

## For your information

The Oregon Liquor Control Commission has:

Amended  
 Adopted  
 Suspended

**OAR 845-006-0398**  
**TEMPORARY**

Effective Date: January 1, 2008 through June 28, 2008

**Note:** **Bold and underlined** = new text; *strikethrough and italics* = deleted text

### **845-006-0398**

#### **Next-Day Retail Shipment of Alcoholic Beverages by Oregon Licensees to Oregon Residents**

- ~~(1) A licensee may deliver wine, cider, or malt beverages on any day after the day the licensee receives the order only under the following conditions:~~
- ~~(a) The licensee's license must include off-premises sales privileges for malt beverages to deliver malt beverages, and off-premises sales privileges for wine to deliver wine or cider;~~
  - ~~(b) Before making the first delivery, the licensee must notify the Commission on a Commission supplied form that the licensee plans to provide this delivery service;~~
  - ~~(c) The licensee must prominently label each shipping container: "Alcoholic Beverages—Do not deliver to a person who is under 21 years of age or visibly intoxicated" or similar message that the Commission approves;~~
  - ~~(d) The licensee must deliver only to a person who is at least 21 years old and must not deliver to a visibly intoxicated person;~~
  - ~~(e) The licensee must deliver only to a home or business;~~
  - ~~(f) The licensee must not deliver kegs unless the licensee gets prior written Commission approval for the delivery;~~
  - ~~(g) The delivery vehicles driven by the licensee or the licensee's employee must prominently display the licensee's trade name;~~
  - ~~(h) If the licensee or licensee's employee makes the delivery, he/she must record the signature of the person who receives the delivery, proof of age (if age verification is required), the delivery address and the identity of the delivery person. (See OAR 845-006-0335 for age verification requirements.) The licensee must keep these records for at least 18 months after the delivery;~~
  - ~~(i) If the licensee delivers through a common carrier, the licensee may use only a common carrier who has a Commission-approved delivery plan. The Commission requires plan approval to assure appropriate alcoholic beverage delivery. The Commission evaluates common carrier delivery plans under the standards of OAR 845-005-0424.~~

~~(2) Sanction. Violation of this rule is a Category III violation. The sanction may include a restriction that prohibits further deliveries.~~

~~(3) Any person who knowingly or negligently delivers wine or cider which has been shipped under the provisions of ORS 471.229 to a person under 21 years of age, or who knowingly or negligently delivers wine or cider which has been shipped under the provisions of ORS 471.229 to a visibly intoxicated person, violates ORS 471.410 and commits a Class A misdemeanor, whether or not the person is licensed or appointed under the provisions of ORS Chapter 471.~~

~~Stat. Auth.: ORS 471, including ORS 471.030, ORS 471.040, 471.730(1) & (5)~~

~~Stats. Implemented: ORS 471.223, ORS 471.229 & ORS 471.305~~

---

This version of the Oregon Administrative Rules has been published by the OLCC. The officially codified and compiled rules have been or will be published by the Secretary of State as provided by ORS 183.360.

The Oregon Administrative Rules Compilation, published by the Secretary of State as provided by ORS 183.360, has copyright status. The Commission has written permission from the Secretary of State to print the Commission's administrative rules to provide information to those affected by its rules.