).]
2. Several but not joint liability. The intoxicated individual and any server, as described in section 2505, are each severally liable and not jointly liable for that percentage of the plaintiff's damages which corresponds to each defendant's percentage of fault as determined by the court or a jury. [1987, c. 45, Pt. A, § 4 (new).]

PL 1987, Ch. 45, §A4 (NEW).

**§2513. Notice required**

Every plaintiff seeking damages under this Act must give written notice to all defendants within 180 days of the date of the server's conduct creating liability under this Act. The notice must specify the time, place and circumstances of the server's conduct creating liability under this Act and the time, place and circumstances of any resulting damages. No error or omission in the notice voids the effect of the notice, if otherwise valid, unless the error or omission is substantially material. Failure to give written notice within the time specified is grounds for dismissal of a claim, unless the plaintiff provides written notice within the limits of section 2514 and shows good cause why notice could not have reasonably been filed within the 180-day limit. [1987, c. 45, Pt. A, § 4 (new).]

PL 1987, Ch. 45, §A4 (NEW).

**§2514. Statute of limitations**

Any action under this Act against a server alleging negligent or reckless conduct must be brought within 2 years after the cause of action accrues. [1987, c. 45, Pt. A, § 4 (new).]

PL 1987, Ch. 45, §A4 (NEW).

**§2515. Evidence of responsible serving practices**

1. Responsible practices. Proof of the server's responsible serving practices is admissible as evidence that the server was not negligent or reckless. Responsible serving practices include, but are not limited to: [1999, c. 519, §1 (amd).]
  - A The server's and server's employees attendance at an approved server education training course; and [1999, c. 519, §1 (amd).]
  - B The server's implementation, at the time of service, of responsible management policies, procedures and actions. [1987, c. 45, Pt. A, §4 (new).]
2. Neither proof nor disproof of negligence or recklessness. Proof or disproof that the server was adhering to responsible serving practices is not by itself proof or disproof of negligence or recklessness. [1987, c. 45, Pt. A, §4 (new).]

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PL 1987, Ch. 45, §A4 (NEW).

PL 1999, Ch. 519, §1 (AMD).

**§2516. Privileges**

1. Refusal to serve. No licensee is liable for damages resulting from a good faith refusal to serve liquor to any individual who:
  - A Fails to show proper identification of age; [1987, c. 45, Pt. A, § 4 (new).]
  - B Reasonably appears to be a minor; or [1987, c. 45, Pt. A, §4 (new).]
  - C C. Is refused service in a good faith effort to prevent him from becoming visibly intoxicated. [1987, c. 45, Pt. A, § 4 (new).] [1987, c. 45, Pt. A, § 4 (new).]
2. Holding identification documents. No licensee is liable for retaining identification documents presented to the licensee as proof of the individual's age for the purpose of receiving liquor provided that:
  - A Retention is for a reasonable length of time in a good faith effort to determine whether the individual is of legal age; and [1987, c. 45, Pt. A, § 4 (new).]
  - B The licensee informs the individual why he is retaining the identification documents. [1987, c. 45, Pt. A, § 4 (new).] [1987, c. 45, Pt. A, § 4 (new).]
3. Other defenses not limited. This section does not limit a licensee's right to assert any other defense provided by law. [1987, c. 45, Pt. A, § 4 (new).]
4. Failure to exercise privileges. A licensee may not be held liable under this Act for failing to exercise any privilege provided in this section. This section does not provide immunity from liability under sections 2506 and 2507. [1987, c. 45, Pt. A, § 4 (new).]

PL 1987, Ch. 45, §A4 (NEW).

**§2517. Insurance records**

1. Superintendent shall keep records. The Superintendent of Insurance shall collect and maintain records on the following statistics concerning liquor liability insurance in this State:
  - A The number and names of companies writing liquor liability insurance, either as a separate line or in a large policy; [1987, c. 45, Pt. A, § 4 (new).]
  - B The number and dollar amount of premiums collected for liquor liability insurance policies; and [1987, c. 45, Pt. A, § 4 (new).]
  - C The number and dollar amount of claims incurred under liquor liability insurance. [1987, c. 45, Pt. A, § 4 (new).] [1987, c. 45, Pt. A, § 4 (new).]
2. Superintendent shall make records available. The Superintendent of Insurance shall make available to the Legislature the information collected and maintained under subsection 1. [1987, c. 45, Pt. A, § 4 (new).]

PL 1987, Ch. 45, §A4 (NEW).

**§2518. Informal evaluation (REPEALED)**

PL 1997, Ch. 373, §165 (RP).

**§2519. Approval of alcohol server education courses**

1. Approval of alcohol server education courses. The commissioner or the commissioner's designee shall approve alcohol server education courses for a period of 2 years that meet the criteria developed under this section. The commissioner may renew approval provided the course meets the criteria applicable at the time of renewal. [2001, c. 502, §1 (amd).] Course providers may request renewal by submitting current course material at least 60 days prior to the date of expiration. [2001, c. 502, §1 (amd).]
2. Advisory committee; appointment. The commissioner shall appoint the Server Education Advisory Committee consisting of 7 members, to include: [1999, c. 519, §§2,3 (amd).]
  - A A representative of the faculty at the Maine Criminal Justice Academy; [1987, c. 45, Pt. A, §4 (new).]
  - B A liquor enforcement officer; [1995, c. 140, §8 (amd).]
  - C A representative of the Department of the Attorney General; [1987, c. 45, Pt. A, §4 (new).]
  - D A representative of the Office of Substance Abuse; [1999, c. 519, §2 (amd).]
  - E A representative of the education community; [1999, c. 519, §3 (amd).]
  - F A representative of a statewide liquor licensee organization; and [1987, c. 45, Pt. A, §4 (new).]
  - G G. A representative of a statewide trial lawyers organization. [1987, c. 45, Pt. A, §4 (new).]
3. Advisory committee; course criteria. The advisory committee shall determine specific criteria that an alcohol server education course must contain to receive approval. The specific criteria must be based on and include the following. [2001, c. 502, §2 (amd).]
  - A The instructors of the program or the advisor pursuant to subsection 9 possess the relevant skills to provide instruction. [2001, c. 502, §2 (amd).]
  - B The course provides instruction and the development of skills in the following subject matters:

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- (1) Identification of intoxicated individuals and minors;
  - (2) Intervention to prevent excessive consumption of alcohol by such methods as serving food and encouraging the consumption of nonalcoholic beverages;
  - (3) Making consumers aware of their condition and their responsibility for driving in an intoxicated condition and providing alternate transportation when available;
  - (4) Knowledge of state laws relating to the sale and distribution of alcohol and the legal responsibilities of servers and consumers;
  - (5) Knowledge of the effect of alcohol by volume and timing of intake in relation to an individual's weight;
  - (6) Examination of proof of age identification and methods of detecting false or altered age identification documents;
  - (7) Policies and practices to prevent the sale or service of alcohol to minors and visibly intoxicated individuals; and
  - (8) The effects of alcohol on the human body, including the disease concept of alcoholism. [1987, c. 45, Pt. A, §4 (new).]
- C Participants are evaluated before taking the course and after completion of the course. [1987, c. 45, Pt. A, §4 (new).]
- D Participants who successfully complete the course and the final evaluation are awarded certificates recognizing that they have successfully completed an approved alcohol server education course. [1987, c. 45, Pt. A, §4 (new).]
- 3-A. Precourse evaluation waiver. After review of a course, the advisory committee may exempt that course from evaluating its participants prior to taking the course. [1999, c. 519, §4 (new).]
4. Advisory committee; review and recommendation. The advisory committee shall review each alcohol server education course submitted to the commissioner and recommend that the commissioner either approve or not approve the course based on whether the course meets the criteria the advisory committee developed under subsection 3. [1987, c. 45, Pt. A, §4 (new).]
5. Fee. The fee for enrollment in a bureau alcohol server education course is \$28 per participant. The fees collected must be retained by the bureau to cover the costs related to alcohol server education training. [1999, c. 519, §5 (amd).]
6. Instructor training. Each instructor providing instruction in an approved alcohol server education course shall biennially attend a seminar on the liquor laws of the State provided by an officer of the bureau. The instructor shall attend the seminar prior to teaching an approved alcohol server education course in this State. If the instructor meets the requirements of subsection 6-A, the instructor must receive an alcohol server instructor's certificate. There is a \$10 fee for the seminar to offset expenses incurred in carrying out this subsection. [1999, c. 519, §6 (amd).]
- 6-A. Instructor qualifications. In order to qualify for an alcohol server instructor's certificate, an instructor shall: [2001, c. 502, §3 (amd).]
- [1999, c. 519, §7 (new).]
- A Attend a seminar biennially as provided in subsection 6;
  - B Apply for a certificate for each approved course to be instructed; and [1999, c. 519, §7 (new).]
  - C Provide a letter from the administrator of the course approved by the advisory committee to train instructors acknowledging that the instructor is in good standing with the approved course. [2001, c. 502, §3 (amd).]
- In addition to the requirements of paragraphs A to C, an instructor seeking recertification shall conduct a minimum of 4 courses during the previous certification term for the course for which the instructor is seeking recertification. [2001, c. 502, §3 (amd).]
- 6-B. Suspension of certificate. The commissioner or the commissioner's designee may suspend or revoke an alcohol server instructor's or advisor's certificate upon the recommendation of the advisory committee. The following are grounds for an action to suspend or revoke a certificate: [2001, c. 502, §4 (amd).]
- A Repeated instances of failure to provide timely, accurate or legible information required by subsection 7; [1999, c. 519, §7 (new).]
  - B Repeated instances of failure to follow the course outline or cover the course criteria that were used to gain approval; or [1999, c. 519, §7 (new).]
  - C Receipt of a request to suspend or revoke a certificate from the administrator of the course approved by the advisory committee to train instructors. [1999, c. 519, §7 (new).]
- 6-C. Advisor training. Each advisor, pursuant to subsection 9, must be certified under subsection 6-D prior to providing advisory assistance in an approved Internet-based alcohol server education course and shall biennially attend a seminar on the liquor laws of the State provided by an officer of the bureau. The fee for the seminar is the same as in subsection 6. [2001, c. 502, §5 (new).]
- 6-D. Advisor qualifications. In order to qualify for an alcohol server advisor's certificate an advisor shall:
- A Attend a seminar biennially as provided in subsection 6; [2001, c. 502, §5 (new).]
  - B Apply for a certificate for each approved course that the advisor offers services for; and [2001, c. 502, §5 (new).]
  - C Provide a letter from the administrator of the course approved by the advisory committee to train advisors acknowledging that the advisor is in good standing with the approved course. [2001, c. 502, §5 (new).]
7. Course accountability. The chief may appoint an officer of the bureau to monitor each alcohol server education course to ensure that the course presents proper training and meets the approved criteria. The bureau shall maintain a record of the participants who have completed an alcohol server training course. Each instructor of an approved course shall provide the chief with the names, addresses, dates of birth and the driver's license numbers, state identification card numbers or social security numbers of students who complete

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the course and the date of completion. The instructors shall forward \$3 to the bureau for every name submitted. The amounts collected must be retained by the bureau to cover costs related to alcohol server education training. [1999, c. 519, §8 (amd).]

8. Alcohol server education courses; approval; suspension; revocation. The commissioner or the commissioner's designee may refuse to issue or renew approval for an alcohol server education course. The commissioner or the commissioner's designee may suspend or revoke approval for an alcohol server education course upon the recommendation of the advisory committee after reviewing the report of the monitor. The following are grounds for an action to refuse to issue or renew approval or to suspend or revoke approval. [2001, c. 502, §6 (amd).]
  - A The advisory committee finds that an alcohol server education course does not meet the criteria listed in subsection 3 or specific criteria determined by the committee. [1993, c. 266, §36 (new).]
  - B The course, when presented, does not follow specific criteria determined by the advisory committee before issuance of approval. [1993, c. 266, §36 (new).]
  - C The instructor of the course does not provide information or access to the monitor as required by subsection 7. [1993, c. 266, §36 (new).]
  - D Fraud or deceit is used to obtain course approval or in providing the course or issuing certificates. [1993, c. 266, §36 (new).]A person aggrieved by a decision of the commissioner or the commissioner's designee to refuse to issue or renew approval or to suspend or revoke approval for an alcohol server education course may, within 30 days of receipt of that decision, appeal the decision to the District Court. [2001, c. 502, §6 (amd).]
9. Approval of Internet-based alcohol server education courses. The commissioner or the commissioner's designee may approve an Internet-based alcohol server education course if the course meets the criteria developed under this section. An approved Internet-based alcohol server education course must have an advisor, certified under subsection 6-D, available to answer questions for persons using the Internet-based alcohol server education course. [2001, c. 502, §7 (new).]

PL 1987, Ch. 45, §A4 (NEW).

PL 1989, Ch. 700, §A117 (AMD).

PL 1991, Ch. 528, §L8 (AMD).

PL 1991, Ch. 528, §RRR (AFF).

PL 1991, Ch. 591, §L8 (AMD).

PL 1993, Ch. 266, §34-36 (AMD).

PL 1993, Ch. 730, §52 (AMD).

PL 1995, Ch. 140, §8 (AMD).

PL 1997, Ch. 373, §166-169 (AMD).

PL 1999, Ch. 519, §2-8 (AMD).

PL 1999, Ch. 547, §B78 (AMD).

PL 1999, Ch. 547, §B80 (AFF).

PL 2001, Ch. 502, §1-7 (AMD).

#### §2519-A. Rules

The bureau may adopt rules for the purpose of waiving the fee for the alcohol server education course in the event of demonstrated need and inability to pay. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A. [1999, c. 519, §9 (new).]

PL 1999, Ch. 519, §9 (NEW).

#### §2520. Liquor service education

The bureau shall provide educational services regarding retail liquor sales as follows. [1997, c. 373, §170 (amd).]

1. Seminars. The bureau shall, from time to time, conduct seminars throughout the State to provide retailers and their employees with information on changes in the laws governing retail sales of liquor. [1997, c. 373, §170 (amd).]
2. Informational signs. The bureau shall develop informational signs which may be located in retail establishments. These signs must outline requirements of state law regarding proper identification for retail sales and other information to enhance compliance with state liquor laws. [1997, c. 373, §170 (amd).]
3. Legal pamphlet. The bureau shall prepare a pamphlet summarizing state laws governing retail liquor sales. The bureau shall make single copies of this pamphlet available to retailers. [1997, c. 373, §170 (amd).]
4. Legislative review. [1991, c. 837, Pt. A, §60 (rp).]

PL 1989, Ch. 526, §26,28 (NEW).

PL 1991, Ch. 837, §A60 (AMD).

PL 1997, Ch. 373, §170 (AMD).