



ABC Board Adoption of Emergency Regulations Regarding Emergency Alcohol Curbside and Home Delivery FAQs (April 18, 2020)

What Happened?

After an emergency health mandate from the Governor of the State of Alaska, the Alcoholic Beverage Control (ABC) Board held an emergency meeting and adopted emergency COVID19 regulations that outline processes, procedures, requirements, and restrictions pertaining to the curbside delivery and home delivery of alcoholic beverages on a short-term, temporary basis during this crisis.

Who qualifies?

For curbside delivery the following licenses qualify to apply:

- Package Store License
- Brewery License
- Brewpub License
- Distillery License
- Winery License
- Beverage Dispensary License

Including:

- Community
- Seasonal
- Duplicate
- Duplicate Seasonal
- Public Convenience
- Tourism
- Tourism Seasonal

Tourism Duplicate
Tourism Duplicate Seasonal
Restaurant Eating Place License

For home delivery of beer and wine with food the following licenses qualify to apply:

Restaurant Eating Place License (REPL)
Beverage Dispensary License (BDL) with a Restaurant Designated Permit (RDP)
Brewpub License with a Restaurant Designation Permit (RDP) or Restaurant
Eating Place License (REPL)

What are the rules for Curbside Delivery?

Licensed beverage dispensaries, restaurant or eating places, package stores, breweries, brewpubs, wineries/cideries, and distilleries may conduct curbside delivery of the types of alcoholic beverages normally allowed for sale by the respective license type, only if:

- The qualifying licensee provides written notification and acceptance to the Alcohol & Marijuana Control Office that it intends to deliver alcohol before conducting such activities.
- The curbside delivery location must be within 50 feet of an entry to the licensee's business premises.
- The alcoholic beverages offered for sale is factory sealed in manufacturer-sealed bottles or cans, or in growlers (limited to beer and cider only) that are sealed by the licensee with tamper-evident tape and adequate labeling; mixed drinks are prohibited.
- The licensee, agent, or employee who provides the alcoholic beverages to the customer must have a valid Alcohol Server Card.
- The licensee, agent, or employee who provides the alcohol must check the ID of every purchaser, regardless of age, and must not knowingly provide alcoholic beverages to a drunken person, an underage person, or a person who is legally prohibited from purchasing alcoholic beverages.

What are the rules for qualifying licensees regarding home delivery?

Only bona fide restaurant or eating places (including those who hold beverage dispensary licenses and other qualified license types that possess restaurant designation permits) may deliver beer/wine/cider to a person's home with an order of food from that establishment, only if:

- The qualifying licensee provides written notification and acceptance to the Alcohol & Marijuana Control Office that it intends to deliver alcoholic beverages before conducting such activities.

- Only beer, wine, or cider can be included with the food order.
- The delivery order must have food prepared by the licensee.
- The value of the beer or wine purchased in the delivery cannot be more than twice the value of the food (e.g.: if \$25 of food is purchased, the value of the alcohol in that order must not exceed \$50).
- The beer/wine/cider offered for sale must be factory sealed in manufacturer-sealed bottles or cans, or in growlers (beer and cider only) that are sealed by the licensee with tamper-evident tape and adequate labeling.
- The licensee, agent, or employee who delivers the alcoholic beverages must have a valid Alcohol Server card; third-party delivery companies (DoorDash, GrubHub, UberEats, etc.) are prohibited from delivering alcohol.
- The licensee, agent, or employee who delivers the alcoholic beverages must check the ID of every purchaser, regardless of age, and must not knowingly deliver alcoholic beverages to a drunken person, an underage person, or a person who is legally prohibited from purchasing alcohol.

When can licensees begin to apply?

The Lieutenant Governor signed the Alcoholic Beverage Control Board’s emergency regulations on April 16, 2020. Licensees who qualify for curbside and/or home delivery of beer and wine may email their application to the Alcohol and Marijuana Control Office (AMCO) for review at amco.enforcement@alaska.gov and then wait to receive an email confirming the qualification of the request.

Is this mandatory for licensees?

These programs are voluntary on the part of the qualifying licensees. If the licensee wishes to participate in curbside or delivery, the licensee accepts all responsibility to, and liability for, adhering to all emergency health mandates from the State of Alaska, and local governments to assist in keeping staff and the public safe during the COVID19 health crisis.

What information do I need to send to AMCO at amco.enforcement@alaska.gov ?

Curbside Delivery Application Information

Application for curbside delivery of alcoholic beverages is allowed for those who possesses a Beverage Dispensary License/Restaurant Eating Place License/Brewery License/Brewpub License/ Distillery License/Winery License or a Package Store License.

Complete the following information and provide it via email to amco.enforcement@alaska.gov for review and final approval:

License Number: _____

License Type: _____

DBA: _____

Licensee Email Contact: _____

Licensee Daytime phone number: _____

Physical Location of Curbside Delivery: _____

Describe in detail the physical curbside delivery areas adjacent to the licensed premises, including the distance (in feet) of the curbside delivery location from the licensed premises:

NOTE: By sending this correspondence to AMCO the licensee, their employee(s), or their agent declares under penalty of law to have read and are familiar with the emergency regulations set forth by the Alcoholic Beverage Control Board on 04/15/2020 and the licensee, employee(s), or agent(s) will adhere to said emergency regulations and statutes until either the emergency regulations are repealed or are expired. This program is voluntary on the part of the Licensee. The Licensee accepts all responsibility to, and liability for, adhering to all emergency health mandates from the State of Alaska, and local governments to assist in keeping staff and the public safe during the COVID19 health crisis.

Email all the above information to amco.enforcement@alaska.gov or review and final approval. AMCO will email the receipt and approval to the email address provided above.

Home Delivery of Beer and Wine

Licensees with Restaurant Eating Place License (REPL) or Beverage Dispensary License (BDL) can complete the following information and provide it via email to amco.enforcement@alaska.gov for review and final approval.

License Number: _____

License Type: _____

DBA: _____

Licensee Email Contact: _____

Licensee Daytime phone number: _____

NOTE: By sending this correspondence to AMCO the licensee, their employee(s), or their agent declares under penalty of law to have read and are familiar with the emergency regulations set forth by the Alcoholic Beverage Control Board on 04/15/2020 and the licensee, employee(s), or agent(s) will adhere to said emergency regulations and statutes until either the emergency regulations are repealed or are expired. This program is voluntary on the part of the Licensee. The Licensee accepts all responsibility to, and liability for, adhering to all emergency health mandates from the State of Alaska, and local governments to assist in keeping staff and the public safe during the COVID19 health crisis.

Email all the above information to amco.enforcement@alaska.gov for review and final approval. AMCO will email receipt and approval to the email address provided above.

What about the safety of the licensee's staff as well as the public?

The reasoning for these temporary changes is to minimize the number of people going into or out of a licensee's premises and to help with additional social distancing. Participation in curbside and/or home delivery is voluntary for qualifying licensees. Participating licensees accept all responsibility to, and liability for, adhering to all emergency health mandates from the State of Alaska, as well as the licensee's local government, to assist in keeping staff and the public safe during the COVID19 health crisis.