

AT-A-GLANCE

OAR 845-006-0345 Prohibited Conduct

Initial Action

(To amend an existing rule)

October 2008

This rule describes a variety of acts which both licensees (including their employees or agents) and service permittees are prohibited from engaging in.

Due to recent case history, staff is recommending the amendment of section (11) covering promotions, to specifically tighten the rule language prohibiting drinking contests (a)(D) and free-pouring alcohol (a)(E).

Also, staff is recommending additional rule language in section (11) Promotions which would prevent the current practice of a cover charge and then penny drinks and clarify that no drink discounts are allowed after midnight (a)(C), as well as prohibiting on-premises sales of distilled spirits by the bottle (a)(B) and alcohol vaporization devices (a)(F).

If rulemaking is initiated, staff also recommends making further clarifying amendments. These additional amendments include: an introductory paragraph clarifying that licensees are held accountable for the acts of their agents and employees; the addition to each section of the sanction level for violation of that section; and clarifying amendments to section (6) Liquor on Premises, section (7) Drive-up window, and section (10) related to kegs and minor patronage.

SUGGESTED MOTION:

I move to initiate rulemaking to amend OAR 845-006-0345, and to hold a rulemaking hearing at staff's discretion.