

**OREGON LIQUOR CONTROL COMMISSION
OAR 845 DIVISION 9**

Effective July 1, 2010

**OAR 845-009-0150
Approved Seller Training Programs**

- (1) ORS 471.410 provides that an employee of a liquor licensee or retail sales agent who has sold, given or otherwise made available alcohol to a minor may receive a reduced criminal penalty if the employee either holds a valid Oregon service permit or has completed a Commission-approved training program. This rule sets the standards and procedures the Commission uses when approving seller training programs and clarifies recordkeeping responsibilities.
- (2) As used in this rule,
 - (a) "Approved seller training program" means a program approved by the Commission for the purposes of ORS 471.410.
 - (b) "Seller" means an employee of a liquor licensee or retail sales agent who sells or serves alcohol for on or off-premises consumption.
- (3) Program Approval Standards and Process. A licensee or liquor agent may offer a Commission-approved seller training program to its employees. The licensee or agent may apply for Commission approval of their own program or use a Commission-approved seller training program from another source.
 - (a) To obtain Commission approval of a seller training program an applicant must:
 - (A) Submit a completed application packet provided by the Commission;
 - (B) Have a program that meets the Commission's Clerk Training Course Minimum Standards (published December 21, 1999, and available at the Commission's main office at 9079 SE McLoughlin, Portland, OR);
 - (C) Explain in writing how the program will provide written certification of program completion to each seller who completes the training program.
 - (b) Commission staff will review the application, and will:
 - (A) Approve a seller training program that meets the requirements in Section (3)(a) of this rule. The Commission will notify the applicant in writing if the Commission approves the course; or

(B) Return an incomplete application or one that does not meet the requirements of Section (3)(a).

(c) At its discretion, the Commission may periodically conduct a review of a Commission-approved training program to ensure it still meets the Commission's Clerk Training Course Minimum Standards. To conduct the review, the Commission may ask an approved program to submit copies of all current materials used in the program. If a training program is found to fall below minimum standards then program approval may be withdrawn.

(4) Record Keeping.

(a) The liquor licensee or retail sales agent should provide written certification of program completion to each seller who completes their Commission-approved seller training program.

(b) It is the seller's responsibility to verify that a training program, whether offered by their employer or from another source, has been Commission-approved, and they may do so by contacting the Commission.

(c) It is the seller (employee of the liquor licensee or retail sales agent) who is responsible for keeping their own records regarding completion of an approved training program. The seller should take these records with them from one employer to the next. It will be up to the seller to provide such records in order to receive the reduced criminal penalty available under ORS 471.410.



Clerk Training & Seller Training Programs

CT: ORS 471.341 & OAR 845-009-0145

ST: ORS 471.410 (6)(a)(B) & OAR 845-009-0150

Clerk Training & Seller Training Course Minimum Standards

Published December 21, 1999

OAR 845-009-0145(7)(a)(B) – CT

OAR 845-009-0150 (3)(a)(B) – ST

MINIMUM CURRICULUM, INSTRUCTION, & PROGRAM STANDARDS

Minimum Curriculum Standards:

1. Oregon law pertaining to package and liquor store sales
2. Recognizing minors
3. Checking ID
4. Recognizing visible intoxication
5. Strategies for denying sales
6. Incident logs
7. Third party liability
8. Sanctions

Minimum Instruction Standards:

1. Use Commission-approved curriculum
2. Method of instruction must be approved by the Commission

Minimum Program Standards:

1. Person or group responsible for administering the course must provide written verification of student course completion

CT: House Bill 2140 (Oregon Laws 1999, Chapter 1062, Section 3)

ST: House Bill 3343 (Approved Seller Training Programs, 2009)