

# AMY'S ALCOHOL SAFETY SPOTLIGHT

December 2023



## AMY'S ALCOHOL SAFETY SCOOP

Serving alcohol is a valued privilege for many restaurant operators. Research shows that restaurants holding a liquor, beer and wine license will receive around 30% of revenue from alcohol sales ([www.fsrmagazine.com](http://www.fsrmagazine.com)). In March 2021 Gov. Andy Beshear signed a bill to allow bars and restaurants to sell alcohol to go, the sale of alcohol must be in conjunction with a purchase of a prepared meal and placed in a bag or other container that is secured in a manner that makes it visibly apparent if the container has been subsequently opened or tampered with. Having the ability to sell alcohol for on premise and off premise consumption creates an opportunity to increase sales; so, the loss of a liquor license can have a crippling effect on the establishment's financial stability. 'Tis the season for restaurants' sales to increase as people are enjoying great food and spirits with friends and family during the Holidays. People relax, want to have fun and for many, alcohol is a part of that celebration. As owners and operators prepare for the busy season, they must not forget to revisit the responsibilities that come along with having a liquor license. What are the risks to serving alcohol irresponsibly? Risk of a lawsuit if you over-serve, Risk lives if you serve a drunk driver, Risk your livelihood if you sell to a minor. It is up to you and your team to safely monitor the service of alcohol. Here are a few things to remember:

1. **Patrons must be 21 years old** to buy, possess, or drink alcohol in all 50 states.
2. **In most states, it is illegal to sell or supply alcohol to patrons under the age of 21, regardless of how they get it.** This also applies to any patron who may pass a drink to someone under the age of 21. It is the restaurant's responsibility to step in and either remove the alcohol, patrons or both.
3. **The use of a fake or altered IDs is illegal.** It is the responsibility of the restaurant to carefully check IDs to make sure they are genuine.

### UPCOMING SERVSAFE® CLASSES

December 12<sup>th</sup> – Louisville

January 9<sup>th</sup> – Louisville

January 16<sup>th</sup> – Louisville

January 30<sup>th</sup> – Lexington

### UPCOMING EVENTS:

2024 Restaurateur's Gala

7:00 p.m. Monday, January

29<sup>th</sup> at Savor at River House

visit [kyra.org](http://kyra.org) for registration.



4. **Minimum age to enter a bar.** In some states, patrons are not allowed to enter an establishment deemed a bar. A restaurant has the right to set a minimum age to enter the bar area.

5. **Minimum age for servers and bartenders.** In Kentucky the minimum age for servers is now 18 and the minimum age for bartenders is 20, under the supervision of someone 21 years or older. Alcohol training may or may not be required depending on the jurisdiction's local ordinance.

6. **Selling or serving alcohol to intoxicated guests.** It is the responsibility of the restaurant to halt service to guests who are visibly intoxicated and can potentially cause harm to themselves or other guests.

7. **Serving known alcoholics.** Some states hold the establishment and its employees liable for serving a person known to be an alcoholic.

8. **Drinking alcohol on the job.** Lots of areas prohibit drinking on the job. Even if it is not specifically illegal in Kentucky, a restaurant has the right to impose a policy against it.

9. **Bringing alcohol onto the premises.** It is illegal for guests to bring their own alcohol onto the premises unless permitted by law and company policy.

10. **The sale and service of alcohol is prohibited beyond the legal hours listed on the establishment's license.** These hours apply to both guests and employees and must be strictly followed.

11. **Illegal activities or drugs on the premises.** In most states, you can be liable if you knowingly permit illegal activities such as gambling, prostitution, and drug use.

12. **Games and contests that encourage binge drinking.** In most states, it is illegal to let people play games that involve drinking to intoxication i.e., beer pong.

13. **Discrimination against guests.** Owners and operators are held liable if their employees discriminate against guests due to race, color, gender (including pregnant women), sexual orientation, age, disability, and religion or creed.

Management and staff need to be trained and retrained regularly on alcohol service. This is especially true if establishments have servers that are 18 years old, more than likely they do not have experience with alcohol and do not understand the effects it will have on an individual. The advantage of certifying your team thru a reputable program includes a greater ability to prevent intoxication, drunk driving, and underage consumption; liability insurance discounts, and the protection afforded by a reasonable effort defense in the event of an alcohol-related incident. The ServSafe® Alcohol program teaches a positive approach to serving alcohol and provides skills training in understanding the effects of alcohol and intervention techniques. Commit to providing your team with the knowledge to serve alcohol responsibly this Holiday season and beyond. To schedule a class for your team, contact Amy Shankle, Director of Training with the Kentucky Restaurant Association, amy@kyra.org.



Registered ServSafe Proctor  
& Certified ServSafe Instructor

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