



# **GUIDE TO DELIVERING ALCOHOLIC BEVERAGES TO CONSUMERS IN OREGON**

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# PURPOSE OF THIS GUIDE

Delivery of alcoholic beverages to residents of Oregon is regulated by the Oregon Liquor & Cannabis Commission (OLCC). This guide is intended to provide information to parties interested in understanding more about privileges, prohibitions, and requirements related to the delivery of alcoholic beverages to Oregon residents.

The intended audience for this document includes:

- OLCC licensees and their staff
- Oregon nonprofit organizations with exempt event approval
- Oregon Retail Sales Agents (liquor store operators)
- Distillery Retail Outlet Agents (distillery tasting room operators)
- Any third-party service interested in delivering alcoholic beverages to consumers on behalf of eligible businesses. Examples of a third-party service include:
  - Courier services
  - Local delivery companies
  - Common carriers
  - Taxi cab companies
  - App or web-based (e-commerce) food and beverage delivery services
- Delivery workers deployed by third-party delivery services
- Out of state businesses interested in shipping or delivering malt beverages, wine, or cider to residents of Oregon
- Residents of Oregon

This guide includes a variety of resources for interested parties, including:

- Key terms related to home delivery of alcoholic beverages
- Quick reference tables outlining the allowable locations, hours, volume, etc. according to alcoholic beverage category and business category
- Information about using third-party ecommerce providers for order facilitation and delivery
- Special considerations related to delivery records
- Food service requirements for cocktails to go
- Frequently asked questions
- Applicable statutes and rules
- Helpful links

# OVERVIEW

## TERMS

### WHAT IS A "RESIDENT OF OREGON?"

The term "resident of Oregon" means an individual who resides in Oregon, even if temporarily (i.e. hotel guest), who orders alcoholic beverages for personal use and not for resale. The OLCC does not require proof of Oregon residency in order to receive an alcoholic beverage delivery. For the purposes of this guide, the term "consumer" will refer to a resident of Oregon.

### WHAT IS AN "OREGON RESIDENCE?"

The term "Oregon residence" means a home or business that has a permanent street address in Oregon.

### WHAT IS A "CURBSIDE DELIVERY?"

Delivery of alcoholic beverages to a location that is within 100 feet of the licensed premises or store premises (retail sales agent or distillery agent store).

### WHICH TYPES OF ALCOHOLIC BEVERAGES MAY BE DELIVERED TO A RESIDENT OF OREGON?

Oregon allows the delivery of malt beverages, wine, cider, distilled liquor, and non-beverage food products *provided* the delivery of the alcoholic beverages meets all OLCC requirements.

The delivery requirements are explained in this guide.

### HOW DOES OREGON DEFINE "MALT BEVERAGES," "WINE," "CIDER," "DISTILLED LIQUOR," AND "NON-BEVERAGE FOOD PRODUCTS?"

#### ***Malt Beverages***

Malt beverage means beer, ale, porter, stout and other similar fermented beverages that contain more than one-half of one percent and not more than 16 percent of alcohol by volume and that are brewed or produced from malt, wholly or in part, or from rice, grain, bran, glucose, sugar or molasses as a substitute for malt. Malt beverage does not include cider, mead, sake or wine.

Under this definition, most "hard seltzer" or "hard kombucha" products qualify as malt beverages in Oregon.

See [ORS 471.001\(6\)](#).

#### ***Wine***

"Wine" means any fermented vinous liquor or fruit juice (but not cider; see the definition of "cider") or other fermented beverage that is not a malt beverage and that contains not more than 21 percent alcohol by volume.

- Wine may contain distilled liquor (fortified) and still be considered "wine" as long as the final alcohol content of the wine is not more than 21 percent alcohol by volume.
- In Oregon, mead made with honey and rice wine (sake) containing more than .5% ABV are typically considered "wine."

See [ORS 471.001\(11\)](#).

## ***Cider***

“Cider” means an alcoholic beverage made from the fermentation of the juice of apples or pears and that contains not more than 8.5% alcohol by volume. “Cider” may include flavored, sparkling, or carbonated or fortified cider, but “cider” does not include wine.

- The juice is not required to come only from apples or pears, however, there must be some amount of pear or apple juice in order for the product to qualify as “cider.
- Cider may contain distilled liquor (fortified) as long as the final alcohol content of the cider is not more than 8.5% alcohol by volume.
- The product will be classified as wine in Oregon if the ABV is between 8.6% and 21%.

See [ORS 471.023](#).

## ***Distilled liquor***

“Distilled liquor” means any alcoholic beverage that does not qualify as a wine, cider, or malt beverage. Other common names for “distilled liquor” are distilled spirits, hard liquor, hard alcohol, ethyl alcohol, and ethanol. Typically, distilled liquor comes from a distillation process using heat or freeze-distillation, or the blending and rectifying of base ethanol with other ingredients.

See [ORS 471.001\(4\)](#).

## ***Non-beverage food products***

A non-beverage food product is something a person eats (not drinks) and that contains a small amount of alcohol. Examples include candy, chocolate, ice cream, pastry, bread, cake, bacon, jerky, sauces, condiments, cookies, jam, and jelly. If the alcohol content of the final product is more than one-half of one percent (.5%) alcohol by volume, but equal to or less than five percent alcohol content by weight (5% ABW) or ten percent alcohol by volume (10% ABV) (whichever is greater), then the product is a non-beverage food product. The non-beverage food product may contain distilled liquor, malt beverages, wine, or cider as long as the alcohol content of the final product is not greater than 10% ABV or 5% ABW.

See [ORS 471.038](#) and [OAR 845-006-0445](#).

## **WHAT IS A LICENSEE?**

For the purposes of this guide, a licensee is an individual or entity holding an OLCC-issued Oregon alcohol license for an address in Oregon that includes the privilege of delivering alcoholic beverages to a consumer.

See [ORS 471.186-471.227](#).

## **WHAT IS A DIRECT SHIPPER PERMITTEE?**

A direct shipper permittee is an individual or entity holding a direct shipper permit issued by the OLCC. The direct shipper permittee may be located outside of Oregon, provided that the out of state permittee also holds a license or permit issued by the state where the business is located that allows for manufacturing or retail off-premises sales of malt beverages<sup>2</sup>, wine, or cider. Oregon Breweries, Brewery Public Houses, Growers Sales Privilege, Wineries, and Temporary Sales licensees are both licensees and direct shipper permittees. Permittees may only deliver malt beverages, wine, or cider to residents of Oregon.

## **WHAT IS AN AGENT?**

An agent is an individual or person appointed by the OLCC to sell factory-sealed containers of distilled liquor to consumers in Oregon. In Oregon, there are two types of OLCC agents:

- Retail Sales Agents are agents operating Oregon liquor stores. Retail Sales Agents have limited privileges related to deliveries of distilled liquor to consumers, which are discussed in the section titled Delivery of Distilled Liquor to Oregon Consumers in this guide. Link: [Retail Outlet Operations Manual](#)
- Distillery Retail Outlet Agents are Oregon distillery licensees that are authorized to sell factory-sealed containers of the distilled spirits they manufacture to consumers. Typically, this is done at a distillery tasting room, but Distillery Retail Outlet Agents have more flexibility related to deliveries to consumers. Details about Distillery Retail Outlet Agents are also discussed in the section titled Delivery of Distilled Liquor to Oregon Consumers in this guide. Link: [Distillery Retail Outlet Operations Manual](#)

### **WHAT IS A FOR-HIRE CARRIER?**

A For-Hire Carrier is an individual or entity approved by the OLCC to deliver alcoholic beverages on behalf of Oregon licensees, direct shipper permittees, and agents. Importantly, a For-Hire Carrier does not sell the alcoholic beverages to the consumer. The sale occurs between the Oregon licensee, direct shipper permittee, or agent and the consumer. Once the sale is complete, the Oregon licensee, direct shipper permittee, or agent may enlist the services of an approved For-Hire Carrier to complete the delivery to the Oregon resident.

See [OAR 845-005-0424](#).

### **WHAT IS A THIRD-PARTY ECOMMERCE OPERATOR?**

A third-party ecommerce operator (TPP) is an unlicensed entity involved with the promotion, marketing, and facilitation of sales of alcoholic beverages by licensees, agents or direct shipper permittees to Oregon consumers over the Internet (including through a website or mobile application). TPP does not refer to a credit card processor.

Some of the TPPs are also For-Hire Carriers offering delivery services in addition to order facilitation services.

See [OLCC's Interim Policy: Third-Party \(E-commerce\) Platforms](#)

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<sup>2</sup> Reciprocal requirement applies. Sending state must allow Oregon licensees to send malt beverages to consumers in sending state.

## WHAT IS AN EXEMPT EVENT APPROVAL?

An Oregon registered nonprofit or charitable organization is eligible to conduct events where alcoholic beverages are made available (including at an auction or raffle) for up to 45 days in a calendar year without a license. These events are called "Exempt Events." Each day of the Exempt Event must be approved by the OLCC, which involves submitting and receiving approval via the Nonprofit & Charitable Organization Exempt Event Request Form. One of the privileges of the Exempt Event approval is delivery of alcoholic beverages to consumers during an approved Exempt Event day.

See [Special Events Guide for TSLs and Exempt Events](#)

## WHAT DOES IT MEAN TO "DELIVER," "ARRANGE FOR THE DELIVERY" OR "SELL FOR DELIVERY" DIRECT TO A RESIDENT OF OREGON?

Deliver: means to physically transfer possession of the alcoholic beverages to the resident of Oregon at the delivery location. This act may be completed by direct shipper permittees, Oregon licensees that hold a license allowing for delivery to consumers, Distillery Retail Outlet Agents, Exempt Event operators, and approved For-Hire Carriers.

Sell for delivery: means the permittee, agent, exempt event operator, or licensee sold the alcoholic beverages to the resident of Oregon and at the time of the sale, the permittee, agent, or licensee agreed to deliver the alcoholic beverages to the resident at a designated delivery location that is other than on the licensed, permitted, or store premises.

Arrange for the delivery: means the direct shipper permittee, Oregon licensee, exempt event operator, or agent does not deliver the alcoholic beverages to the resident itself. Rather, the direct shipper permittee, Oregon licensee, or agent will use a third-party to complete the delivery. When using a third-party to complete a delivery of alcoholic beverages to resident of Oregon, direct shipper permittees, Oregon licensees, and agents must use OLCC-approved For-Hire Carrier. The list of OLCC-approved For-Hire Carriers is on the OLCC website.

Exempt event operators are not required to use approved For-Hire Carriers when arranging for third-party delivery of alcoholic beverages to consumers, but the delivery must occur on an approved Exempt Event date.

## DELIVERY OF WINE AND CIDER<sup>3</sup> TO OREGON CONSUMERS

Direct Shipper Permit (which are out of state permittees, Brewery Public- House, Brewery, Grower Sales Privilege, and Winery)	Delivery Locations	Time	Container Size	Volume
	<ul style="list-style-type: none"> <li>• Curbside</li> <li>• Residence</li> <li>• Business</li> </ul>	7:00 am - 10:00 pm	Not to exceed 2 gallons	<p>Daily and monthly limits: 5 cases of wine containing no more than 9L per case per resident</p> <p>2 cases of cider containing no more than 9L per case per resident</p>

Off-Premises Sales; Full On-Premises Sales; Limited On-Premises Sales License; Temporary Sales License	Delivery Locations	Time	Container Size	Volume
	<ul style="list-style-type: none"> <li>• Curbside</li> <li>• Residence</li> <li>• Business</li> </ul>	7:00 am - 10:00 pm	Not to exceed 2 gallons	<p>Daily: 5 cases of wine containing no more than 9L per case per resident</p> <p>2 cases of cider containing no more than 9L per Case per resident</p> <p>Monthly: no limit</p>

Nonprofit organizations with exempt event approval (delivery must occur on approved exempt event day)	Delivery Locations	Time	Container Size	Volume
	<ul style="list-style-type: none"> <li>• Curbside</li> <li>• Residence</li> <li>• Business</li> </ul>	7:00 am - 2:30 am	No limit	No limit

<sup>3</sup> [OAR 845-006-0392](#)

## DELIVERY OF MALT BEVERAGES<sup>4</sup> TO OREGON CONSUMERS

<b>Direct Shipper Permit (which are out of state permittee;</b>	<b>Delivery locations</b>	<b>Time</b>	<b>Container Size</b>	<b>Volume</b>
<b>Brewery Public- House; Brewery; Grower Sales Privilege; and Winery)</b>	<ul style="list-style-type: none"> <li>• Curbside</li> <li>• Residence</li> <li>• Business</li> </ul>	7:00 am - 10:00 pm	2 gallons	Daily and monthly: No more than 5 gallons

<b>Off-Premises Sales; Full On-Premises Sales; Limited On-Premises Sales License; Temporary Sales License</b>	<b>Delivery locations</b>	<b>Time</b>	<b>Container Size</b>	<b>Volume</b>
	<ul style="list-style-type: none"> <li>• Curbside</li> <li>• Residence</li> <li>• Business</li> </ul>	7:00 am - 10:00 pm	2 gallons	Daily: No more than 5 gallons  Monthly: no limit

<b>Nonprofit organizations with exempt event approval (delivery must occur on approved exempt event day)</b>	<b>Delivery locations</b>	<b>Time</b>	<b>Container Size</b>	<b>Volume</b>
	<ul style="list-style-type: none"> <li>• Curbside</li> <li>• Residence</li> <li>• Business</li> </ul>	7:00 am – 2:30 am	No limit	No limit

<sup>4</sup> [OAR 845-006-0396](#)

# DELIVERY OF DISTILLED LIQUOR IN FACTORY SEALED CONTAINERS AND DRINKS (COCKTAILS) TO-GO

## FACTORY-SEALED CONTAINERS OF DISTILLED LIQUOR

Liquor Store Agents	Delivery locations	Time	Container Size	Volume
	<ul style="list-style-type: none"> <li>Curbside</li> </ul> <p>After in-store and in-person purchase and must be delivered by approved for-hire carrier:</p> <ul style="list-style-type: none"> <li>Residence</li> <li>Business</li> </ul>	7:00 am - 10:00 pm	No limit	No limit
Distillery Agents	Delivery locations	Time	Container Size	Volume
	<ul style="list-style-type: none"> <li>Curbside</li> <li>Residence</li> <li>Business</li> </ul>	7:00 am - 10:00 pm	No limit	Daily: no more than six different products and no more than two of the same product (12 containers total)

## DRINKS (COCKTAILS) TO-GO

Full On-Premises Sales licensee	Delivery locations	Time	Container Size	Volume
	<ul style="list-style-type: none"> <li>Curbside</li> <li>Residence</li> <li>Business</li> </ul>	7:00 am - 10:00 pm	No limit, but no more than one drink per container	<ul style="list-style-type: none"> <li>2 drinks per entrée item ordered</li> <li>Mixed drink:               <ul style="list-style-type: none"> <li>Primarily distilled liquor = no more than 3 oz distilled liquor, must include other ingredients</li> <li>Primarily wine, but includes distilled liquor = no more than 6 oz liquid</li> </ul> </li> </ul>

## SPOTLIGHTS

There are a variety of actors participating in the alcoholic beverage delivery marketplace and a great deal of nuance in terms of how the actors are regulated. This section highlights a few areas that garner a great deal of interest from the participants in this marketplace.

### FOOD SERVICE REQUIREMENTS FOR DRINKS (COCKTAILS) TO-GO

As noted above, only a full on-premises sales licensee is eligible to deliver mixed drinks (cocktails) to-go that include distilled liquor. In order to offer mixed drinks for delivery, the licensee must sell an entrée (or substantial food item) with the mixed drink. A licensee may sell up to two mixed drinks per substantial food item. Some examples of substantial food items include: fish, steak, chicken, pasta, pizza, sandwiches, dinner salads, hot dogs, soup and sausages.

Side dishes, appetizer items, dessert items, and snack items such as popcorn, peanuts, chips and crackers do not qualify as substantial food items.

Of course, there is some gray area in determining what specifically qualifies as a substantial food item. Portion size is a factor, variety of ingredients used to make the dish, and overall it can be a “know it when you see it” situation. If you are unsure about whether one of the menu items qualifies as a substantial food item, you can ask your OLCC liquor inspector or send an email to [alcohol@oregon.gov](mailto:alcohol@oregon.gov) or [OLCC.AlcoholLicensing@oregon.gov](mailto:OLCC.AlcoholLicensing@oregon.gov)

The substantial food items must be cooked or prepared on the licensed premises.

See: the [Full On-Premises Licensees Mixed Drinks and Wine to Go](#) factsheet for more information

### DELIVERY RECORDKEEPING REQUIREMENTS

Any licensee, agent, permittee or for-hire carrier who delivers alcoholic beverages to a consumer is required to create and retain a record related to each delivery.

The delivery record must include the following information:

- Date and time of delivery of alcoholic beverages to recipient
- Business name and address where you picked up the alcoholic beverages for delivery to the recipient
- Name and other information that can be used to identify the person who delivered the alcoholic beverages
- Name of recipient
- Signature of recipient
- Address of recipient

Best practice: date of birth for recipient

The record must be retained for a minimum of 18 months and made available to the OLCC by the party responsible for creating and retaining the record within 60 days of a request for the record.

If a licensee, agent or permittee uses their own personnel to deliver the alcoholic beverages, then the licensee, agent or permittee is responsible for keeping the record of delivery and providing the record to OLCC if requested.

If a for-hire carrier completes the delivery, the for-hire carrier is responsible for creating and retaining the record of delivery and providing the record to OLCC, if requested.

## **DELIVERY OF DISTILLED LIQUOR IN FACTORY SEALED CONTAINERS TO OREGON CONSUMERS**

### **DISTILLED LIQUOR/SPIRITS IN FACTORY SEALED CONTAINERS PURCHASED IN OREGON:**

Factory sealed containers of distilled liquor may only be purchased in Oregon for personal use in either:

- A retail liquor store, operated by an OLCC Retail Sales Agent, or
- A distillery retail outlet, operated by a Distillery Retail Outlet Agent

#### ***Distilled liquor purchased from a Retail Sales Agent***

##### **ORDERS**

Consumers may order distilled liquor from a Retail Sales Agent:

- In-person
- Telephonically
- Electronically (i.e. via email)

##### **PAYMENT**

Consumers may pay Retail Sales Agents for distilled liquor:

- In-person and inside the store
- In-person at a location that is within 100 feet of the store

##### **DELIVERY**

After the consumer pays for the alcohol in-person, distilled liquor may be delivered

- To a location within 100 feet of the store
- To a residence or business with a permanent street address and only using an approved For-Hire Carrier.

##### **HOURS/VOLUME**

- Hours for delivery to an approved location in Oregon are 7:00 am – 10:00 pm
- No limit on volume

#### ***Distilled liquor purchased from a Distillery Retail Outlet Agent***

##### **ORDERS**

Consumers may order distilled liquor from a Distillery Retail Outlet Agent:

- In-person
- Telephonically
- Electronically (i.e. via email, website, mobile application)

##### **PAYMENT**

Consumers may pay Distillery Retail Outlet Agents for distilled liquor:

- In-person and inside the store
- In-person at a location that is within 100 feet of the store

- Electronically via website or mobile application (including third-party websites or mobile applications, provided all comply with the OLCC's Interim Policy: Third-Party (E-commerce) Platforms )

## **DELIVERY**

After the consumer pays for the distilled liquor, it may be delivered

- To a location within 100 feet of the store
- To an Oregon residence or business with a permanent street address using distillery agent personnel
- To an Oregon residence or business with a permanent street address using an approved For-Hire Carrier
- To a resident of another state only in accordance with the laws of the destination state

## **HOURS/VOLUME**

- Hours for delivery to an approved location in Oregon are 7:00 am – 10:00 pm
- No more than 12 containers per day (maximum of 6 products with two containers each)

## **DISTILLED LIQUOR/SPIRITS IN FACTORY SEALED CONTAINERS PURCHASED OUTSIDE OF OREGON:**

ORS 471.405(4) allows an exception for an individual entering Oregon to have in his/her possession an amount not to exceed four liters (135.2 fluid ounces) of distilled liquor. This alcohol is for personal use only; the alcohol may not be sold. When the individual enters Oregon via a common carrier (such as a plane, train, bus, or boat) the alcohol is considered to be in the individual's possession.

***There is no legal option for a person who is outside of Oregon to ship distilled liquor directly to an Oregon resident (including to himself/herself), nor is there a way for an out of state distillery or other business engaged in the sale of alcohol to ship distilled liquor directly to a resident of Oregon.***

## FREQUENTLY ASKED QUESTIONS

### **Q: Which OLCC licensees with an annual license at an address in Oregon are allowed to deliver malt beverages, wine, cider, or non-beverage food products to a resident of Oregon?**

The following annual OLCC licensees licensed at an address in Oregon are allowed under some circumstances to deliver malt beverages, wine cider, or non-beverage food products to a resident of Oregon.

- Off-Premises Sales
- Full On-Premises Sales
- Limited On-Premises Sales
- Brewery
- Brewery-Public House
- Grower Sales Privilege
- Winery

### **Q: May special event licensees deliver alcoholic beverages to Oregon residents?**

Yes. Only malt beverages, wine, and cider (unless a distillery under a SED). Only during the period of the special event license and following OAR 845-006-0392 (delivery of wine and cider) and OAR 845-006-0396 (delivery of malt beverages). Eligible special event licenses include:

- Temporary Sales License (TSL) - all types: TSL-FP, TSL-NP Type 1, and TSL-NP Type 2
- Special Event Brewery (SEB)
- Special Event Brewery Public House (SEBPH)
- Special Event Grower Sales Privilege (SEG)
- Special Event Winery (SEW)
- Special Event Distillery (SED) - only eligible to deliver their own containers of factory sealed distilled liquor and following delivery guidance in the Distillery Retail Outlet manual
- Temporary Use of Annual License (TUAL)

### **Q: What is the difference between “ship” and “deliver” as those terms apply to alcoholic beverages in Oregon?**

Oregon does not distinguish between the terms “ship” and “deliver”. Whether the term ship or deliver is used, it means to initiate and/or carry out the transport, conveyance and ultimate delivery of alcoholic beverage products into the physical possession of a resident of Oregon at the delivery location. This activity may be carried out by the legal seller or an approved For-Hire Carrier as allowed by law.

**Q: How does a person or company obtain a Direct Shipper Permit?**

- The following licensees automatically receive a Direct Shipper Permit with the annual license: Brewery, Brewery-Public House, Winery, Grower Sales Privilege, and a Temporary Sales License.
- Other persons must submit an application with fee to the OLCC and receive the Direct Shipper Permit from OLCC before shipping any malt beverages, wine or cider directly to a resident of Oregon. Go to the direct shipper page on the OLCC website for more information: [https://www.oregon.gov/olcc/lic/Pages/direct\\_shipper\\_permit.aspx](https://www.oregon.gov/olcc/lic/Pages/direct_shipper_permit.aspx)

**Q: What is a person or company allowed to do with a Direct Shipper Permit?**

A Direct Shipper Permittee may sell and deliver, or sell and cause the delivery of, malt beverages, wine, cider, or non-beverage food products directly to a resident of Oregon who is at least 21 years of age. Note that an out of state Direct Shipper permittee is not allowed to sell, ship, or deliver non-beverage food products to a resident of Oregon.

**Q: What are the rules governing delivery of malt beverages, wine, and cider to a resident of Oregon?**

The following regulations set out the requirements that must be adhered to when delivering malt beverages, wine, or cider to residents of Oregon:

- OAR 845-006-0392 sets the requirement for wine and cider.
- OAR 845-006-0396 sets the requirement for malt beverages.

**Q: What are the rules for the delivery of distilled liquor to a resident of Oregon?**

OAR 845-015-0141 provides that the shipment and delivery of distilled liquor are addressed in the operations manuals for retail sales agents (liquor stores) and distillery retail outlet agents (distillery tasting rooms).

**Q: What are the rules for delivering drinks (cocktails) to go to a resident of Oregon?**

OAR 845-006-0399 sets the requirements for delivering mixed drinks (cocktails) to-go.

**Q: How do I get approved as a third-party ecommerce operator like DoorDash, Postmates, GrubHub, Instacart, etc.?**

At this time, there is no formal approval process to become a third-party ecommerce operator facilitating ordering and payment between Oregon licensees, eligible agents or permittees and consumers, provided that the third-party ecommerce company follows OLCC’s Interim Policy: Third-Party (E-commerce) Platforms

Note that this is an interim policy and there may be different approval requirements for these actors in the future. If the third party ecommerce company also provides delivery services, the company must become an approved for-hire carrier.

**Q: May I ship/deliver “non-beverage food products” directly to a resident of Oregon?**

Yes, provided that the products are labeled and delivered in accordance with OAR 845-006-0445. If the licensee delivers the non-beverage food products through a common carrier, the common carrier must be an approved For-Hire Carrier. Note that an out of state Direct Shipper permittee is not allowed to sell, ship, or deliver non-beverage food products to a resident of Oregon.

**Q: What rule or statute prohibits a person or company not holding a valid Direct Shipper Permit or OLCC license (or other OLCC-approved status) from delivering or causing the delivery of alcoholic beverages to a resident of Oregon?**

ORS 471.405 provides general prohibitions on the sales, purchases, possession, transportation, importation or solicitation of alcoholic beverages without a license.

ORS 471.406 identifies activities covered by prohibitions on sale of alcoholic beverages without a license. For the purposes of ORS 471.405 and ORS 471.406, the Direct Shipper Permit is a license. Taken together, these statutes prohibit all the activities identified in the statutes without an OLCC issued license or authorization.

**Q: Does Oregon allow a For-Hire Carrier to deliver alcoholic beverages to a resident of Oregon?**

OAR 845-005-0424 sets the requirements a For-Hire Carrier must follow to deliver alcoholic beverages to a resident of Oregon.

**Q: If I hold a liquor license in Oregon that allows for delivery of alcoholic beverages to a resident of Oregon and I use a For-Hire Carrier to deliver alcoholic beverages to a resident on my behalf, am I responsible for ensuring that Oregon’s delivery rules are complied with, including portions of the delivery rules where the For-Hire Carrier’s responsibilities are the same as those that apply to the licensee?**

Yes. Eligible licensees who wish to deliver alcoholic beverages to residents of Oregon (whether through an approved For-Hire Carrier or directly) are responsible for complying with OAR 845-006-0392 and 845-006-0396 (depending on the type of alcohol being delivered).

Where portions of those rules overlap, both the For-Hire Carrier and the licensee may be held responsible for violations. The possible administrative penalty for non-compliance with the delivery rules for the licensee is a Category III violation. The possible penalty for non-compliance with the delivery rules for a For-Hire Carrier is revocation of the For-Hire Carrier approval by the OLCC.

**Q: What is the relationship between a Direct Shipper Permit holder or OLCC licensee and a For-Hire Carrier?**

A Direct Shipper Permit holder, OLCC licensee, or distillery agent may enlist the services of approved For-Hire Carriers for delivery of alcoholic beverages. OLCC licensees may hire For-Hire Carriers to deliver non-beverage food products. The For-Hire Carrier acts as a courier service for both the Direct Shipper holder, OLCC licensee, or agent and the Oregon resident when the Direct Shipper holder, OLCC licensee or agent is unable to dedicate its own staff to deliver the alcoholic beverages to the Oregon resident and/or the Oregon resident is unable to go directly to the premises to pick up the alcohol.

**Q: Is there an application fee to become a For-Hire Carrier?**

No, the application process is free.

**Q: Are there rules that a For-Hire Carrier must follow?**

Yes. 845-005-0424 sets the requirements.

**Q: May an approved For-Hire Carrier take payment for the alcoholic beverages from the Oregon resident and then give it to the OLCC licensee, Direct Shipper Permit holder, or agent later?**

No. Payment for alcoholic beverages must be made directly from the Oregon resident to the Direct Shipper Permit holder, OLCC licensee, or agent. However, the payment may be accomplished on a third-party ecommerce platform.

**Q: May an approved For-Hire Carrier pay an OLCC licensee, Direct Shipper Permit holder, or agent for alcohol and then get reimbursed by the Oregon resident?**

No. Payment for alcoholic beverages must be made directly to the OLCC licensee, Direct Shipper Permit holder, or agent by the Oregon resident. However, the payment may be accomplished on a third-party ecommerce platform.

**Q: May an approved For-Hire Carrier charge a fee to the OLCC licensee, Direct Shipper Permit holder, agent, or the Oregon resident for delivering an order that contains alcohol?**

Yes, as long as the fee is not specifically charged or increased when an order contains alcoholic beverages. The fee must be non-specific to alcoholic beverages.

**Q: If I plan to deliver alcohol only to OLCC licensees, do I need to obtain approval as a For-Hire Carrier?**

No.

**Q: What is the sanction/penalty for selling alcohol a resident of Oregon without a license?**

Per ORS 471.990, a person may be cited with a Class A misdemeanor for selling alcohol without a license.

**Q: What happens if a person delivers alcoholic beverages to a resident of Oregon without following the delivery rules?**

The OLCC may revoke approval from a For-Hire Carrier and a licensee may be administratively sanctioned. In addition, if a delivery worker delivers alcoholic beverages to a minor or visibly intoxicated person, the individual may be cited with a Class A misdemeanor, per ORS 471.410.

**Q: Do I need to check ID every time I deliver alcoholic beverages to a resident?**

Yes. Age must be verified as discussed in OAR 845-005-0424, 845-006-0392, 845-006-0396, or 845-006-0399 (depending on who is delivering and what is being delivered) at the time of delivery to the recipient (the person you provide the alcohol to) on each occasion.

**Q: If the recipient of the alcoholic beverage is wearing a facemask, do I need to ask the person to remove the face mask in order to properly assess age?**

You are required to verify that the recipient is at least 21 years old at the time of delivery. You must decide whether you can make this determination by evaluating the recipient's face at the time of delivery with a facemask on. For more information about evaluating a person with a facemask on, see the Delivery Worker Safe Delivery Checklist.

**Q: What if the recipient scanned or entered an ID in the website or mobile application at**

**the time of placing the order and the ID was for a person who is at least 21—do I need to check the ID again at the door?**

Yes. Age must be verified at the time of delivery to the recipient of the alcoholic beverages on each occasion.

**Q: What is the penalty for a delivery worker who delivers or otherwise makes alcoholic beverages available to a minor or visibly intoxicated person?**

The individual could be charged with a Class A misdemeanor for the first offense. For more information, see ORS 471.410.

## APPLICABLE STATUTES AND RULES

### STATUTES

All are available here: [ORS 471](#)

ORS 471.038 Non-beverage food products

ORS 471.175 Full on-premises sales license

ORS 471.178 Limited on-premises sales license

ORS 471.186 Off-premises sales license; deliveries to retail customers ORS 471.282 Direct shipper permit; fees

ORS 471.405 Prohibited sales, purchases, possession, transportation, importation or solicitation in general; forfeiture upon conviction

ORS 471.406 Activities covered by prohibitions on sale of alcoholic beverages

ORS 471.410 Providing liquor to person under 21 or to intoxicated person; allowing consumption by minor on property; mandatory minimum penalties

ORS 471.475 Mixing, storing or serving of liquor without license

ORS 471.990 Penalties

### RULES

- **Delivery of Malt Beverage, Wine or Cider to Individuals:**
  - **Definitions:** [OAR 845-006-0391](#)
  - **Requirements for delivery of wine or cider:** [OAR 845-006-0392](#)
  - **Requirements for delivery of malt beverages:** [OAR 845-006-0396](#)
- **Guidelines for Approval of a For-Hire Carrier’s Plan for Delivery of Malt Beverages, Wine or Cider:** [OAR 845-005-0424](#)
- **Delivery of Mixed Drinks and Single Servings of Wine by Full On-Premises Sales Licensees:** [OAR 845-006-0399](#)

- **Non-beverage Food Products Containing Alcoholic Beverages:** [OAR 845-006-0445](#)
- **Shipment of Distilled Spirits from a Retail Liquor Store:** [OAR 845-015-0141](#)

## ADDITIONAL HELPFUL LINKS

### **Drinks to-go webpage**

<https://www.oregon.gov/olcc/Pages/drinks-to-go.aspx>

### **Distilled liquor delivery factsheet**

<https://www.oregon.gov/olcc/liquorstores/Docs/Distilled-Liquor-Delivery-FactSheet.pdf>

### **For-hire carrier factsheet**

[https://www.oregon.gov/olcc/Docs/covid19/COVID19\\_DistilleryDelivery.pdf](https://www.oregon.gov/olcc/Docs/covid19/COVID19_DistilleryDelivery.pdf)

### **Interim policy: Third-Party Ecommerce Platforms**

[https://www.oregon.gov/olcc/LIC/docs/OLCC\\_COVID19\\_Interim\\_%20Policy\\_ThirdPartyECommerceOperators.pdf](https://www.oregon.gov/olcc/LIC/docs/OLCC_COVID19_Interim_%20Policy_ThirdPartyECommerceOperators.pdf)

### **Distillery Retail Outlet Agent Operations Manual**

<https://www.oregon.gov/olcc/liquorstores/Docs/Distillery-Retail-Outlet-Manual.pdf>

### **Retail Store Agent Operations Manual**

<https://www.oregon.gov/olcc/liquorstores/Docs/Retail-Operations-Manual.pdf>

### **Acceptable ID Factsheet**

[https://www.oregon.gov/olcc/docs/publications/Acceptable\\_ID\\_Alcohol\\_English.pdf](https://www.oregon.gov/olcc/docs/publications/Acceptable_ID_Alcohol_English.pdf)

### **List of Approved For-Hire Carriers**

[https://www.oregon.gov/olcc/docs/liquor\\_license\\_and\\_license\\_process/approved\\_for\\_hire\\_carriers.pdf](https://www.oregon.gov/olcc/docs/liquor_license_and_license_process/approved_for_hire_carriers.pdf)

## APPLICATION FORMS REFERENCED

### **For-Hire Carrier Application to Deliver Malt Beverages, Wine, or Cider**

[https://www.oregon.gov/olcc/docs/liquor\\_license\\_and\\_license\\_process/for\\_hire\\_carrier\\_application\\_deliver\\_malt\\_beverages\\_wine\\_cider.pdf](https://www.oregon.gov/olcc/docs/liquor_license_and_license_process/for_hire_carrier_application_deliver_malt_beverages_wine_cider.pdf)

### **Direct Shipper Permit for Licensees Outside of Oregon**

[https://www.oregon.gov/olcc/docs/liquor\\_license\\_and\\_license\\_process/new\\_wine\\_shipping/DirectShipperOutsideOregon.pdf](https://www.oregon.gov/olcc/docs/liquor_license_and_license_process/new_wine_shipping/DirectShipperOutsideOregon.pdf)

## OLCC LIQUOR LICENSING WEBPAGES

### **OLCC Liquor Licensing**

<https://www.oregon.gov/olcc/lic/Pages/default.aspx>

### **Special Events**

[https://www.oregon.gov/olcc/lic/Pages/special\\_event\\_licenses.aspx](https://www.oregon.gov/olcc/lic/Pages/special_event_licenses.aspx)