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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2853 Session of  
1996

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INTRODUCED BY TULLI, LEDERER, GEIST AND BEBKO-JONES,  
JULY 15, 1996

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REFERRED TO COMMITTEE ON LIQUOR CONTROL, JULY 15, 1996

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AN ACT

1 Requiring alcohol servers or sellers to attend responsible  
2 alcohol service training; and providing for a penalty.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Alcohol  
7 Server Training Act.

8 Section 2. Legislative purpose.

9 The purpose of this act is to prevent intoxication-related  
10 damages, injuries and deaths among and by the citizens of this  
11 Commonwealth.

12 Section 3. Definitions.

13 The following words and phrases when used in this act shall  
14 have the meanings given to them in this section unless the  
15 context clearly indicates otherwise:

16 "Alcohol." Ethyl alcohol of any degree of proof originally  
17 produced by the distillation of any fermented liquid, whether

1 rectified or diluted with or without water, whatever may be the  
2 origin thereof and shall include synthetic ethyl alcohol. The  
3 term shall not mean or include ethyl alcohol, whether or not  
4 diluted, that has been denatured or otherwise rendered unfit for  
5 beverage purposes.

6 "Alcohol server or seller." Any person serving or selling  
7 alcohol, spirits, wine or beer for consumption on or off of the  
8 premises of a retail licensed facility as a regular requirement  
9 of his or her employment.

10 "Board." The Pennsylvania Liquor Control Board.

11 "Trainer." A person certified by a State-approved training  
12 entity to administer the responsible server education program to  
13 servers.

14 "Training entity or program." The training required under  
15 this act provided by the Pennsylvania Liquor Control Board  
16 through the Bureau of Alcohol Education.

17 Section 4. Certification.

18 (a) Alcohol servers.--Within 60 days of initial employment,  
19 alcohol servers or sellers in this Commonwealth shall attend an  
20 approved alcohol training program and have a certification card  
21 to serve alcohol. Alcohol servers or sellers employed on the  
22 effective date of this act shall have 24 months to meet the  
23 requirements of this act.

24 (b) Licensees.--All licensees, or a representative thereof  
25 if the licensee is a management company, and managers of  
26 licensed establishments shall attend an approved alcohol  
27 training entity program.

28 Section 5. Cards.

29 (a) Issuance.--The board shall issue a card to servers or  
30 sellers upon successful completion of the program. These cards

1 will be valid permits for mixing, serving or selling alcohol,  
2 spirits, wine or beer.

3 (b) Contents.--The cards shall contain the server's or  
4 seller's name, address, Social Security number, the expiration  
5 date of the card and the name of the training program which the  
6 server or seller completed and which issued the card.

7 (c) Validity.--The cards shall be valid for a period of  
8 three years from the date of the completion of the course. The  
9 cards shall expire on the first day of the month following the  
10 month in which the class was taken.

11 Section 6. Recertification.

12 To recertify, servers or sellers shall attend another session  
13 in an approved program.

14 Section 7. Program and training requirements.

15 (a) Minimum requirements.--The board shall approve  
16 responsible alcohol server education programs which, at a  
17 minimum, include:

18 (1) Instruction on alcohol-related issues and  
19 information covering:

20 (i) Physiological and behavioral effects of alcohol  
21 use.

22 (ii) Blood alcohol content.

23 (iii) Laws affecting servers and sellers of alcohol.

24 (iv) Potential alcohol-related problems in  
25 professional or social settings.

26 (v) Strategies for dealing with problem situations.

27 (vi) State-specific information and laws pertaining  
28 to alcohol service.

29 (2) Interactive skills training with discussion,  
30 including:

1 (i) Focus on how to assess and evaluate situations  
2 and behavior.

3 (ii) Discussion of effective and ineffective  
4 intervention techniques.

5 (3) Role-playing section in which each participant is  
6 provided at least one opportunity to practice new skills  
7 through interaction with other participants or the trainer in  
8 creation of real-life situations.

9 (4) Successful completion of a certification exam which  
10 is graded by the program, not the trainer, to ensure quality  
11 control. Successful completion is a score of 70% or higher.

12 (b) Composition of program.--The training program shall be  
13 composed of discussion and feedback between participants, video  
14 training to practice the skills training and a manual for each  
15 participant which he shall keep to use as a reference tool.

16 (c) Qualifications.--The board shall prepare qualifications  
17 for trainer certification, including:

18 (1) Completion of a trainer workshop which is conducted  
19 by an instructor who is certified by the training program and  
20 employed by the Bureau of Alcohol Education.

21 (2) Successful completion of the workshop, including:

22 (i) Achieving a score of at least 70% on a written  
23 examination.

24 (ii) Receiving a favorable evaluation by the  
25 instructor regarding the participant's knowledge of and  
26 ability to present course materials.

27 (d) Validity.--Trainer's certification shall be valid for  
28 one year at which time the trainers shall be required to  
29 complete another examination or attend another workshop.

30 (e) Records.--The board shall maintain original records of

1 all examinations and certifications of participants in the  
2 program.

3 (f) Time requirements.--Training programs shall have the  
4 following minimum time requirements for employees:

5 (1) For on-premise establishments, three hours of  
6 training.

7 (2) For off-premise establishments, two hours of  
8 training.

9 (3) For concessionaires, two hours of training.

10 (4) For private clubs, country clubs, catered events and  
11 banquet facilities, three hours of training.

12 Section 8. Employment prohibited.

13 A licensed establishment may not employ an alcohol server or  
14 seller who has not complied with the requirements of this act.

15 Section 9. Recordkeeping.

16 (a) Maintenance of records.--Comprehensive records of an  
17 individual's participation and successful completion of a  
18 training program shall be maintained by the trainer. The trainer  
19 shall maintain at least the following:

20 (1) The exams which each person took that reflect the  
21 passing score.

22 (2) A record showing each participant in a class.

23 (b) Transmittal of copies.--The trainer shall transmit  
24 copies of the records under this section to the board.

25 Section 10. Penalty.

26 A person or establishment which violates this act commits a  
27 summary offense.

28 Section 11. Effective date.

29 This act shall take effect July 1, 1997.