Chapter 314-02 WAC
REQUIREMENTS FOR RETAIL LIQUOR LICENSEES

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

314-02-040 Can a hotel with a spirits, beer, and wine restaurant license sell liquor by the bottle to guests? [Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-040, filed 3/15/00, effective 4/15/00.] Repealed by WSR 08-17-067, filed 8/19/08, effective 9/19/08. Statutory Authority: RCW 66.08.030 and 66.24.590.

314-02-050 What are the floor space requirements to obtain and maintain a beer and/or wine restaurant license? [Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-050, filed 3/15/00, effective 4/15/00.] Repealed by WSR 05-22-022, filed 10/24/05,

effective 11/24/05. Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420.

314-02-085 What is a bed and breakfast permit? [Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-085, filed 3/15/00, effective 4/15/00.] Repealed by WSR 11-01-133, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.363.

314-02-095 What is a public house license? [Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-095, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-095, filed 10/24/05, effective 11/24/05. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-095, filed 3/15/00, effective 4/15/00.] Repealed by WSR 11-01-133, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.363.

314-02-125 What types of activities on a licensed premises require notice to the board? [Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-125, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-125, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-125, filed 3/15/00, effective 4/15/00.] Repealed by WSR 17-12-030, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030.

314-02-130 What types of changes to a licensed premises require board approval? [Statutory Authority: RCW 66.08.030. WSR 16-19-104, § 314-02-130, filed 9/21/16, effective 10/22/16; WSR 15-07-035, § 314-02-130, filed 3/11/15, effective 4/11/15. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-130, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-130, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-130, filed 3/15/00, effective 4/15/00.] Repealed by WSR 17-12-030, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030.

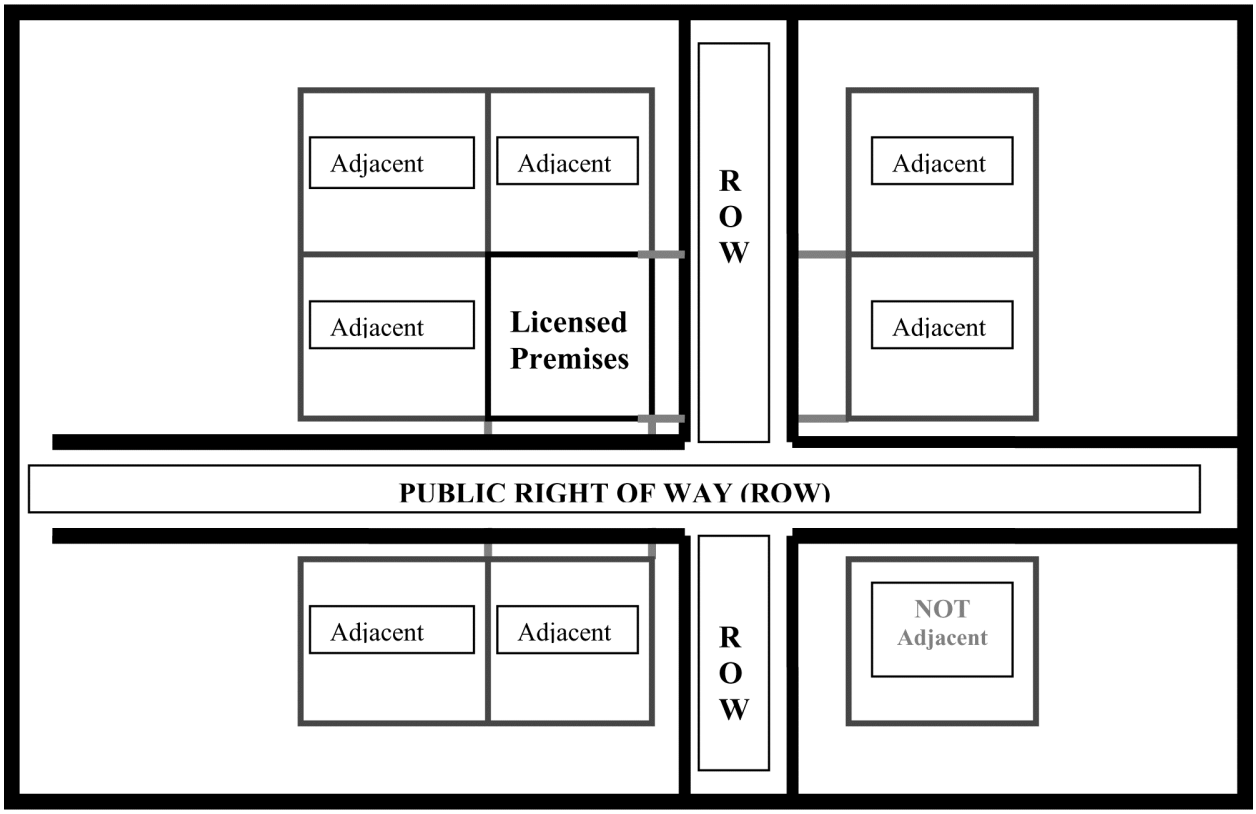
WAC 314-02-005 What is the purpose of chapter 314-02 WAC? Chapter 314-02 WAC outlines the qualifications for the following liquor licenses:

(1) Spirits, beer, and wine restaurants;
(2) Nightclubs;
(3) Spirits, beer, and wine restaurant restricted;
(4) Hotels;
(5) Spirits, beer, and wine theater;
(6) Beer and wine theater;
(7) VIP airport lounge;
(8) Beer and/or wine restaurants;
(9) Sports/entertainment facilities;
(10) Snack bars;
(11) Taverns;
(12) Motels;
(13) Nonprofit arts organizations;
(14) Grocery stores;
(15) Beer/wine specialty shops;
(16) Beer/wine gift delivery businesses;
(17) Spirits retailer;
(18) Caterers; and
(19) Senior center.

[Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-005, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-005, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-005, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.08.030 and 66.24.590. WSR 08-17-067, § 314-02-005, filed 8/19/08, effective 9/19/08. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-005, filed 3/15/00, effective 4/15/00.]

WAC 314-02-010 Definitions. The definitions in this section apply throughout this title unless the context clearly requires otherwise. Additional definitions can be found in RCW 66.04.010.

(1) "Adjacent" means having a common endpoint or border where the extension of the property lines of the licensed premises contacts that common border.



(2) "Banquet room" means any room used primarily for the sale and service of food and liquor to private groups.

(3)(a) "Complete meal" means:

(i) An entree with at least one side dish available to order. Side dishes must be offered and available to order with the entree, but are not required to be included; or

(ii) A combination of small plates that are intended to be ordered many at a time or on a rolling basis throughout the meal service.

(b) Menu items that consist solely of the following types of food do not qualify as complete meals: Precooked frozen meals that are reheated, carry-out items obtained from another business, or snack food.

(c) For the purposes of this subsection, the following definitions apply unless the context clearly requires otherwise:

(i) "Entree" means the main course of a meal. Some examples of entrees include, but are not limited to, fish, steak, chicken, pork, pasta, pizza, burgers, pho, sushi, street tacos, tikka masala, quiche, fufu, curry, seafood salad, Cobb salad, chef's salad, sandwiches, and breakfast items.

(ii) "Side dish" includes soups, vegetables, salads, potatoes, beans, rice, naan, couscous, irio, fruit, bread, banchan, and other similar dishes. Garnishes do not qualify as side dishes. Some examples of garnishes include, but are not limited to, pickles, salsa, and dips.

(iii) "Small plate" means a type of menu item that has a small portion size and is intended to be ordered many at a time or on a rolling basis throughout the meal service. Small plates are often shared among guests. Some examples of small plates include, but are not limited to, tapas, dim sum, and meze. Many cultures have different types of small plates. Small plates do not include snack food.

(4) "Customer service area" means areas where food and/or liquor are normally sold and served to the public, i.e., lounges and dining areas. A banquet room is not considered a customer service area.

(5) "Dedicated dining area." In order for an area to qualify as a dedicated dining area, it must be a distinct portion inside of a restaurant that is used primarily for the sale, service, and consumption of food, and have accommodations for eating, e.g., tables, chairs, booths, etc. See WAC 314-02-025 for more information.

(6) "Designated area" means a space where alcohol may be sold, served, or consumed.

(7) "Entertainer" means someone who performs for an audience such as a disc jockey, singer, or comedian, or anyone providing entertainment services for the licensee. An entertainer is considered an employee of the liquor licensee per WAC 314-01-005. Patrons participating in entertainment are not considered employees.

(8) "Entertainment" means dancing, karaoke, singing, comedy shows, concerts, TV broadcasts, contests with patron participation and/or performing for an audience.

(9) "Food counter" means a table or counter set up for the primary purpose of food service to customers who sit or stand at the counter. Any alcohol served is incidental to food service.

(10) "Game room" means an area of a business set up for the primary purpose of patrons using games or gaming devices.

(11) "Liquor bar" means a table or counter where alcohol is stored or prepared and served to customers who sit or stand at the bar. Liquor bars can only be in lounges or in premises where minors are not allowed at any time.

(12) "Lounge" means the portion of a restaurant used primarily for the preparation, sale, and service of beer, wine, or spirits. Minors are not allowed in a lounge (see RCW 66.44.316 for information on employees and professional musicians under 21 years of age).

(13)(a) "Minimum food service" means that menu items such as sandwiches, salad, soup, pizza, hamburgers, fries, savory pies, tacos, dumplings, fried rice, and other similar items are available to order.

(b) Menu items that consist solely of the following types of food do not qualify as minimum food service: Precooked frozen meals that are reheated, carry-out items obtained from another business, or snack food.

(14) "Minor" means a person under 21 years of age.

(15) "On-premises liquor licensed premises" means a building in which a business is located inside that is allowed to sell alcohol for consumption on the licensed premises.

(16) "Service bar" means a fixed or portable table, counter, cart, or similar work station primarily used to prepare, mix, serve, and sell alcohol that is picked up by employees or customers. Customers may not be seated or allowed to consume food or alcohol at a service bar.

(17) "Snack food" includes items such as peanuts, popcorn, chips, jerky, candy, cookies, crackers, edamame, and other similar food items.

[Statutory Authority: 2021 c 48 § 2, RCW 66.08.071, 66.08.030 and 2021 c 48. WSR 22-01-052, § 314-02-010, filed 12/8/21, effective 1/8/22. Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-010, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-010, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-010, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.08.030 and 66.24.590. WSR 08-17-067, § 314-02-010, filed 8/19/08, effective 9/19/08. Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-010, filed 10/24/05, effective 11/24/05. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-010, filed 3/15/00, effective 4/15/00.]

WAC 314-02-014 What is a food counter, a liquor bar, and a service bar and are minors allowed in these areas?

	Allowed in areas where minors are permitted?	Area where alcoholic beverages are prepared.
A food counter is a table or counter set up for the primary purpose of food service to customers who sit or stand at the counter. Any alcohol served is incidental to food service. Alcoholic beverages are not prepared at a food counter.	yes	no
A liquor bar is a table or counter where alcohol is stored or prepared and served to customers who sit or stand at the bar. This includes alcohol dispensers that are placed on or attached to the table or counter. Liquor bars can only be in lounges or in premises where minors are not allowed at any time.	no	yes
A service bar is a fixed or portable table, counter, cart, or similar work station primarily used to prepare, mix, serve, and sell alcohol that is picked up by employees or customers. Customers may not be seated or allowed to consume food or alcohol at a service bar.	yes	yes

[Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-014, filed 10/24/05, effective 11/24/05.]

WAC 314-02-015 Spirits, beer, and wine restaurant license. (1) Per RCW 66.24.400, this license allows a restaurant to:

(a) Serve spirits by the individual glass or soju by the bottle for on-premises consumption.

(i) Soju served by the bottle may only be served in restaurants holding a soju endorsement and must be served under the provisions outlined in RCW 66.24.400(5);

(ii) Soju endorsement holders must ensure servers providing soju to patrons are trained every five years in the soju curriculum developed by the board.

(b) Serve beer by the bottle or can or by tap for on-premises consumption;

(c) Serve wine and sake for on-premises consumption;

(d) Allow patrons to remove recorked or recapped wine, sake, or soju from the licensed premises;

(e) Sell wine by the bottle for off-premises consumption with the appropriate endorsement; and

(f) Sell kegs of malt liquor with the appropriate endorsement. This endorsement also allows the sale of beer or cider as defined in RCW 66.24.210(6) in a sanitary container brought to the premises by the purchaser or furnished by the licensee and filled at the tap by the retailer at the time of sale.

(2) To obtain and maintain a spirits, beer, and wine restaurant license, the restaurant must be open to the public at least five hours a day during the hours of 8:00 a.m. and 11:00 p.m., three days a week.

(3)(a) Except as provided in (b) of this subsection, all applicants for a spirits, beer, and wine license must establish, to the satisfaction of the board, that the premises will operate as a bona fide restaurant. The term "bona fide restaurant" means a business where the board can clearly determine that the primary purpose of the business is the service of complete meals. "Complete meals" is defined in WAC 314-02-010.

(b) When qualifying for and maintaining a spirits, beer, and wine license, a domestic brewery or microbrewery may contract, lease, or sublease the domestic brewery or microbrewery, with one or more individuals or entities to satisfy the food service requirements for spirits, beer, and wine restaurants in WAC 314-02-035.

(i) For purposes of this section, contracting includes the use of a mobile food unit, as defined in RCW 43.20.025, by a person or entity who sells food and nonalcoholic beverages to the public and does not hold a retail liquor license.

(ii) For purposes of this section, leasing and subleasing includes allowing, under contract, the use of a domestic brewery or microbrewery's licensed premises for the preparation and service of food by a nonliquor licensee.

(iii) Nothing in this section shall prohibit a domestic brewery or microbrewery from owning and operating a mobile food unit to meet spirits, beer, and wine restaurant food service requirements.

In such cases:

(c) Contracted food service staff not employed by the licensee are not permitted to serve the alcohol of the licensee.

(d) Any domestic brewery or microbrewery leasing or subleasing space on the licensed premises shall maintain storage space for non-tax-paid alcohol that is substantially separated from areas of the premises that are regularly accessed by the owner or staff of a mobile food unit or the owner or staff of an independently operated food

service provider. For the purposes of this section, substantially separated may include:

(i) Physically securing nontax-paid alcohol in a manner that is only accessible to employees of the licensed domestic brewery or microbrewery; or

(ii) Storing alcohol in areas of the premises that are not regularly accessed by contracted food service provider staff. Any access to spaces by contracted food service providers who are providing contracted food services must be incidental and limited to that which is necessary for the purposes of accessing bathrooms, breakrooms, exits, or other permitted shared spaces.

(e) A domestic brewery or microbrewery contracting or leasing space on its licensed premises must include in the contract or lease:

(i) A diagram of the kitchen plan detailing the space controlled by the contractor providing food service for the domestic brewery or microbrewery;

(ii) A notification that the liquor licensed premises, including all space contracted for food service, is subject to inspection by the LCB;

(iii) Terms to ensure compliance with the establishment's required hours and days of operation, full meal service requirements, minimum food service requirements, and the contractor's mandate in RCW 66.24.240 to hold necessary kitchen and food service permits from the applicable local jurisdiction;

(iv) Any changes to the domestic brewery or microbrewery's contract or lease, vendor, or kitchen plan must be submitted to the board.

Notes: (1) Regardless of whether a domestic brewery or microbrewery uses its own facilities and staff to satisfy food service requirements for spirits, beer, and wine restaurants in WAC 314-02-035 or they use one or more contractors to do so, the domestic brewery or microbrewery must ensure that all applicable food service requirements are satisfied at all times that they are open for business. Extenuating circumstances, such as the unexpected absence of one or more contractors or a contractor's equipment failure, will not absolve a spirits, beer, and wine licensee of these requirements.
(2) A spirits, beer, and wine restaurant licensee cannot choose to stop operating under their restaurant license and only serve beer (without food options that satisfy requirements in WAC 314-02-035) under a brewery license during any portion of their spirits, beer, and wine restaurant operating hours.

[Statutory Authority: RCW 66.08.030, 62.24.246, and 2025 c 141. WSR 26-10-096, s 314-02-015, filed 5/6/26, effective 6/6/26. Statutory Authority: RCW 66.08.030. WSR 20-05-008, § 314-02-015, filed 2/5/20, effective 3/7/20; WSR 17-12-030, § 314-02-015, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030, 66.24.371, and 66.24.590. WSR 15-01-001, § 314-02-015, filed 12/3/14, effective 1/3/15. Statutory Authority: RCW 66.08.030. WSR 13-06-024, § 314-02-015, filed 2/27/13, effective 3/30/13. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-015, filed 11/9/11, effective 12/10/11. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-015, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030. WSR 09-02-012, § 314-02-015, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-015, filed 10/24/05, effective 11/24/05. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-015, filed 3/15/00, effective 4/15/00.]

WAC 314-02-020 What are the fee categories for a spirits, beer, and wine restaurant license? (1) Per RCW 66.24.420, the annual fee for a spirits, beer, and wine restaurant license is graduated, as follows:

Amount of customer service area dedicated to dining	Annual fee
100%	$1,400
50 - 99%	$2,200
Less than 50%	$2,700

(2) In order for an area to qualify as a dedicated dining area it must be a separate and distinct portion inside of a restaurant that is used primarily for the sale, service, and consumption of food, and have accommodations for eating, e.g., tables, chairs, booths, etc. Areas dedicated to live music or entertainment, such as dance floors or stages are not considered dedicated dining areas. Dedicated dining areas may not contain:

(a) Liquor bars (see definition under WAC 314-02-010(2)); or

(b) Areas dedicated to games or gaming devices.

(3) The fee for a spirits, beer, and wine restaurant license outside of an incorporated city or town will be prorated according to the calendar quarters the licensee is open for business. This proration does not apply in the case of a suspension or revocation of the license.

(4) A duplicate license is required in order to sell liquor from more than one site on your property. These sites must be located on the same property and owned by the same licensee. The following types of businesses may apply for a duplicate license:

Type of Business	Annual fee per duplicate license
Airport terminal	25% of annual license fee
Civic center (such as a convention center)	$15
Privately owned facility open to the public	$30

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-020, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-020, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-020, filed 11/9/11, effective 12/10/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-020, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-020, filed 10/24/05, effective 11/24/05. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-020, filed 3/15/00, effective 4/15/00.]

WAC 314-02-025 What are the floor space requirements to obtain and maintain a spirits, beer, and wine restaurant license or a beer and wine restaurant license? (1) The liquor and cannabis board has the responsibility to classify what licensed premises or what portions of the licensed premises are off-limits to minors per RCW

66.44.310(2). Minors may not purchase, possess, or consume liquor, and may not enter any areas that are classified as off-limits to minors per RCW 66.44.290 and 66.44.310. The purpose of this rule is to clarify the ways in which licensees can prevent minors from consuming alcohol or entering areas classified as off-limits to minors.

(2) Dedicated dining areas - If a spirits, beer, and wine restaurant licensee or a beer and wine restaurant licensee that allows minors chooses to have live music, Karaoke, patron dancing, live entertainment, or contests involving physical participation by patrons in the dedicated dining area after 11:00 p.m., the licensee must either:

(a) Request board approval to reclassify the dining area to a lounge for the period of time that live entertainment is conducted, thus restricting minors during that time; or

(b) Notify the board in writing at least forty-eight hours in advance that the sale, service, and consumption of liquor will end in the dedicated dining area after 11:00 p.m.

Requests or notifications may cover one event or a series of recurring events over a period of time.

(3) A licensed premises must have a clear demarcation between dedicated dining areas and areas classified as off-limits to minors.

(a) Demarcation means a dividing line that must clearly separate areas classified as off-limits to minors from dedicated dining areas.

(b) Demarcation options available to applicants and licensees, subject to approval by the board, include:

(i) Visibly different and contrasting flooring;

(ii) Steps or ramps up or down;

(iii) Walls, half-walls, or forty-two inch barriers, where entrances to the areas classified as off-limits to minors are not more than ten feet wide;

(iv) Permanently affixed stanchions, pillars, or posts at least six inches wide and placed no more than ten feet apart;

(v) Stationary planters at least six inches wide and placed no more than ten feet apart; and

(vi) Permanently affixed floor lighting or beacons placed no more than ten feet apart.

(c) Other demarcation options may be approved at the board's discretion.

(d) Demarcation does not include tape, paint, or stickers on floors, walls, or ceilings.

(e) Once the floor plan is approved by the board the demarcation cannot be moved or changed without prior board approval.

(f) "Minor prohibited" signs, as required by WAC 314-11-060(1), must be posted and clearly visible to patrons who are:

(i) Approaching the area(s) classified as off-limits to minors; and

(ii) Inside the area(s) classified as off-limits to minors.

(4) A spirits, beer, and wine restaurant licensee or a beer and wine restaurant licensee may request the board reclassify their off-limits area(s) as open to minors for regularly scheduled or special events. Reclassifying an off-limits area is considered an alteration to a licensed premises under WAC 314-03-300 and must be approved by the board prior to the event.

(5) If the business allows minors, the business's primary entrance must open directly into a dedicated dining area or into a neutral area, such as a lobby or foyer, that leads directly to a dedicated dining area. Minors must be able to access restrooms without passing through a lounge or other age-restricted area.

(6) **Floor plans** - When applying for a license, the applicant must provide to the board a detailed drawing of the entire premises. The drawing must:

(a) Be drawn to scale;

(b) Have all areas labeled according to their use; e.g., dining, lounge, gaming, kitchen, etc.; and

(c) Have all demarcations that separate dedicated dining areas from areas classified as off-limits to minors labeled and described in detail.

(7) **Convention centers** - To qualify as a convention center a premises must have two or more rooms that provide space and accommodations for private events only. Convention center licensees may only sell alcohol for private events at the licensed premises.

[Statutory Authority: RCW 66.08.030 and 66.44.310. WSR 20-03-180, § 314-02-025, filed 1/22/20, effective 2/22/20. Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-025, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-025, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-025, filed 10/24/05, effective 11/24/05. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-025, filed 3/15/00, effective 4/15/00.]

WAC 314-02-027 What are the requirements/restrictions for a spirits, beer, and wine restaurant license at a cinema with a dinner theater venue? (1) A spirits, beer, and wine restaurant licensee at a cinema with a dinner theater venue must meet the following requirements:

(a) Food service requirements under WAC 314-02-035; and

(b) Lighting requirements under WAC 314-11-055.

(2) Alcohol sales and service may not be provided from the concession area in the cinema lobby.

(3) Alcohol may be consumed only in the theater rooms approved by the board.

(4) Minor patrons and employees are prohibited in the individual theater rooms that allow alcohol service and consumption.

(5) A spirits, beer, and wine restaurant licensee at a cinema with a dinner theater venue must provide a floor plan of the cinema and indicate which theater rooms within the cinema will be operated as dinner theaters. Those theater rooms not operated as dinner theaters with alcohol sales and service may be open to minors and minor employees.

Example: A cinema has eight theater rooms. The licensee wants to operate theater rooms five and six as dinner theaters with meals and alcohol sales and service. Minor patrons and employees are prohibited in theater rooms five and six, but would be allowed in the lobby area and in theater rooms one, two, three, four, seven, and eight.

Example: A cinema has eight theater rooms. The licensee wants to operate all eight theater rooms as dinner theaters with meals and alcohol sales and service. Minor patrons and employees are prohibited in the lobby area and all eight theater rooms in the cinema. No minors would be allowed on the entire premises at all times.

[Statutory Authority: RCW 66.08.030. WSR 10-10-127, § 314-02-027, filed 5/5/10, effective 6/5/10.]

WAC 314-02-030 Can a spirits, beer, and wine restaurant exclude persons under 21 years of age from the premises? A spirits, beer, and wine restaurant licensee may exclude minors from the entire premises at all times as approved by the board.

(1) To exclude minors from the entire licensed premises at all times the applicant or licensee must:

(a) Indicate during the liquor license application process that they do not wish to have minors on the entire premises at all times; or

(b) If already licensed as a spirits, beer, and wine restaurant that allows minors, the applicant may request permission from the board's licensing and regulation division to exclude minors at all times or for a specific event. See WAC 314-02-130 for instructions on requesting this approval.

(c) Spirits, beer, and wine restaurant licensees who exclude minors from the entire premises at all times or at certain times must meet all other requirements of this license, including the food service requirements outlined in WAC 314-02-035.

(d) During the times that a spirits, beer, and wine restaurant licensee excludes minors from the entire premises, the licensee may not employ minors. (See RCW 66.44.316 for more information on employing minors.)

(2) Restaurants that have less than 15 percent of their total customer service area dedicated to dining must exclude minors from the entire premises. The licensee:

(a) Must pay the largest annual license fee (less than 50 percent dedicated dining);

(b) Must meet all other requirements of this license, including the food service requirements outlined in WAC 314-02-035; and

(c) May not employ minors at any time. (See RCW 66.44.316 for information on employing certain persons 18 years and over under specific conditions.)

(3) See WAC 314-11-060(1) regarding requirements for "minors prohibited" signage.

[Statutory Authority: RCW 66.08.030. WSR 24-23-002, s 314-02-030, filed 11/6/24, effective 12/7/24. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-030, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-030, filed 10/24/05, effective 11/24/05. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-030, filed 3/15/00, effective 4/15/00.]

WAC 314-02-033 Do spirits, beer, and wine restaurants that exclude minors from the premises have to put demarcations around their dedicated dining area(s)? Spirits, beer, and wine restaurant licensees who exclude minors from the entire premises at all times are only required to place demarcations described in WAC 314-02-025 around dedicated dining areas for the purpose of paying the lower annual license fee (fifty percent to ninety-nine percent dedicated dining area). Restaurants that do not allow minors at any time and do not wish to have demarcations around their dining area(s) must pay the higher annual license fee (less than fifty percent dedicated dining area). (See WAC 314-02-020 for an explanation of fees.)

[Statutory Authority: RCW 66.08.030 and 66.44.310. WSR 20-03-180, § 314-02-033, filed 1/22/20, effective 2/22/20. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-033, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-033, filed 10/24/05, effective 11/24/05.]

WAC 314-02-035 Food service requirements for a spirits, beer, and wine restaurant license. (1) Except as provided under subsection (10) of this section, a spirits, beer, and wine restaurant licensee must serve at least four complete meals. Establishments shall be maintained in a substantial manner as a place for preparing, cooking, and serving of complete meals. "Complete meal" is defined in WAC 314-02-010.

(2) The restaurant must maintain the kitchen equipment necessary to prepare the complete meals required under this section.

(3) The complete meals must be prepared on the restaurant premises.

(4) A chef or cook must be on duty while complete meals are offered.

(5) A menu must be available to customers.

(6) The food items required to maintain the menu must be on the restaurant premises. These items must be edible.

(7) Restaurants that have 100 percent dedicated dining area must maintain complete meal service any time liquor is available for sale, service, or consumption.

(8)(a) Restaurants with less than 100 percent dedicated dining area must maintain complete meal service for a minimum of five hours a day during the hours of 8:00 a.m. and 11:00 p.m., three days a week.

(b) Minimum food service must be available during hours of alcohol service when complete meal service is not offered. "Minimum food service" is defined in WAC 314-02-010.

(9) The hours of complete meal service must be conspicuously posted on the premises or listed on the menu. A statement that minimum food service is available outside of those hours must also be posted or listed on the menu.

(10) When qualifying for and maintaining a spirits, beer, and wine restaurant license, a domestic brewery or microbrewery may contract with one or more individuals or entities to satisfy the food service requirements for spirits, beer, and wine restaurants in this section per the provisions of WAC 314-02-015 (3)(b) through (d)(iv).

[Statutory Authority: RCW 66.08.030, 62.24.246, and 2025 c 141. WSR 26-10-096, s 314-02-035, filed 5/6/26, effective 6/6/26. Statutory Authority: 2021 c 48 § 2, RCW 66.08.071, 66.08.030 and 2021 c 48. WSR 22-01-052, § 314-02-035, filed 12/8/21, effective 1/8/22. Statutory Authority: RCW 66.24.410. WSR 18-13-063, § 314-02-035, filed 6/14/18, effective 7/15/18. Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-035, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-035, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-035, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-035, filed 10/24/05, effective 11/24/05. Statutory Authority: RCW 66.08.030, 66.24.010,

66.24.120. WSR 00-07-091, § 314-02-035, filed 3/15/00, effective 4/15/00.]

WAC 314-02-036 What is a spirits, beer, and wine nightclub license? (1) This license allows a nightclub as defined in RCW 66.04.010(28) to:

(a) Sell and serve spirituous liquor by the individual drink for on-premises consumption;

(b) Sell and serve beer by the open bottle, can, or by tap for on-premises consumption; and

(c) Sell and serve wine for on-premises consumption.

(2) To obtain and maintain a spirits, beer, and wine nightclub license the nightclub must have primary business hours between 9:00 p.m. and 2:00 a.m.

(3) There are no food requirements for a spirits, beer, and wine nightclub license. Food sales and service are incidental to the sale and service of alcohol.

(4) The annual fee for a spirits, beer, and wine nightclub license is $2,500.

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-036, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-036, filed 12/16/09, effective 1/16/10.]

WAC 314-02-037 What are the floor space requirements for a spirits, beer, and wine nightclub license? (1) The liquor and cannabis board has the responsibility to classify what licensed premises or what portions of a licensed premises are off limits to minors.

(a) Any areas in the licensed premises where alcohol is sold, served, or consumed is classified as off-limits to minors (RCW 66.44.310(2)).

(b) Minors may be allowed on the licensed premises but only in areas where alcohol is not served or consumed.

(2) **Barriers** - Licensees must place barriers separating restricted areas from areas where minors will be allowed.

(a) The barriers must clearly separate restricted areas and must be at least forty-two inches high.

(b) The barriers may be moveable.

(c) Entrances to restricted areas may not be wider than ten feet. If a licensee has more than one entrance along one wall, the total entrance areas may not exceed ten feet.

(d) "Minor prohibited" signs, as required under WAC 314-11-060(1), must be posted at each entrance to a restricted area.

(3) If the business allows minors, the primary entrance must open directly into a nonrestricted area. Minors must be able to access restrooms without passing through a restricted area.

(4) **Floor plans** - When applying for a spirits, beer, and wine nightclub license, the applicant must provide to the board's licensing and regulation division two copies of a detailed drawing of the entire

premises. If there will be different floor plans for different types of events that change the location and/or dimensions of the restricted area(s), the applicant must provide two copies of a detailed drawing for each floor plan. All restricted areas must be designated on the floor plan(s) and be approved by the board. The drawing must be labeled with the type of event. The drawing must:

(a) Have all rooms labeled according to their use; e.g., lounge, dance floor, stage area, foyer, restrooms, etc.; and

(b) Have all barriers labeled in a descriptive way; e.g., "full wall," "half wall," etc.

[Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-037, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-037, filed 12/16/09, effective 1/16/10.]

WAC 314-02-038 Can a spirits, beer, and wine nightclub license exclude persons under 21 years of age from the premises? A spirits, beer, and wine nightclub licensee may exclude minors from the premises at all times.

(1) To exclude minors from the entire licensed premises at all times, the applicant must:

(a) Indicate during the liquor license application process that they do not wish to have minors on the entire premises at all times; or

(b) If already licensed as a spirits, beer, and wine nightclub license that allows minors, the licensee may request permission from the board's licensing and regulation division to exclude minors at all times. See WAC 314-02-130 for instructions on requesting this approval.

(2) Spirits, beer, and wine nightclub licensees who exclude minors from the premises may not employ minors. (See RCW 66.44.310 for more information on employing minors.)

[Statutory Authority: RCW 66.08.030. WSR 24-23-002, s 314-02-038, filed 11/6/24, effective 12/7/24. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-038, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-038, filed 12/16/09, effective 1/16/10.]

WAC 314-02-039 What type of restrictions may be placed on a spirits, beer, and wine nightclub license? (1) Local government may petition the board to request further restrictions be imposed on a spirits, beer, and wine nightclub license in the interest of public safety. Public safety does not include items such as noise ordinances and trash pickup.

(a) The local authority must request any additional restrictions within twenty days from the date of the local authority notice sent by the board.

A request for additional restrictions must be accompanied by a written explanation for the restriction and how the restriction relates to public safety.

(b) If the local authority requests further restrictions on the license, the board will notify the applicant of the local authorities' request.

(c) Any restrictions requested by the local authority and approved by the board may be enforced by the board.

(d) The board may impose the restriction of a "good neighbor agreement" requested by the local authority, but will not enforce agreements between a local authority and liquor licensee or applicant.

(2) The local authority, the applicant, or the licensee may request an administrative hearing per chapter 34.05 RCW if they disagree with the decision the board makes on additional restrictions to the license, based on the interest of public safety.

[Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-039, filed 12/16/09, effective 1/16/10.]

WAC 314-02-041 What is a hotel license? (1) Per RCW 66.24.590, this license allows a hotel to:

(a) Serve spirits by the individual serving for consumption on the licensed premises;

(b) Serve beer, including strong beer, and wine for consumption on the licensed premises;

(c) Sell at retail, from locked honor bars, in individual units, spirits not to exceed 50 milliliters, beer in individual units not to exceed 12 ounces, and wine in individual bottles not to exceed 385 milliliters, to registered guests of the hotel for consumption in guest rooms;

(d) Provide, without additional charge, to overnight guests, spirits, beer, and wine by the individual serving for consumption on the licensed premises at a specified regular date, time, and place. Self-service by guests is prohibited;

(e) Sell beer, including strong beer, wine, or spirits, in the manufacturer's sealed container or by the individual drink to guests through room service, or through service to occupants of private residential units which are part of the buildings or complex of buildings, that include the hotel;

(f) Sell beer, including strong beer, and wine, in the manufacturer's sealed container at retail sales locations within the hotel premises;

(g) Place in guest rooms at check-in, complimentary beer, including strong beer, or wine in a manufacturer's sealed container; and

(h) Sell beer and cider as defined in RCW 66.24.210(6) to a purchaser in a sanitary container brought to the premises by the purchaser or furnished by the licensee and filled at the tap in the restaurant area by the licensee at the time of sale.

(2) The annual fee for a hotel license is $2,500.

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-041, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030, 66.24.371, and 66.24.590. WSR 15-01-001, § 314-02-041, filed 12/3/14, effective 1/3/15. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-041, filed 11/9/11, effective 12/10/11. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-041, filed

12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.590. WSR 08-17-067, § 314-02-041, filed 8/19/08, effective 9/19/08.]

WAC 314-02-0411 Food service requirements for a hotel license. (1) A hotel licensee must have the ability to serve at least four complete meals to hotel guests or any other patron of the hotel who is offered alcohol service for on-premise consumption at a food outlet on the hotel premises. Food outlets include room service, banquets, bars/lounges, restaurants, or coffee shops. "Complete meal" is defined in WAC 314-02-010.

(2) Complete meals must be prepared on the hotel premises.

(3) A menu must be available to hotel guests and patrons offered alcohol service that lists, at a minimum, the required complete meals.

(4) The food items required to maintain the menu must be located on the licensed premises. These items must be edible.

(5)(a) Licensees must maintain complete meal service for a minimum of five hours a day between the hours of 11:00 a.m. and 2:00 a.m. on any day that liquor is served. The board may consider written requests for exceptions to this requirement due to a demonstrated hardship and may allow exceptions under terms and conditions the board determines are in the best interests of the public.

(b) Minimum food service must be available during hours of alcohol service when complete meal service is not offered. "Minimum food service" is defined in WAC 314-02-010.

(6) Hours of complete meal service must be listed on the menu. If applicable, a statement must be posted or listed on the menu that minimum food service is available when alcohol is served and complete meal service is unavailable.

[Statutory Authority: 2021 c 48 § 2, RCW 66.08.071, 66.08.030 and 2021 c 48. WSR 22-01-052, § 314-02-0411, filed 12/8/21, effective 1/8/22. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-0411, filed 11/9/11, effective 12/10/11. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-0411, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.590. WSR 08-17-067, § 314-02-0411, filed 8/19/08, effective 9/19/08.]

WAC 314-02-0412 Are minors restricted from any areas of the hotel premises? (1) If an area of the hotel premises is used primarily for alcohol service on a continuing basis, the area must be designated by the licensee as restricted to access by minors.

(2) The board may restrict alcohol service in areas of the hotel premises where:

(a) The designated area is designed as an attraction for minors; or

(b) Consumption of alcohol in a designated area presents an increased risk to public safety.

[Statutory Authority: RCW 66.08.030 and 66.24.590. WSR 08-17-067, § 314-02-0412, filed 8/19/08, effective 9/19/08.]

WAC 314-02-0413 What are the requirements if the hotel licensee does not operate the business serving alcohol or food within the hotel premises? (1)(a) If any facilities within the hotel premises used for alcoholic beverage service and the preparation, cooking, and serving of food are operated under contract or joint venture agreement with a business separate from the hotel business, the operator may hold a license separate from the license held by the operator of the hotel.

(b) Food and beverage inventory used in separately licensed operations on the hotel premises may not be shared and shall be separately owned and stored by the separate licensees.

(c) The board may require a hotel licensee to submit a copy of the contract or joint venture agreement when a party other than the hotel operator provides food and alcoholic beverage service. Such contract or agreement must require the provider of food and alcoholic beverage services to meet the food service requirements of WAC 314-02-0411.

(d) The hotel licensee is responsible for the conduct of alcohol sales and service by a separately licensed business and violation incurred by the separately licensed business may result in an administrative violation for the hotel licensee.

(2)(a) If alcohol is consumed in an area of the hotel premises operated by a business separate from the hotel business but under a contract or joint venture agreement with the hotel licensee to conduct activities other than food service, the hotel licensee is responsible for violations of alcohol laws and regulations resulting from conduct of the separate business.

(b) The board may require a hotel licensee to submit a copy of the contract or joint venture agreement between the licensee and the separate business.

[Statutory Authority: RCW 66.08.030 and 66.24.590. WSR 08-17-067, § 314-02-0413, filed 8/19/08, effective 9/19/08.]

WAC 314-02-0414 Can a hotel licensee use its alcohol inventory for sales and service at events outside of the hotel premises? Per RCW 66.24.590, a licensee may:

(1) Remove from the hotel licensee's liquor stocks at the licensed premises, liquor to be sold and served at an event on a specified date at a specified location not currently licensed by the board. If the event is open to the public, it must be sponsored by a society or organization defined under RCW 66.24.375.

(2) If requested by the board, the licensee must notify the board or its designee of the date, time, and location of these events.

(3) Licensees may sell and serve liquor under this section on the premises of a domestic winery.

[Statutory Authority: RCW 66.08.030 and 66.24.590. WSR 08-17-067, § 314-02-0414, filed 8/19/08, effective 9/19/08.]

WAC 314-02-0415 What are the requirements for instructing employees on spirits, beer, or wine? (1) Per RCW 66.24.590, a licensee or its manager may furnish spirits, beer, or wine to the licensee's employees who are 21 years of age or older, free of charge, as a necessary part of instruction and training on spirits, beer, and wine.

(2) The licensee must use spirits, beer, and wine they obtain under the license for purposes of instruction.

(3) The instruction must be given at the hotel premises.

[Statutory Authority: RCW 66.08.030. WSR 24-23-002, s 314-02-0415, filed 11/6/24, effective 12/7/24. Statutory Authority: RCW 66.08.030 and 66.24.590. WSR 08-17-067, § 314-02-0415, filed 8/19/08, effective 9/19/08.]

WAC 314-02-042 Spirits, beer and wine restaurant restricted—Qualifications. (1) Spirits, beer and wine restaurant restricted licensees shall govern their operations in selling liquor in accordance with the regulations set forth in Title 66 RCW. Such licensees may sell liquor in accordance with these regulations, only to members, invited guests, and holders of cards as authorized by chapter 314-40 WAC.

(2)(a) Applications for new spirits, beer and wine restaurant restricted licenses shall be accompanied by proof that:

(i) The business has been in operation for at least one year immediately prior to the date of its application. Such proof should include records of membership as well as an indication as to numbers and types of membership.

(ii) Membership or admission will not be denied to any person because of race, creed, color, national origin, sex or the presence of any sensory, mental or physical handicap.

(b) Spirits, beer and wine restaurant restricted applicants and licensees must meet the provisions of WAC 314-02-035.

(3) Under RCW 66.24.450, the board may issue an endorsement allowing the club to hold nonclub, member-sponsored events using club liquor.

(a) Each event must have a sponsoring member from the club.

(b) Each visitor and/or guest may only attend the event by invitation of the sponsoring member(s).

(c) Event may not be open to the general public.

(d) At least seventy-two hours prior to any nonclub event, the sponsoring member, or any club officer, must provide to the board: The date, time, and location of the event, the name of the sponsor of the event, and a brief description of the purpose of the event.

(e) A list of all invited guests and visitors must be available for inspection during the nonclub event.

(4) Under RCW 66.24.450, the board may issue an endorsement allowing the holder of a spirits, beer, and wine private club license to sell bottled wine for off-premises consumption.

(a) Spirits and beer may not be sold for off-premises consumption.

(b) Bottled wine may only be sold to members, visitors, and guests defined under WAC 314-40-005. Bottled wine may not be sold to the general public.

(5) See chapter 314-40 WAC for additional rules on clubs.

[Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-042, filed 11/9/11, effective 12/10/11. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-042, filed 12/21/10, effective 1/21/11.]

WAC 314-02-043 What is a VIP airport lounge license? (1) Per RCW 66.24.610, a VIP airport lounge liquor license allows a VIP airport lounge licensee to sell or provide spirits, wine, and beer for on-premises consumption as a retail licensed premises.

(a) A VIP airport lounge is a retail establishment in an international airport, beyond security checkpoints.

(b) The VIP airport lounge liquor licensee must be the entity in control of the day-to-day operations of the VIP airport lounge.

(c) Spirits, beer, and wine to be sold or provided complimentary by the individual serving for on-premises consumption to persons at least 21 years of age or older.

(d) Customers may not remove spirits, beer, and wine from the premises at any time.

(e) The VIP airport lounge licensee may only serve liquor from a service bar. A service bar is a work station primarily used to prepare and sell alcoholic beverages that are picked up by the customer. Customers are not permitted to mix their own drinks, sit or consume food or alcohol at the service bar.

(f) All alcohol servers must have a valid MAST permit.

(2) The annual fee for this license is $2,500.

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-043, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-043, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-043, filed 11/9/11, effective 12/10/11.]

WAC 314-02-044 Application process and guidelines for a VIP airport lounge liquor license. (1) RCW 66.24.010 states the board will only issue licenses and permits to applicants and locations that meet certain qualifications. Please see chapter 314-07 WAC for liquor license qualifications and application process.

(2) An applicant for a VIP airport lounge license must include a sketch of the VIP airport lounge area including the service bar area and where the alcohol inventory will be stored.

(3) All alcohol inventory must be stored on the VIP airport lounge licensed premises.

(4) Access to a VIP airport lounge is generally limited to:

(a) Ticketed airline passengers of any age who have first class, executive, or business class tickets;

(b) Qualified members or guests of loyalty incentive programs, members or guests of enhanced amenities programs;

(c) Passengers or airline employees issued a pass by the airline for access; and

(d) Airport, airline employees, government officials, and attendees of airport authority or airlines for business promotion with controlled access by the VIP airport lounge licensee.

(5) Between the hours of 2 a.m. and 6 a.m., licensees or employees may not:

(a) Provide, offer, or sell liquor;

(b) Deliver liquor (except that beer and/or wine distributors may deliver beer and/or wine to retail licensees between the hours of 2 a.m. and 6 a.m.);

(c) Allow liquor to be consumed on the premises; or

(d) Possess liquor, except that persons working on the premises may possess liquor between the hours of 2 a.m. and 6 a.m. while in the performance of their official duties.

(6) A local government subdivision may fix later opening hours or earlier closing hours than those specified in this rule, so long as the hours apply to all licensed premises in the local government subdivision's jurisdiction. See WAC 314-12-215(3) for exceptions when a premises is in a board recognized alcohol impact area.

[Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-044, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-044, filed 11/9/11, effective 12/10/11.]

WAC 314-02-045 Beer and/or wine restaurant license. (1) Per RCW 66.24.320 and 66.24.354, this license allows a restaurant to:

Privilege	Annual fee
(a) Serve beer by the bottle or can or by tap for on-premises consumption.	$300
(b) Serve wine or sake for on-premises consumption (see RCW 66.24.320 regarding patrons removing recorked or recapped wine or sake from the premises).	$300
(c) Sell beer and/or wine in the original, unopened containers for off-premises consumption.	$120
(d) Sell tap beer for off-premises consumption in a sanitary container holding less than four gallons of beer, and brought to the premises by the purchaser.	In conjunction with off-premises privilege outlined in (c) of this subsection.
(e) Sell cider as defined in RCW 66.24.210(6) for off-premises consumption to a purchaser in a sanitary container brought to the premises by the purchaser or provided by the licensee and filled at the tap in the restaurant at the time of purchase. The licensee must comply with federal regulations.	In conjunction with off-premises privilege outlined in (c) of this subsection.
(f) Sell beer in kegs or other containers holding at least four gallons of beer (see WAC 314-02-115 regarding the requirements for registering kegs).	In conjunction with off-premises privilege outlined in (c) of this subsection.

(2) Except as provided in subsection (4) of this section, all applicants for a beer and/or wine restaurant license must establish, to the satisfaction of the board, that the premises will operate as a bona fide restaurant, as defined in RCW 66.04.010.

(a) Minimum food service is required, as defined in WAC 314-02-010.

(b) To obtain and maintain a beer and/or wine restaurant license, the restaurant must be open to the public at least five hours a day, two days a week.

(3) If a beer and/or wine restaurant's dedicated dining area comprises less than 15 percent of the total customer service area, the premises must maintain a tavern license as described in WAC 314-02-070.

(4) When qualifying for and maintaining a beer and/or wine license, a domestic brewery or microbrewery may contract, lease, or sublease the domestic brewery or microbrewery, with one or more individuals or entities to satisfy the food service requirements for beer and wine restaurants in WAC 314-02-010.

(a) For purposes of this section, contracting includes the use of a mobile food unit, as defined in RCW 43.20.025, by a person or entity who sells food and nonalcoholic beverages to the public and does not hold a retail liquor license.

(b) For purposes of this section, leasing and subleasing includes allowing, under contract, the use of a domestic brewery or microbrewery's licensed premises for the preparation and service of food by a nonliquor licensee.

(c) Nothing in this section shall prohibit a domestic brewery or microbrewery from owning and operating a mobile food unit to meet beer and wine restaurant food service requirements.

In such cases:

(5) Contracted food service staff not employed by the licensee are not permitted to serve the alcohol of the licensee.

(6) Any domestic brewery or microbrewery leasing or subleasing space on the licensed premises shall maintain storage space for non-tax-paid alcohol that is substantially separated from areas of the premises that are regularly accessed by the owner or staff of a mobile food unit or the owner or staff of an independently operated food service provider. For the purposes of this section, substantially separated may include:

(a) Physically securing nontax-paid alcohol in a manner that is only accessible to employees of the licensed domestic brewery or microbrewery; or

(b) Storing alcohol in areas of the premises that are not regularly accessed by contracted food service provider staff. Any access to spaces by contracted food service providers who are providing contracted food services must be incidental and limited to that which is necessary for the purposes of accessing bathrooms, breakrooms, exits, or other permitted shared spaces.

(7) A domestic brewery or microbrewery contracting or leasing space on its licensed premises must include in the contract or lease:

(a) A diagram of the kitchen plan detailing the space controlled by the contractor providing food service for the domestic brewery or microbrewery;

(b) A notification that the liquor licensed premises, including all space contracted for food service, is subject to inspection by the LCB;

(c) Terms to ensure compliance with the establishment's required hours and days of operation, full meal service requirements, minimum food service requirements, and the contractor's mandate in RCW 66.24.240 to hold necessary kitchen and food service permits from the applicable local jurisdiction.

(8) Any changes to the domestic brewery or microbrewery's contract or lease, vendor, or kitchen plan must be submitted to the board.

Notes: (1) Regardless of whether a domestic brewery or microbrewery uses its own facilities and staff to satisfy food service requirements for spirits, beer, and wine restaurants in WAC 314-02-035 or they use one or more contractors to do so, the domestic brewery or microbrewery must ensure that all applicable food service requirements are satisfied at all times that they are open for business. Extenuating circumstances, such as the unexpected absence of one or more contractors or a contractor's equipment failure, will not absolve a spirits, beer, and wine licensee of these requirements.
(2) A spirits, beer, and wine restaurant licensee cannot choose to stop operating under their restaurant license and only serve beer (without food options that satisfy requirements in WAC 314-02-035) under a brewery license during any portion of their spirits, beer, and wine restaurant operating hours.

[Statutory Authority: RCW 66.08.030, 62.24.246, and 2025 c 141. WSR 26-10-096, s 314-02-045, filed 5/6/26, effective 6/6/26. Statutory Authority: RCW 66.08.030 and 2025 c 343. WSR 25-19-050, s 314-02-045, filed 9/10/25, effective 10/11/25. Statutory Authority: RCW 66.08.030. WSR 20-05-008, § 314-02-045, filed 2/5/20, effective 3/7/20. Statutory Authority: RCW 66.08.030, 66.24.371, and 66.24.590. WSR 15-01-001, § 314-02-045, filed 12/3/14, effective 1/3/15. Statutory Authority: RCW 66.08.030. WSR 13-06-024, § 314-02-045, filed 2/27/13, effective 3/30/13. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-045, filed 11/9/11, effective 12/10/11. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-045, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-045, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-045, filed 10/24/05, effective 11/24/05. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-045, filed 3/15/00, effective 4/15/00.]

WAC 314-02-051 What are the requirements/restrictions for a beer and wine restaurant license at a cinema with a dinner theater venue? (1) A beer and wine restaurant licensee at a cinema with a dinner theater venue must meet the following requirements:

(a) Food service requirements under WAC 314-02-045; and

(b) Lighting requirements under WAC 314-11-055;

(2) Alcohol sales and service may not be provided from the concession area in the cinema lobby.

(3) Alcohol may be consumed only in the theater rooms approved by the board.

(4) Minor patrons and employees are prohibited in the individual theater rooms that allow alcohol service and consumption.

(5) A beer and wine restaurant licensee at a cinema with a dinner theater venue must provide a floor plan of the cinema and indicate which theater rooms within the cinema will be operated as dinner theaters. Those theater rooms not operated as dinner theaters with alcohol sales and service may be open to minors and minor employees.

Example: A cinema has eight theater rooms. The licensee wants to operate theater rooms five and six as dinner theaters with meals and alcohol sales and service. Minor patrons and employees are prohibited in theater rooms five and six, but would be allowed in the lobby area and in theater rooms one, two, three, four, seven, and eight.

Example: A cinema has eight theater rooms. The licensee wants to operate all eight theater rooms as dinner theaters with meals and alcohol sales and service. Minor patrons and employees are prohibited in the lobby area and all eight theater rooms in the cinema. No minors would be allowed on the entire premises at all times.

[Statutory Authority: RCW 66.08.030. WSR 10-10-127, § 314-02-051, filed 5/5/10, effective 6/5/10.]

WAC 314-02-055 Can a beer and/or wine restaurant exclude minors from the dining area? (1) To exclude minors from the dining area during a portion of the day or week or on a one-time-only basis, the applicant or licensee must request permission from the board (see WAC 314-02-130(1)).

(2) See WAC 314-11-060(1) regarding requirements for "minors prohibited" signage.

[Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-055, filed 10/24/05, effective 11/24/05. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-055, filed 3/15/00, effective 4/15/00.]

WAC 314-02-056 Sports/entertainment facility license—Purpose. (1) **What is the purpose of the rules governing the use of alcohol in sports/entertainment facilities?**

(a) In RCW 66.24.570, the legislature established a spirits, beer, and wine license for arenas, coliseums, stadiums, or other facilities where sporting, entertainment, and special events are presented.

(b) These rules provide a framework for the enforcement of liquor laws and regulations, particularly those prohibiting the sale of alcohol to persons under twenty-one years of age or persons who are apparently intoxicated.

(c) This framework recognizes the unique conditions associated with events attended by large crowds consisting of diverse age groups.

(2) **Will the liquor and cannabis board recognize the differences between types of sports/entertainment facilities; professional sports/entertainment facilities, amateur sporting facilities, and racetracks?** Yes. A sports/entertainment facility must submit an operating plan, which must be approved by the board prior to the issuance of a license. All plans are required to meet the minimum standards outlined in WAC 314-02-058. The board will take into consideration the unique features of each facility when approving an operating plan, including the seating accommodations, eating facilities, and circulation patterns. The board will allow proration of the sports/entertainment license fees under certain conditions:

(a) The licensee is an amateur sports organization; or

(b) The licensee is a racetrack that meets specific criteria.

(3) **Amateur sports organizations** must meet the following criteria:

(a) Season length must not be more than three months, with an additional month allowed for playoffs if applicable (requests/approval for any additional months must be made on a case-by-case basis). The venue must remain closed for the remainder of the year.

(b) Must comply with all elements contained in WAC 314-02-056 through 314-02-059.

(c) Must provide proof of amateur status.

(d) Must provide a statement regarding removal/disposal of alcohol inventory at the end of the season.

(e) Seating capacity of the venue may not exceed five thousand.

(4) Racetracks must meet the following criteria:

(a) Must be a seasonal operation of two quarters or less (requests/approval for any additional quarters must be made on a case-by-case basis).

(b) Seating capacity of the venue may not exceed five thousand.

(c) Maximum number of race days allowed per week is two.

(d) Per RCW 66.24.010(9) a motor sports facility is required to enforce a program reasonably calculated to prevent alcohol or alcoholic beverages not purchased within the facility from entering the facility and such program must be approved by the local law enforcement agency. A copy of this program showing the local law enforcement approval must be submitted to the board's licensing division.

[Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-056, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-056, filed 12/21/10, effective 1/21/11.]

WAC 314-02-057 Definitions. (1) **Premises** - Buildings, parking lots, and any open areas that are adjacent to and owned, leased, or managed by the licensee and under the licensee's control.

(2) **Event categories** - Types of events that the licensee expects to hold on the premises:

(a) **Professional sporting event** - A contest involving paid athletes and sanctioned by a professional sports organization that regulates the specific sport.

(b) **Amateur sporting event** - A contest or demonstration involving athletes who receive no monetary compensation that is sanctioned by a national or regional amateur athletic regulatory organization.

(c) **Entertainment event** - A concert involving a live musician, a live comedy act, or similar event intended for the entertainment of the audience. Broadcast television or background videos or music does not qualify as live entertainment.

(d) **Special event** - A convention, trade show, or other like public event with prior approval.

(e) **Private event** - An event not open to the public such as a wedding, private party, or business meeting, where the facility or a portion of the facility where the event is held is not accessible to the general public during the time of the private event.

(3) **Hawking** - The practice of selling alcohol in seating areas by roving servers who carry the beverages with them, as outlined in WAC 314-02-058(4). Because of row seating arrangements, servers normally do not have direct access to customers. Therefore, service usually requires that drinks, money, and identification be passed down rows, involving other spectators. Hawking is only allowed at professional sporting events.

(4) **Club seats** - A specifically designated and controlled seating area that is distinct from general seating with food and beverage service provided by servers directly to the customer.

[Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-057, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.24.570 and 66.08.030. WSR 15-18-040, § 314-02-057, filed 8/26/15, effective 9/26/15. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-057, filed 12/21/10, effective 1/21/11.]

WAC 314-02-058 Sports/entertainment facility licenses—Operating plans. (1) **What requirements govern the submission of operating plans?**

(a) To receive a license, a sports/entertainment facility must submit an operating plan for board approval.

(b) Once approved, the plan remains in effect until the licensee requests a change or the board determines that a change is necessary due to demonstrated problems or conditions not previously considered or adequately addressed in the original plan. Changes to an operating plan must be submitted to the board's licensing division for approval.

(c) The plan must be submitted in a format designated by the board.

(d) The plan must contain all of the following elements:

(i) How the sports/entertainment facility will prevent the sale and service of alcohol to persons under twenty-one years of age and those who appear to be intoxicated.

(ii) The ratio of alcohol service staff and security staff to the size of the audiences at events where alcohol is being served. The minimum ratio allowed is one staff person to fifty attendees at the event.

(iii) Training provided to staff who serve, regulate, or supervise the service of alcohol. Mandatory alcohol server training is required for all staff.

(iv) The facility's policy on the number of alcoholic beverages that will be served to an individual patron during one transaction. Two alcoholic beverages is the maximum number allowed to be sold and served to an individual patron during one transaction.

(v) An explanation of the alcoholic beverage containers that will be used to ensure they are significantly different from containers utilized from nonalcoholic beverages.

(vi) A list of event categories (see WAC 314-02-057(2)) to be held in the facility at which alcohol service is planned, along with a request for the level of alcohol service at each event.

(vii) The date must be included in the operating plan.

(viii) The pages must be numbered in the operating plan.

(ix) A site plan designating all alcohol service areas. Identify all beer garden areas to include dimensions of the area, capacity, number of alcohol service/security employees staffing the area, and what type/size of barrier will surround the alcohol service area.

(x) The operating plan must be signed by a principal of the licensed entity.

(e) Prior to the first of each month, the licensee must provide a schedule of events for the upcoming month to the facility's local liquor enforcement office. This schedule must show the date and time of each event during which alcohol service is planned. The licensee must notify the local enforcement office at least seventy-two hours in advance of any events where alcohol service is planned that were not included in the monthly schedule. Notice of private events is not required when the event is being held in conjunction with a professional or amateur sporting event, an entertainment event, or a special event as outlined in WAC 314-02-057(2).

(2) **May the liquor and cannabis board impose any other mandatory standards as a part of an operating plan?** Yes. To prevent persons who are under twenty-one years of age or who appear intoxicated from gaining access to alcohol, the board may impose the following standards as part of an operating plan:

(a) The board may require that an operating plan include additional mandatory requirements if it is judged by the board that the plan does not effectively prevent violations of liquor laws and regulations, particularly those that prevent persons under twenty-one years of age or who are apparently intoxicated from obtaining alcohol.

(b) To permit alcohol servers to establish the age of patrons and to prevent over-service, sports/entertainment facilities must meet minimum lighting requirements established by WAC 314-11-055 in any area where alcohol is served or consumed. For the purpose of establishing a permanent technical standard, an operating plan may include a lighting standard measured in foot candles, so long as the candle power of the lighting is, at all times, sufficient to permit alcohol servers to establish the validity of documents printed in eight point type.

(3) **Where will spirits, beer, and wine be allowed in a sports/entertainment facility?** The purpose of the following matrix is to outline where and when alcohol service will normally be permitted. Due to the unique nature of each facility, the board will determine the permitted alcohol service based on the facility's approved operating plan.

(a) Self-service of alcohol is prohibited.

(b) If alcohol service is requested outside of the parameters listed below, a special request with justification for the alcohol service area must be submitted with the operating plan for consideration by the board.

Type of event as defined in WAC 314-02-057	Beer, wine, and spirits may be sold and served in approved restaurants, lounges, private suites, and club rooms	Beer, wine, and spirits may be sold and served in temporary lounges, beer gardens, or other approved service areas	Spirits, beer, and wine may be served and consumed in club seats during events	Beer and wine may be consumed throughout seating areas during events	Hawking - beer may be served throughout seating areas, subject to the provisions of WAC 314-02-058(4)
Professional sporting events of baseball, football, basketball, soccer, tennis, volleyball, horse racing, hockey, and track and field events	x	x	x	x	x
All other professional sporting events including WWE, UFC, rodeo, motorcross, national auto racing, and monster truck events (level of alcohol service will be determined on a case-by-case basis per the approved operating plan)	x	x	x	x	

Type of event as defined in WAC 314-02-057	Beer, wine, and spirits may be sold and served in approved restaurants, lounges, private suites, and club rooms	Beer, wine, and spirits may be sold and served in temporary lounges, beer gardens, or other approved service areas	Spirits, beer, and wine may be served and consumed in club seats during events	Beer and wine may be consumed throughout seating areas during events	Hawking - beer may be served throughout seating areas, subject to the provisions of WAC 314-02-058(4)
Amateur sporting events (nonpaid athletes)	x	x		x	
Entertainment events	x	x			
Special events (trade shows, conventions)	x	x			
Darkened house events	x	x	x	x	

(c) For private events, beer, wine, and spirits may be served in the area where the event is held. This area may be a separate meeting or banquet room or the entire facility.

(d) In order to minimize youth access to alcohol, the board may prohibit or restrict the service of alcohol at events where the attendance is expected to be over thirty percent persons under twenty-one years of age. This restriction will not apply to the professional sporting events outlined in WAC 314-02-057 (2)(a).

(e) To request approval for walk around beer and/or wine consumption at special events, the licensee must provide the board the following information about the event:

(i) Type of event;

(ii) Demographics of the event;

(iii) Lighting at the event; and

(iv) If the event is located indoors or outdoors.

(4) **Darkened house.** Consumption of alcohol within the darkened seating portions of the venue during entertainment activities are subject to the following conditions:

(a) Request for darkened house activities will be part of the operating plan.

(b) The board will only approve darkened house events after notification to the local authority as identified by the licensing division and approval by the designated local authority. The notification will clearly state:

(i) Primary responsibility for the control of the darkened area of the establishment will rest with the licensee and local law enforcement authorities; and

(ii) The board will not entertain contradictory recommendations from subdivisions of the local jurisdictions.

(c) Violation of the darkened house addendum to the operating plan will be viewed as an aggravating factor to a violation rather than a primary enforcement issue.

(5) **Will hawking be allowed at sports/entertainment facilities?** Subject to the provisions of this rule, hawking may be permitted in general seating areas for the sale and consumption of beer, at the professional sporting events of baseball, football, basketball, soccer, tennis, volleyball, horse racing, hockey, and track and field events only, as defined by WAC 314-02-057 (2)(a).

(a) An operating plan must include procedures for hawkers to verify the age of purchasers and to prevent service to apparently intoxicated persons.

(b) During hawking, any patron may decline to handle alcoholic beverages, either on behalf of themselves and for any person under their supervision. When a patron objects to handling alcohol, hawkers must accommodate the objection. The facility operating plan will address how hawking will be managed, including how hawkers will respond to patron objections to handling alcohol.

[Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-058, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.24.570 and 66.08.030. WSR 15-18-040, § 314-02-058, filed 8/26/15, effective 9/26/15. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-058, filed 12/21/10, effective 1/21/11.]

WAC 314-02-059 How will the operating plans be enforced? (1) The board will inspect sports/entertainment facilities and issue violation notices for:

(a) Infractions of all liquor laws and rules, particularly with regard to persons who appear intoxicated or who are under twenty-one years of age; and

(b) Any significant deviation from the approved operating plan.

(2) Violations of liquor laws or rules that occur as a result of not following the approved operating plan will be considered aggravating circumstances, which permit the board to impose added penalties.

[Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-059, filed 12/21/10, effective 1/21/11.]

WAC 314-02-060 What is a caterer's endorsement? (1) A spirits, beer, and wine restaurant, a beer and/or wine restaurant, and a tavern applicant or licensee may apply for a caterer's endorsement, in order to extend the on-premises license privilege to allow the sale and service of liquor at locations other than liquor licensed premises. See RCW 66.24.420(6), 66.24.320(2), and 66.24.330 for more information about this endorsement.

(2) The annual fee for this endorsement is $525.

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-060, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.24.010, 66.24.035, and 66.24.330. WSR 18-04-116, § 314-02-060, filed 2/7/18, effective 3/10/18. Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-060, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-060, filed 11/9/11, effective 12/10/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-060, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-060, filed 3/15/00, effective 4/15/00.]

WAC 314-02-061 What is required for off-site storage of liquor under a caterer's endorsement? A spirits, beer, and wine restaurant licensee with a caterer's endorsement, a beer and/or wine restaurant licensee with a caterer's endorsement, or a tavern licensee with a caterer's endorsement, may store its alcohol at locations described in RCW 66.24.320, 66.24.330, and 66.24.420 that are not on the licensed premises if the following conditions are met:

(1) The licensee must display the approval letter for storing liquor at each location;

(2) Liquor storage must be within the event location where catering services for events are provided;

(3) If the location is one for which the licensee has an on-going contract or agreement to provide liquor service at catered events, the contract or agreement must include the following:

(a) Names of the parties;

(b) Location and address where on-going liquor catering services are provided;

(c) A sketch and description of the facility that includes where the liquor will be stored, how the liquor will be secured to ensure public safety, and the provisions that restrict access to the liquor storage area to the licensee and the licensee's employees; and

(d) Signatures of the parties.

(4) For locations owned or leased by the licensee and for which the licensee provides liquor service at catered events, the licensee must submit copies of documents that evidence the ownership or leasehold interest.

[Statutory Authority: RCW 66.24.010, 66.24.035, and 66.24.330. WSR 18-04-116, § 314-02-061, filed 2/7/18, effective 3/10/18. Statutory Authority: RCW 66.08.030. WSR 09-02-012, § 314-02-061, filed 12/29/08, effective 1/29/09.]

WAC 314-02-065 Snack bar license. (1) Per RCW 66.24.350, a snack bar license allows a licensee to serve beer by the opened bottle or can, wine by the glass, or both for on-premises consumption only.

(2) Snack bar licensees must have snack food, as defined in WAC 314-02-010, available whenever beer or wine is sold or served.

(3) Snack bars must have designated seating for on-premises consumption of beer or wine.

(4) The annual fee for this license is $187.50.

[Statutory Authority: RCW 34.05.353, 66.08.030, and 66.24.350. WSR 26-14-117, s 314-02-065, filed 7/1/26, effective 7/1/26. Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-065, filed 1/20/26, effective 1/20/26. Statutory Authority: 2021 c 48 § 2, RCW 66.08.071, 66.08.030 and 2021 c 48. WSR 22-01-052, § 314-02-065, filed 12/8/21, effective 1/8/22. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-065, filed 11/9/11, effective 12/10/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-065, filed 12/16/09, effective

1/16/10. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-065, filed 3/15/00, effective 4/15/00.]

WAC 314-02-070 What is a tavern license? (1) Per RCW 66.24.330 and 66.24.354, this license allows a tavern to:

Privilege	Annual fee
(a) Serve beer by the bottle or can or by tap for on-premises consumption.	$300
(b) Serve wine for on-premises consumption.	$300
(c) Sell beer and/or wine in the original, unopened containers for off-premises consumption.	$180
(d) Sell tap beer for off-premises consumption in a sanitary container holding less than four gallons of beer, provided by the purchaser, licensee, or manufacturer and filled by an employee at the time of purchase.	In conjunction with off-premises privilege outlined in (c) of this subsection.
(e) Sell cider as defined in RCW 66.24.210(6) for off-premises consumption to a purchaser in a sanitary container brought to the premises by the purchaser or provided by the licensee and filled at the tap in the tavern at the time of purchase. The licensee must comply with federal regulations.	In conjunction with off-premises privilege outlined in (c) of this subsection.
(f) Sell beer in kegs or other containers holding at least four gallons of beer (see WAC 314-02-110 regarding the requirements for registering kegs).	In conjunction with off-premises privilege outlined in (c) of this subsection.

(2) A tavern licensee may not allow persons under 21 years of age on the premises at any time (see RCW 66.44.316 for information regarding employees and professional musicians under 21 years of age).

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-070, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-070, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030, 66.24.371, and 66.24.590. WSR 15-01-001, § 314-02-070, filed 12/3/14, effective 1/3/15. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-070, filed 11/9/11, effective 12/10/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-070, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-070, filed 3/15/00, effective 4/15/00.]

WAC 314-02-075 What is a motel license? (1) Per RCW 66.24.540, a motel license allows a motel to:

(a) Sell liquor in locked honor bars in no more than one-half of its guest rooms, provided that:

(i) Rooms are rented to guests, at a minimum, on a daily rental basis; and

(ii) Each honor bar also contains snack food; and

(b) Provide beer and wine by the individual serving to overnight guests of the motel, without additional charge, for on-premises consumption at a specified regular date, time, and place (such as a hospitality room). Patrons may not self-serve during these functions.

(2) The motel must be licensed as a "transient accommodation" per chapter 70.62 RCW.

(3) The annual fee for this license is $750.

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-075, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-075, filed 3/15/00, effective 4/15/00.]

WAC 314-02-080 What are the requirements for a motel licensee or a hotel licensee to sell liquor in honor bars? For the purposes of this chapter, an "honor bar" is a cabinet, box, cooler, or refrigerator in a guest room that can be opened only with a key, combination, magnetic card, or similar device. The following requirements apply to the use of an honor bar:

(1) The licensee must require proof of age before providing a guest access to an honor bar. The guest must sign a declaration, under penalty of perjury, verifying that:

(a) The guest is twenty-one years of age or older; and

(b) No one under twenty-one years of age will have access to the liquor in the honor bar.

(2) The honor bars must remain locked whenever the room is rented to a guest under twenty-one years of age.

(3) All liquor stored on the licensed premises must be either locked in an honor bar or locked in a secured liquor storage room.

(4) No person under twenty-one years of age may have access to the honor bars, liquor storage rooms, or keys, combinations, etc., to the locked honor bars or storage rooms.

(5) A honor bar or storage room may only be replenished during those hours when liquor may legally be sold (not between 2:00 a.m. and 6:00 a.m.), and only by employees who are twenty-one years of age or older. Beer and wine wholesalers may deliver, price, and stock product only in storage rooms.

(6) Liquor in honor bars may only be sold in individual containers in the following sizes:

(a) Spirits - not to exceed fifty milliliters;

(b) Beer - not to exceed twelve ounces; and

(c) Wine - not to exceed one hundred eighty-seven milliliters.

[Statutory Authority: RCW 66.08.030 and 66.24.590. WSR 08-17-067, § 314-02-080, filed 8/19/08, effective 9/19/08. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-080, filed 3/15/00, effective 4/15/00.]

WAC 314-02-082 What is a beer and wine theater license? (1) A beer and wine theater is a place of business where motion pictures or other primarily nonparticipatory entertainment or events are shown. The holder of a beer and wine theater license is allowed to sell beer, strong beer, and wine, at retail, for consumption on the licensed premises.

(2) The requirements for the beer and wine theater license are as follows:

(a) The theater has no more than four screens.

(b) All servers of beer and wine are required to attend a mandatory alcohol server training (MAST) program.

(c) The serving size for wine is five ounces. The serving size for beer is twelve ounces.

(d) If the theater premises will be frequented by minors, an alcohol control plan agreement must be signed and submitted to the board during the application process.

(3) The alcohol control plan agreement will be provided on a form by the board and includes the following requirements:

(a) To ensure that alcoholic beverages are not sold to persons under the age of twenty-one, staff will request identification from any patron who appears to be age thirty or under and who is attempting to purchase an alcoholic beverage.

(b) Alcoholic beverages must be served in containers that differ significantly from containers utilized for nonalcoholic beverages.

(c) All alcoholic beverages sold under this license must be sold by the individual drink.

(d) If staff observes a patron who is in the possession of or who is consuming an alcoholic beverage who appears to be of questionable age, staff will request identification from that patron. If the patron is unable to produce an acceptable form of identification verifying their age the alcohol will be confiscated.

(e) Staff will accept only those forms of identification that are acceptable per WAC 314-11-025 to verify a person's age for the purpose of selling, serving, or allowing a person to possess or consume alcohol.

(f) All employees involved in the sale, service and/or supervision of alcoholic beverages will be required to attend MAST to obtain the appropriate permit for their level of service.

(g) Sufficient lighting must be maintained at the point of sale so that identification can be confirmed and patrons observed for signs of intoxication.

(h) To ensure alcoholic beverages are served in a safe, responsible, and controlled manner, sales and service of alcoholic beverages will be limited to one serving per person per transaction.

(i) If a patron is accompanied by another patron who wants to pay for both people's drinks, they may do so, provided that both patrons are of legal age to purchase, and have proper identification, if requested, and are not displaying signs of intoxication.

(j) Alcohol may only be sold, served, and consumed in areas designated in the alcohol control plan agreement and approved by the board.

(k) Staff will refuse to sell an alcoholic beverage to any person who appears to be intoxicated. Alcoholic beverages will be removed from any person who appears to be intoxicated.

(l) This alcohol control plan agreement will be prominently posted on the licensed premises.

(4) Penalties are doubled for a violation involving minors or the failure to follow the signed alcohol control plan agreement.

(5) If a theater premises has a restaurant located outside of the actual theater screening areas, beer and wine may be served and consumed in the restaurant area.

(a) Beer may be sold by the pitcher as well as by individual serving for consumption in the restaurant area.

(b) Wine may be sold by the bottle as well as by the individual serving for consumption in the restaurant area.

[Statutory Authority: RCW 66.24.650 and 66.24.655. WSR 14-03-077, § 314-02-082, filed 1/15/14, effective 2/15/14.]

WAC 314-02-087 Spirits, beer, and wine theater license. (1) A spirits, beer, and wine theater is a place of business where motion pictures or other primarily nonparticipatory entertainment or events are shown. The holder of a beer and wine theater license is allowed to sell spirits, beer, strong beer, and wine, at retail, for consumption on the licensed premises.

(2) The requirements for the spirits, beer, and wine theater license are as follows:

(a) The theater has no more than 200 seats per theater room.

(b) All servers of beer and wine are required to attend a mandatory alcohol server training (MAST) program.

(c) The serving size for spirits is one and one quarter ounce. The serving size for wine is five ounces. The serving size for beer is 12 ounces.

(d) There must be tabletop accommodations for in theater dining.

(e) If the theater premises will be frequented by minors an alcohol control plan agreement must be signed and submitted to the board during the application process.

(3) A spirits, beer, and wine theater licensee must meet the same food service requirements that apply to spirits, beer, and wine restaurant licensees in WAC 314-02-035.

(4) The alcohol control plan agreement will be provided on a form by the board and includes the following requirements:

(a) Electronic identification scanners must be used at all points of sale for alcoholic beverage purchases.

(b) To ensure that alcoholic beverages are not sold to persons under the age of 21, staff must request identification from any patron who is attempting to purchase an alcoholic beverage, regardless of their age.

(c) Alcoholic beverages must be served in containers that differ significantly from containers utilized for nonalcoholic beverages.

(d) All alcoholic beverages sold under this license must be sold by the individual drink.

(e) If staff observes a patron who is in the possession of or who is consuming an alcoholic beverage, who appears to be of questionable

age, staff will request identification from that patron. If the patron is unable to produce an acceptable form of identification verifying their age, the alcohol will be confiscated.

(f) Staff will accept only those forms of identification that are acceptable per WAC 314-11-025 to verify a person's age for the purpose of selling, serving, or allowing a person to possess or consume alcohol.

(g) All employees involved in the sale, service, and/or supervision of alcoholic beverages will be required to attend MAST to obtain the appropriate permit for their level of service.

(h) Areas of the licensed premises where alcohol is sold and consumed must be regularly monitored by staff who have completed an alcohol server training program as described in (g) of this subsection.

(i) Sufficient lighting must be maintained at the point of sale so that identification can be confirmed and patrons observed for signs of intoxication.

(j) To ensure alcoholic beverages are served in a safe, responsible, and controlled manner, sales and service of alcoholic beverages will be limited to one serving per person per transaction.

(k) If a patron is accompanied by another patron who wants to pay for both people's drinks, they may do so, provided that both patrons are of legal age to purchase, and have proper identification, if requested, and are not displaying signs of intoxication.

(l) Alcohol may only be sold, served, and consumed in areas designated in the alcohol control plan agreement and approved by the board.

(m) Staff will refuse to sell an alcoholic beverage to any person who appears to be intoxicated. Alcoholic beverages will be removed from any person who appears to be intoxicated.

(n) This alcohol control plan agreement will be prominently posted on the licensed premises.

(5) Penalties are doubled for a violation involving minors or the failure to follow the signed alcohol control plan agreement.

(6) If the theater premises has a restaurant located outside of the actual theater screening areas, spirits, beer, and wine may be served and consumed in the restaurant area.

(a) Spirits may be sold by the individual drink.

(b) Beer may be sold by the pitcher as well as by individual serving for consumption in the restaurant area.

(c) Wine may be sold by the bottle as well as by the individual serving for consumption in the restaurant area.

[Statutory Authority: RCW 66.08.030, 66.24.655, and 34.05.353. WSR 26-14-118, s 314-02-087, filed 7/1/26, effective 7/1/26. Statutory Authority: 2021 c 48 § 2, RCW 66.08.071, 66.08.030 and 2021 c 48. WSR 22-01-052, § 314-02-087, filed 12/8/21, effective 1/8/22. Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-087, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.24.650 and 66.24.655. WSR 14-03-077, § 314-02-087, filed 1/15/14, effective 2/15/14.]

WAC 314-02-090 What is a nonprofit arts organization license? (1) Per RCW 66.24.495, this license allows a bona fide nonprofit organization to sell beer, wine, and spirits by the individual serving in conjunction with artistic or cultural exhibitions or performances.

(2) The nonprofit organization must be organized and operated for the purpose of providing artistic or cultural exhibitions, presenta-

tions, or performances or cultural or art education programs for viewing by the general public. See RCW 66.24.495(2) for specific organizational requirements.

(3) Alcohol sales and consumption may occur in the seating areas during performances and in the lobby area and/or restricted bar area of the premises prior to the commencement of an exhibition or performance and during intermission.

(4) The annual fee for this license is two hundred fifty dollars.

[Statutory Authority: RCW 66.08.030. WSR 16-01-101, § 314-02-090, filed 12/16/15, effective 1/16/16. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-090, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-090, filed 3/15/00, effective 4/15/00.]

WAC 314-02-092 What is a combination spirits, beer, and wine license? (1) Per RCW 66.24.632, a combination spirits, beer, and wine license is a retail license that allows a licensee to sell beer and wine, including strong beer, at retail in bottles, cans, and original containers for off-premises consumption, and to:

(a) Sell spirits in original containers to consumers for off-premises consumption and to permit holders;

(b) Sell spirits in original containers to retailers licensed to sell spirits for consumption on the premises, for resale at their licensed premises according to the terms of their licenses; and

(c) Export spirits.

(2) A combination spirits, beer, and wine licensee that intends to sell to an on-premises retailer must possess a basic permit under the Federal Alcohol Administration Act. This permit must provide for purchasing distilled spirits for resale at wholesale. A copy of the federal basic permit must be submitted to the board. A federal basic permit is required for each location from which the combination spirits, beer, and wine licensee plans to sell to an on-premises retailer.

(3) A sale by a combination spirits, beer, and wine licensee is a retail sale only if not for resale to an on-premises spirits retailer. On-premises retail licensees that purchase spirits from a combination spirits, beer, and wine licensee must abide by RCW 66.24.630.

(4) A combination spirits, beer, and wine licensee must pay to the board 17 percent of all spirits sales.(see WAC 314-02-109 for quarterly reporting requirements).

Reporting of spirits sales and payment of fees must be submitted on forms provided by the board.

(5) The board may issue a combination spirits, beer, and wine license:

(a)(i) For premises comprising at least 10,000 square feet of fully enclosed retail space within a single structure, including store rooms and other interior areas. This does not include any area encumbered by a lease or rental agreement; and

(ii) To applicants that the board determines will maintain appropriate systems for inventory management, employee training, employee supervision, and physical security of the product.

(b) For premises of a former contract liquor store; or

(c) To a holder of former state liquor store operating rights sold at auction.

(6) A spirits retail licensee may apply for a sampling endorsement to conduct spirits, beer, and wine sampling if they meet the following criteria:

(a) Be a participant in the responsible vendor program;

(b) Advertising:

(i) For combination spirits, beer, and wine retail licensees that are grocery stores, advertising samplings may not be placed in the windows or outside of the premises that can be viewed from the public right of way;

(ii) For combination spirits, beer, and wine retail licensees that are specialty stores, advertising of sampling may be advertised but not state that sampling is free of charge.

(c) Samplings are to be conducted in the following manner:

(i) Samplings service area and facilities must be located within the licensee's fully enclosed retail area and must be of a size and design that the licensee can observe and control persons in the area;

(ii) The licensee must provide a sketch of the sampling area. For combination spirits, beer, and wine licensees that are grocery stores, fixed or movable barriers are required around the sampling area to ensure that persons under 21 years of age and apparently intoxicated persons cannot possess or consume alcohol. For combination spirits, beer, and wine licensees that are specialty stores, barriers are not required. The sketch is to be included with the application for the spirits sampling endorsement;

(iii) Each sample may be no more than one-half ounce of spirits, and no more than a total of one and one-half ounces of spirits samples per person during any one visit to the premises. Spirits samples may be altered with mixers, water, and/or ice. For combination spirits, beer, and wine licensees that are grocery stores, beer and wine samples must be two ounces or less, up to a total of four ounces per person during any one visit to the premises. For combination spirits, beer, and wine licensees that are specialty stores, each beer and wine sample must be two ounces or less and no more than 10 ounces of beer and/or wine may be provided to a customer during any one visit to the premises;

(iv) For combination spirits, beer, and wine licensees that are grocery stores, the licensee must have food available for the sampling participants;

(v) Customers must remain in the service area while consuming samples;

(vi) All employees serving spirits, beer, or wine during sampling events must hold a class 12 server permit;

(vii) For combination spirits, beer, and wine licensees that are grocery stores, there must be at least two employees on duty when conducting sampling events;

(viii) Sampling activities are subject to RCW 66.28.305 and 66.28.040.

(d) Licensees are required to send a list of scheduled sampling events to their regional enforcement office at the beginning of each month. The date and time for each sampling must be included;

(e) The cost for a beer and wine sampling endorsement is $200. There is no charge for a spirits sampling endorsement.

(7) A combination spirits, beer, and wine licensee may sell beer in kegs or other containers holding at least four gallons and less than five and one-half gallons of beer. See WAC 314-02-115 regarding keg registration requirements.

(8) A combination spirits, beer, and wine licensee may sell spirits, beer, and wine over the internet. See WAC 314-03-020 and 314-03-030 regarding internet sales and delivery.

(9) A combination spirits, beer, and wine applicant or licensee that is a grocery store may apply for an international exporter endorsement for $500 a year, which allows the sale of beer and wine for export to locations outside the United States.

(10) A combination spirits, beer, and wine licensee may apply for an endorsement to sell beer and cider growlers.

(a) Beer and cider must be sold in sanitary containers provided by the purchaser, licensee or the manufacturer and filled by the employee at the time of purchase.

(b) The taps must be located behind a counter where only employees have access or the taps must have locks preventing use unless unlocked and operated by an employee.

(c) Only employees of the licensee are permitted to operate the taps.

(d) All employees operating a tap must hold a class 12 alcohol server permit.

(e) The cost for the endorsement is $180.

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-092, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.24.010, 66.24.035, and 66.24.330. WSR 18-04-116, § 314-02-092, filed 2/7/18, effective 3/10/18.]

WAC 314-02-100 What is a grocery store license? (1) Per RCW 66.24.360, a grocery store license allows a licensee to sell beer and/or wine for off-premises consumption.

(2) The annual fee for this license is $550.

(3) In order to obtain and maintain a grocery store license, the premises must be stocked with an inventory of at least $3,000 wholesale value of food for human consumption, not including soft drinks, beer, or wine. This minimum inventory must be:

(a) Stocked within the confines of the licensed premises; and

(b) Maintained at the premises at all times the business is licensed, with the exception of:

(i) The beginning and closing inventory for seasonal operations; or

(ii) When the inventory is being sold out immediately prior to discontinuing or selling the business.

(4) A grocery store licensee may sell beer in kegs or other containers holding at least four gallons and less than five and one-half gallons of beer. See WAC 314-02-115 regarding keg registration requirements.

(5) A grocery store licensee may sell beer and wine over the internet. See WAC 314-03-020 regarding internet sales and delivery.

(6) A grocery store applicant or licensee may apply for an international exporter endorsement for $500 a year, which allows the sale of beer and wine for export to locations outside the United States.

(7) A grocery store applicant or licensee may apply for a beer and wine tasting endorsement which allows beer and wine tastings on the grocery store premises. The annual fee for this endorsement is $300.

(8) A grocery store licensee may apply for an endorsement to sell beer and cider growlers.

(a) The licensee must have sales from beer and wine exceeding 50 percent of their total revenues or maintain an alcohol inventory of not less than $15,000.

(b) Beer and cider must be sold in sanitary containers provided by the purchaser, licensee or the manufacturer and filled by the employee at the time of purchase.

(c) The taps must be located behind a counter where only employees have access or the taps must have locks preventing use unless unlocked and operated by an employee.

(d) Only employees of the licensee are permitted to operate the taps.

(e) All employees operating a tap must hold a class 12 alcohol server permit.

(f) The cost for the endorsement is $120.

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-100, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030. WSR 16-01-102, § 314-02-100, filed 12/16/15, effective 1/16/16. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-100, filed 11/9/11, effective 12/10/11. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-100, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-100, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-100, filed 3/15/00, effective 4/15/00.]

WAC 314-02-102 What are the requirements for a grocery store licensee to conduct beer and wine tastings? (1) To be issued a beer and wine tasting endorsement, the licensee must meet the following criteria:

(a) The licensee operates a fully enclosed retail area encompassing at least ten thousand square feet. The board may issue the endorsement to a licensee with a retail area with less than ten thousand square feet if there is no licensee in the community that meets the ten thousand square foot requirement under the following conditions: There must be at least two employees on duty any time the licensee is conducting beer and wine tasting events. One employee must be dedicated to beer and wine tastings during these events;

(b) The licensee has not had more than one public safety administrative violation within the last two years. The two-year window is counted from two years prior to the date of the application for the beer and wine tasting endorsement. (See WAC 314-29-020 for a list of public safety violations.)

(2) In addition to the conditions in RCW 66.24.363, a beer and wine tasting must be conducted under the following:

(a) The licensee must provide a sketch of the tasting area. Fixed or moveable barriers are required around the tasting area to ensure persons under twenty-one years of age do not possess or consume alcohol;

(b) Signs advertising beer and wine tastings may not be placed in the windows or outside of the premises that can be viewed from the public right of way;

(c) Persons serving beer and wine during tasting events must hold a class 12 alcohol server permit.

(3) Licensees are required to send a list of scheduled beer and wine tastings to their regional enforcement office at the beginning of each month. The date and time for each beer and wine tasting must be included.

[Statutory Authority: RCW 66.24.363, 66.24.660 and 66.08.030. WSR 14-02-001, § 314-02-102, filed 12/18/13, effective 1/18/14. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-102, filed 12/21/10, effective 1/21/11.]

WAC 314-02-103 What is a wine retailer reseller endorsement? (1) A wine retailer reseller endorsement is issued to the holder of a grocery store liquor license, the holder of a beer and/or wine specialty shop license, or the holder of a combination spirits, beer, and wine license to allow the sale of wine at retail to on-premises liquor licensees.

(2) Holders of a beer and/or wine specialty shop license may sell a maximum of 5,000 liters of wine per day for resale to retailers licensed to sell wine for consumption on the premises.

(3) A grocery store licensee or a beer and/or wine specialty shop licensee with a wine retailer reseller endorsement may accept delivery at its licensed premises or at one or more warehouse facilities registered with the board.

(4) The holder of a wine retailer reseller endorsement may also deliver wine to its own licensed premises from the registered warehouse; may deliver wine to on-premises licensees, or to other warehouse facilities registered with the board. A grocery store licensee or a beer and/or wine specialty shop licensee wishing to obtain a wine retailer reseller endorsement that permits sales to another retailer must possess and submit a copy of their federal basic permit to purchase wine at wholesale for resale under the Federal Alcohol Administration Act. A federal basic permit is required for each location from which the grocery store licensee or beer and/or wine specialty shop licensee holding a wine retailer reseller endorsement plans to sell wine to another retailer.

(5) The annual fee for the wine retailer reseller endorsement for a grocery store licensee is $249.

(6) The annual fee for the wine retailer reseller endorsement for a beer and/or wine specialty shop licensee is $165.

(7) Sales made under the reseller endorsement are not classified as retail sales for taxation purposes.

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248,

66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-103, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.24.010, 66.24.035, and 66.24.330. WSR 18-04-116, § 314-02-103, filed 2/7/18, effective 3/10/18. Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 17-08-099, § 314-02-103, filed 4/5/17, effective 5/6/17. Statutory Authority: RCW 66.08.030, 66.24.055, 66.24.160, 66.24.630, and 66.24.640. WSR 12-12-065, § 314-02-103, filed 6/5/12, effective 7/6/12.]

WAC 314-02-104 Central warehousing. (1) Each retail liquor licensee having a warehouse facility where they intend to receive wine and/or spirits must register their warehouse facility with the board and include the following information:

(a) Documentation that shows the licensee has a right to the warehouse property;

(b) If a warehouse facility is to be shared by more than one licensee, each licensee must demonstrate to the board that a recordkeeping system is utilized that will account for all wine and/or spirits entering and leaving the warehouse for each license holder. The system must also account for product loss;

(c) Licensees in a shared warehouse may consolidate their commitment for the amount of product they plan to order, but their orders must be placed separately and paid for by each licensee; and

(d) Alternatively, if the warehouse does not have a recordkeeping system that provides the required information, wine and/or spirits for each licensee in a shared warehouse must be separated by a physical barrier. Where physical separation is utilized, a sketch of the interior of the warehouse facility must be submitted indicating the designated area the licensee will be storing product. (Example: If ABC Grocery and My Grocery, each licensed to a different ownership entity, both lease space in a warehouse facility, the wine and/or spirits must be in separate areas separated by a physical barrier.)

(2) Spirits retail licensees may have spirits product delivered to their individual licensed premises, at any other spirits retail licensed premises, or at a warehouse facility registered with the board.

(a) Spirits retail licensees may negotiate a volume discount price with a spirits distributor to order spirits product as a group and have all product delivered to one spirits retail licensed premises.

(b) Spirits distributors may accept a group order for spirits and deliver to one spirits retail licensed premises and collect individual checks for payment from each spirits retail licensee that participated in the group order.

(c) Each spirits retail licensee will pick up their spirits product from the spirits retail licensed premises where the spirits product was delivered.

(3) Upon the request of the board, the licensee must provide any of the required records for review. Retail liquor licensees must keep the following records for three years:

(a) Purchase invoices and supporting documents for wine and/or spirits purchased;

(b) Invoices showing incoming and outgoing wine and/or spirits (product transfers);

(c) Documentation of the recordkeeping system in a shared warehouse as referenced in subsection (1)(b) of this section; and

(d) A copy of records for liquor stored in the shared warehouse.

(4) Each licensee must allow the board access to the warehouse for audit and review of records.

(5) If the wine and/or spirits for each licensee in a shared warehouse is not kept separate, and a violation is found, each licensee that has registered the warehouse with the board may be held accountable for the violation.

[Statutory Authority: RCW 66.08.030. WSR 16-01-102, § 314-02-104, filed 12/16/15, effective 1/16/16. Statutory Authority: RCW 66.08.030, 66.24.055, 66.24.160, 66.24.630, and 66.24.640. WSR 12-12-065, § 314-02-104, filed 6/5/12, effective 7/6/12.]

WAC 314-02-105 What is a beer and/or wine specialty store license? (1) Per RCW 66.24.371, a beer and/or wine specialty store license allows a licensee to sell beer and/or wine for off-premises consumption.

(2) The annual fee for this license is $150.

(3) Qualifications for license - To obtain and maintain a beer and/or wine specialty store license, the premises must be stocked with an inventory of beer and/or wine in excess of $3,000 wholesale value. This inventory must be:

(a) Stocked within the confines of the licensed premises; and

(b) Maintained on the premises at all times the premises is licensed, with the exception of beginning and closing inventory for seasonal operations or when the inventory is being sold out immediately prior to discontinuing or selling the business.

(4) Qualifications to sample - A beer and/or wine specialty store licensee may allow customers to sample beer and wine for the purpose of sales promotion, if the primary business is the sale of beer and/or wine at retail, and the licensee meets the requirements outlined in either (a) or (b) of this subsection:

(a) A licensee's gross retail sales of alcohol exceeds 50 percent of all annual gross sales for the entire business; or

(b) The licensed premises is a beer and/or wine specialty store that conducts bona fide cooking classes for the purpose of pairing beer and/or wine with food, under the following conditions:

(i) The licensee must establish to the satisfaction of the board that the classes are bona fide cooking courses. The licensee must charge participants a fee for the course(s).

(ii) The sampling must be limited to a clearly defined area of the premises. The licensee must provide a sketch of the sampling area.

(iii) The licensee must receive prior approval from the board's licensing and regulation division before conducting sampling with cooking classes.

(iv) Once approved for sampling, the licensee must provide the board's enforcement and education division a list of all scheduled cooking classes during which beer and/or wine samples will be served. The licensee must notify the board's enforcement and education division at least 48 hours in advance if classes are added.

(5) Licensees who qualify for sampling under subsection (4) of this section may sample under the following conditions:

(a) Employees conducting sampling must hold a class 12 alcohol server permit;

(b) No more than a total of 10 ounces of alcohol may be provided to a customer during any one visit to the premises;

(c) Each sample must be two ounces or less.

(6) A beer and/or wine specialty store licensee may sell beer in kegs or other containers holding at least four gallons of beer. See WAC 314-02-115 regarding keg registration requirements.

(7) A beer and/or wine specialty store licensee may receive an endorsement to permit the sale of beer and cider as defined in RCW 66.24.210(6) to a purchaser in a sanitary container brought to the premises by the purchaser, or provided by the licensee or manufacturer, and filled at the tap by the licensee at the time of sale under the following conditions:

(a) The beer and/or wine specialty store sales of alcohol must exceed 50 percent of their total sales;

(b) The board may waive the 50 percent beer and/or wine sale criteria if the beer and/or wine specialty store maintains a wholesale alcohol inventory that exceeds $15,000.

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-105, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-105, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030, 66.24.371, and 66.24.590. WSR 15-01-001, § 314-02-105, filed 12/3/14, effective 1/3/15. Statutory Authority: RCW 66.24.371 and 66.08.030. WSR 13-08-002, § 314-02-105, filed 3/20/13, effective 4/20/13. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-105, filed 11/9/11, effective 12/10/11. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-105, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030 and 66.24.600. WSR 10-01-091, § 314-02-105, filed 12/16/09, effective 1/16/10. Statutory Authority: RCW 66.08.030, 66.24.371. WSR 04-19-156, § 314-02-105, filed 9/22/04, effective 10/23/04; WSR 04-07-020, § 314-02-105, filed 3/8/04, effective 4/8/04. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-105, filed 3/15/00, effective 4/15/00.]

WAC 314-02-106 What is a spirits retailer license? (1) The holder of a spirits retailer license is allowed to:

(a) Sell spirits in original containers to consumers for off-premises consumption;

(b) Sell spirits in original containers to permit holders (see chapter 66.20 RCW);

(c) Sell spirits in original containers to on-premises liquor retailers, for resale at their licensed premises; and

(d) Export spirits in original containers.

(2) A spirits retailer licensee that intends to sell to another retailer must possess a basic permit under the Federal Alcohol Administration Act. This permit must provide for purchasing distilled spirits for resale at wholesale. A copy of the federal basic permit must be submitted to the board. A federal basic permit is required for each

location from which the spirits retailer licensee plans to sell to another retailer.

(3) A sale by a spirits retailer licensee is a retail sale only if not for resale to an on-premises spirits retailer. On-premises retail licensees that purchase spirits from a spirits retail licensee must abide by RCW 66.24.630.

(4) A spirits retail licensee must pay to the board 17 percent of all spirits sales.

(5) Per RCW 66.24.055, a spirits retail licensee selling for resale must pay to the board a 10 percent distributor license fee for the first 27 months of licensure, and a five percent distributor license fee for month 28 and each month thereafter. The fee is required on sales of spirits which the licensee selling to another licensee for resale is the first to have received:

(a) Spirits manufactured in the state, from the distiller; or

(b) Spirits manufactured outside of the state from an authorized out-of-state supplier; and

(c) No other distributor license fee has been paid.

(6) Reporting of spirits sales and payment of fees must be submitted electronically or on forms provided by the board. Reporting requirements are outlined in WAC 314-02-109.

(7) A spirits retail licensee may apply for a spirits sampling endorsement to conduct spirits sampling if they meet the following criteria:

(a) Be a participant in the responsible vendor program;

(b) Advertising:

(i) For spirits retail licensees that also hold a grocery store license, signs advertising spirits samplings may not be placed in the windows or outside of the premises that can be viewed from the public right of way;

(ii) For spirits retail licensees that also hold a beer/wine specialty store license, advertising of spirits sampling may be advertised but not state that sampling is free of charge.

(c) Spirits samplings are to be conducted in the following manner:

(i) Spirits samplings service area and facilities must be located within the licensees' fully enclosed retail area and must be of a size and design that the licensee can observe and control persons in the area.

(ii) The licensee must provide a sketch of the sampling area. Fixed or movable barriers are required around the sampling area to ensure that persons under 21 years of age and apparently intoxicated persons cannot possess or consume alcohol. The sketch is to be included with the application for the spirits sampling endorsement.

(iii) Each sample may be no more than one-half ounce of spirits, and no more than a total of one and one-half ounces of spirits samples per person during any one visit to the premises. Spirits samples may be altered with mixers, water, and/or ice.

(iv) The licensee must have food available for the sampling participants.

(v) Customers must remain in the service area while consuming samples.

(vi) All employees serving spirits during sampling events must hold a class 12 server permit.

(vii) There must be at least two employees on duty when conducting spirits sampling events.

(viii) Spirits sampling activities are subject to RCW 66.28.305 and 66.28.040.

(d) Licensees are required to send a list of scheduled spirits samplings to their regional enforcement office at the beginning of each month. The date and time for each sampling must be included.

(8) The annual fee for a spirits retail license is $550.

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-106, filed 1/20/26, effective 1/20/26. Statutory Authority: Chapter 66.24 RCW, RCW 66.08.030 and Court of Appeals Decision: Washington Restaurant Association, et al., v. WSLCB, 200 Wn.App. 119, 401 P.3d 428 (2017). WSR 19-21-002, § 314-02-106, filed 10/2/19, effective 1/1/20. Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-106, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.24.670 and 66.08.030. WSR 15-07-036, § 314-02-106, filed 3/11/15, effective 4/11/15. Statutory Authority: RCW 66.24.363, 66.24.660 and 66.08.030. WSR 14-02-001, § 314-02-106, filed 12/18/13, effective 1/18/14. Statutory Authority: RCW 66.08.030, 66.24.055, 66.24.160, 66.24.630, and 66.24.640. WSR 12-12-065, § 314-02-106, filed 6/5/12, effective 7/6/12.]

WAC 314-02-107 What are the requirements for a spirits retail license? (1) The requirements for a spirits retail license are as follows:

(a) Submit a signed acknowledgment form indicating the square footage of the premises. The premises must be at least ten thousand square feet of fully enclosed retail space within a single structure, including store rooms and other interior areas. This does not include any area encumbered by a lease or rental agreement (floor plans one-eighth inch to one foot scale may be required by the board); and

(b) Submit a signed acknowledgment form indicating the licensee has a security plan which addresses:

(i) Inventory management;

(ii) Employee training and supervision; and

(iii) Physical security of spirits product with respect to preventing sales to underage or apparently intoxicated persons and theft of product.

(2) A grocery store licensee or a specialty shop licensee may add a spirits retail liquor license to their current license if they meet the requirements for the spirits retail license.

(3) The board may not deny a spirits retail license to qualified applicants where the premises is less than ten thousand square feet if:

(a) The application is for a former contract liquor store location;

(b) The application is for the holder of a former state liquor store operating rights sold at auction; or

(c) There is no spirits retail license holder in the trade area that the applicant proposes to serve; and

(i) The applicant meets the operational requirements in WAC 314-02-107 (1)(b); and

(ii) If a current liquor licensee, has not committed more than one public safety violation within the last three years.

[Statutory Authority: RCW 66.08.030, 66.24.055, 66.24.160, 66.24.630, and 66.24.640. WSR 12-12-065, § 314-02-107, filed 6/5/12, effective 7/6/12.]

WAC 314-02-1071 Trade area. (1) "Trade area" as used in RCW 66.24.630 means an area where there is no spirits retail license within a 20-mile travel distance at the time of license application.

(2) For a spirits retail license application where the proposed premises is less than 10,000 square feet of fully enclosed retail space, the board will determine if there is an existing spirits retailer within 20 travel miles at the time of license application.

(3) Former contract or state liquor store owners are exempt from the 10,000 square foot minimum required by law. If either entity chooses to locate within a trade area as defined in this section, they may be issued a license as long as they are in compliance with relocation criteria as established by the board.

(4) Spirits retailers owned and operated by a tribe or its tribal enterprise, located in Indian country as defined by 18 U.S.C. Sec. 1151, including reservation and all lands held in trust by the United States for the tribe or its members, are exempt from the 20-mile travel distance requirement.

(a) For purposes of this subsection, "tribe" means a federally recognized tribe as defined by 25 U.S.C. Sec. 4103 (13)(B).

(b) For purposes of this subsection, "tribal enterprise" means a wholly owned business enterprise of the tribe.

(5) The board may make an exception to the 20-mile travel distance requirement for a spirits retail license application where access to the proposed location is by means of travel other than automobile.

[Statutory Authority: RCW 66.08.030. WSR 24-06-023, § 314-02-1071, filed 2/28/24, effective 3/30/24; WSR 13-20-148, § 314-02-1071, filed 10/2/13, effective 11/2/13.]

WAC 314-02-108 Responsible vendor program. (1) **What is the purpose of this chapter?** The purpose of this section is to establish standards and procedures for a responsible vendor program for spirits retail and beer and wine retail licensees selling alcohol for off-premises consumption.

(2) **What is the responsible vendor program for spirits retail licensees?** This program is free, voluntary, and self-monitoring. Spirits retail licensees who hold a responsible vendor certificate and maintain all requirements are eligible for reduced sanctions on their first single violation within any period of 12 calendar months.

(3) **How does a spirits retail licensee become a responsible vendor?** Any spirits retail licensee who meets the program standards may participate. To apply for a responsible vendor certificate, the licensee must have no public safety violations within the last two years and must complete and submit a board-provided application form. Board staff will review the application for completeness, and will:

(a) Certify the completed application clearly indicates the licensee has all program standards in place and send a certificate to the licensee; or

(b) Return an incomplete application that does not clearly indicate the licensee has all program standards in place. Staff will notify the licensee of the reason(s) the application is being returned.

(4) **To qualify as a responsible vendor, a spirits retail licensee must:**

(a) Post their responsible vendor program certificate for public viewing at the main entrance of the premises;

(b) Train each employee supervising or selling alcohol in responsible liquor sales. Licensees may require employees to obtain a mandatory alcohol server training permit from a board certified provider or train employees themselves using the training criteria specified in subsection (5) of this section; and

(c) In an area visible to employees, post the house policies on alcohol sales and checking identification. The licensee must have each employee read and sign the house policies which must include at a minimum:

(i) A list of acceptable forms of identification which are accepted at the premises;

(ii) Directions for checking identification for customers; and

(iii) The consequences for selling spirits to a minor or apparently intoxicated person.

(d) In an area visible to patrons, post signs to deter illegal purchases of alcohol. Examples of information include, it is illegal to purchase alcohol under 21 years of age or while apparently intoxicated. Other information may include acceptable forms of identification at the premises;

(e) Have an on-going training plan for employees, to include annual training at a minimum. Examples of training include computer based training, video training, classroom instruction, and meetings. The training may be done individually or in a group. At a minimum, training must cover the topics listed in subsection (5) of this section; and

(f) Retain employee training records and signed house policies for three years and must be able to present employee training records upon request.

(5) **What are the program standards, program content, and other requirements for the responsible vendor program?** All training must include, at a minimum, the following:

(a) Guidelines for recognizing minors and apparently intoxicated persons;

(b) Forms of identification for purchasing alcohol;

(c) How to check identification and how to recognize false or altered identification;

(d) A requirement to check identification in accordance with house policies;

(e) Recommended actions for refusing sales of alcohol to minors or apparently intoxicated persons;

(f) A review of the consequences for selling to minors, and the importance of not selling alcohol to minors or apparently intoxicated persons;

(g) A review of house policies on alcohol sales. Each licensee must ensure that their employees receive training that covers the licensee's own house policies; and

(h) The standards and requirements for the mandatory alcohol server training stipulated in WAC 314-17-060 are deemed sufficient for employee's initial training for the responsible vendor training.

(6) **What are the sanctions when a licensee violates liquor laws or regulations?** For violations, as outlined in WAC 314-29-020 through 314-29-040, involving the sales of spirits, the prescribed penalty is doubled. If a licensee has a certified responsible vendor program having all program standards in place, the board will impose the standard penalty detailed in WAC 314-29-020 through 314-29-040 for that violation. Any subsequent violation involving spirits within any period of 12 calendar months will be double the standard penalties. Regardless of the type of alcohol sold; beer, wine, or spirits, WAC 314-29-020 through 314-29-040 are applicable.

[Statutory Authority: RCW 66.08.030. WSR 24-23-002, s 314-02-108, filed 11/6/24, effective 12/7/24; WSR 14-15-075, § 314-02-108, filed 7/16/14, effective 8/16/14. Statutory Authority: RCW 66.08.030, 66.24.630. WSR 12-11-008, § 314-02-108, filed 5/3/12, effective 6/3/12.]

WAC 314-02-1081 What is the responsible vendor program for beer and wine retail licensees selling beer and wine for off-premises consumption? (1) The program promotes retail licensees selling beer and wine for off-premises consumption taking positive steps to ensure alcohol is sold responsibly. The program is provided free and licensees may join the program voluntarily. Retail licensees selling beer and wine for off-premises consumption who hold a responsible vendor certificate and maintain all requirements are eligible for reduced penalties on their first public safety violation within any period of twenty-four calendar months.

(2) **How does a beer and wine retail licensee become a responsible vendor?** Any beer and wine retail licensee selling beer and wine for off-premises consumption who meets the program standards may participate. To apply for a responsible vendor certificate, the licensee must have no public safety violations within the last two years and must complete and submit a board-provided application form. Board staff will review the application for completeness, and will:

(a) Certify the completed application clearly indicates the licensee has all program standards in place and send a certificate to the licensee; or

(b) Return an incomplete application that does not clearly indicate the licensee has all program standards in place. Staff will notify the licensee of the reason(s) the application is being returned.

(3) **To qualify as a responsible vendor, a beer and wine retail licensee selling beer and wine for off-premises consumption must:**

(a) Establish and enforce a house policy relating to the sale and service of alcohol products that includes at a minimum:

(i) Who needs responsible alcohol sales training and how often;

(ii) A list of acceptable forms of ID at the premises;

(iii) When and how to check ID;

(iv) When and how to refuse sales;

(v) When to notify the supervisor and/or law enforcement for problems; and

(vi) The consequences for failing to check ID and/or making illegal alcohol sales.

(b) Train employees prior to engaging in the sale of alcohol and provide refresher course annually at a minimum. The minimum training component must include:

(i) Information on the misuse and risks of underage use of alcohol;

(ii) Washington state liquor laws and regulations;

(iii) House policy (see house policy above for components);

(iv) How to identify the signs of intoxication; and

(v) How to get additional resources/training.

(c) Maintain a responsible alcohol management policy which may include:

(i) Delegate a supervisor level employee to oversee and enforce store policies;

(ii) Participate and cooperate with local community organizations and/or efforts promoting public safety;

(iii) Monitor employee conduct and reinforce training;

(iv) Program point of sale system to recognize age restricted products and prompt cashiers to check ID and stop the transaction until the date of birth is entered and the age is calculated;

(v) Provide "birth date eligible to purchase alcohol" daily;

(vi) Provide appropriate ID checking tools such as current ID checking guide (shows valid ID formats from all states and U.S. territories), and "black lights" to check the authenticity of an ID;

(vii) No advertising targeting youth;

(viii) Displaying alcohol products in such a way to enable unobstructed monitoring, away from youth-oriented products; and

(ix) Use of theft deterrent devices.

(d) In an area visible to patrons, post signs to deter illegal purchased of alcohol. Examples include; it is illegal to purchase alcohol under twenty-one years of age or while apparently intoxicated. Other information may include acceptable forms of identification at the premises;

(e) Post the responsible vendor program certificate for public view in a conspicuous area at the front of the premises; and

(f) Retain employee training records and signed house policies for three years and be able to present employee training records upon request.

(4) **What are the employee training standards and other requirements for the responsible vendor program?**

(a) The training courses shall have the standards and requirements as stipulated in (a) and (b) of this subsection at a minimum;

(b) Training must require employee to demonstrate reasonable mastery of the topics;

(c) Training may be presented in-class, online course or other methods not compromising the training requirement;

(d) The training course content must be up-to-date with the latest laws and rules and must be provided in its entirety as certified by the board;

(e) The standards and requirements for the mandatory alcohol server training stipulated in WAC 314-17-060 are deemed sufficient for employee's initial training for the responsible vendor training; and

(f) The training course provided by the board is deemed sufficient for employee's initial and follow-up training for the responsible vendor training.

(5) **How does a retailer maintain the certification?**

(a) The licensee must maintain all program requirements at all times and have no more than three public safety violations within a two-year period.

(b) When a public safety violation occurs, licensee must submit an action plan to the board's licensing staff illustrating ways to prevent further violations within ten days from the date of violation.

(c) Update training materials and inform employees within thirty days from the board's notification regarding new legislation and/or regulations.

(d) Present the employee training records upon request by the board's staff.

(6) **What must a licensee do when a second public safety violation occurs within a two-year period?**

(a) The licensee must submit an action plan to prevent further violations to the board's licensing staff within ten calendar days of violation.

(b) The board may decertify the responsible vendor certification if the licensee fails to submit an action plan and/or demonstrate poor commitment to the program including having three or more public safety violations within a two-year period.

(7) **How long does a licensee have to wait before rejoining the program?** Once decertified from the program, licensee may reapply for the program after two years. Any public safety violation during this time may prohibit the licensee from joining the program.

(8) **What are the sanctions when a licensee violates liquor laws or regulations?** If a beer and wine retail licensee has a certified responsible vendor program having all program standards in place and has a public safety violation, the board will impose a deferral for a two-year period. If there are no further public safety violations within that two-year period, the violation is dismissed. If another violation occurs within that two-year period, the board will end the deferment and process both the first and the second violation based on the standard penalties described in WAC 314-29-020 through 314-29-040.

[Statutory Authority: RCW 66.08.030. WSR 14-15-075, § 314-02-1081, filed 7/16/14, effective 8/16/14.]

WAC 314-02-109 What are the quarterly reporting and payment requirements for a spirits retailer license? (1) A **spirits retailer** must submit quarterly reports and payments to the board.

The required reports must be:

(a) On a form furnished by the board;

(b) Filed every quarter, including quarters with no activity or payment due;

(c) Submitted, with payment due, to the board on or before the twenty-fifth day following the tax quarter (e.g., Quarter 1 (Jan., Feb., Mar.) report is due April 25th). When the twenty-fifth day of the month falls on a Saturday, Sunday, or a legal holiday, the filing must be postmarked by the U.S. Postal Service no later than the next postal business day; and

(d) Filed separately for each liquor license held.

(2) **What if a spirits retailer licensee fails to report or pay, or reports or pays late?** Failure of a spirits retailer licensee to submit its quarterly reports and payment to the board as required in subsection (1) of this section will be sufficient grounds for the board to suspend or revoke the liquor license.

Failure of a spirits retailer licensee to submit its quarterly reports and payment to the board for two consecutive quarters will be sufficient grounds for the board to revoke the liquor license.

A penalty of one percent per month will be assessed on any payments postmarked after the twenty-fifth day quarterly report is due. When the twenty-fifth day of the month falls on a Saturday, Sunday, or a legal holiday, the filing must be postmarked by the U.S. Postal Service no later than the next postal business day.

Absent a postmark, the date received at the Washington state liquor and cannabis board, or designee, will be used to determine if penalties are to be assessed.

[Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-109, filed 5/31/17, effective 7/1/17; WSR 16-01-102, § 314-02-109, filed 12/16/15, effective 1/16/16; WSR 14-12-101, § 314-02-109, filed 6/4/14, effective 7/5/14. Statutory Authority: RCW 66.24.630, 66.24.055, 66.24.145 and 66.08.030. WSR 13-07-085, § 314-02-109, filed 3/20/13, effective 4/20/13. Statutory Authority: RCW 66.08.030, 66.24.055, 66.24.160, 66.24.630, and 66.24.640. WSR 12-12-065, § 314-02-109, filed 6/5/12, effective 7/6/12.]

WAC 314-02-110 What is a beer and/or wine gift delivery license? (1) Per RCW 66.24.550, a beer and/or wine gift delivery license allows a business that is primarily engaged in the retail sale of gifts or flowers to deliver beer and/or wine in bottles or original packages. The beer or wine must be delivered in conjunction with the gifts or flowers.

(2) The annual fee for this license is $112.50.

(3) An applicant must meet the following requirements to obtain and maintain a beer and/or wine gift delivery license:

(a) The business must be primarily engaged in the retail sale of gifts or flowers. In order to determine that the business meets this qualification, the board may inspect an applicant's or licensee's inventory, sales figures, and business records.

(b) A beer and/or wine gift delivery licensee may not hold any other class of liquor license.

[Statutory Authority: RCW 34.05.353, 66.08.030, 66.08.[0]31, 66.20.010, 66.20.110, 66.20.300, 66.20.310, 66.20.400, 66.24.015, 66.24.035, 66.24.055, 66.24.146, 66.24.179, 66.24.246, 66.24.248, 66.24.320, 66.24.330, 66.24.350, 66.24.354, 66.24.360, 66.24.363, 66.24.371, 66.24.420, 66.24.540, 66.24.550, 66.24.580, 66.24.590, 66.24.600, 66.24.610, 66.24.630, 66.24.710, 69.50.325, and 69.50.342. WSR 26-03-072, s 314-02-110, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-110, filed 3/15/00, effective 4/15/00.]

WAC 314-02-112 Caterer's license. (1) A caterer's license allows the licensee to sell spirits, beer, and wine by the individual serving for consumption on the premises at a catered event location.

(2) The catered event location must be owned, leased, or operated by:

(a) The holder of the caterer's license; or

(b) The sponsor of the event for which the catering services are being provided.

(3) The caterer licensee is responsible for all areas of a location where alcohol is sold, served, consumed, or stored.

(4) If the catered event is open and advertised to the public, the event must be sponsored by a nonprofit society or organization as defined in RCW 66.24.375, except as permitted in RCW 66.24.800 (3)(b), (effective until December 31, 2027).

(a) A registered nonprofit holding a public or civic event may invite a caterer to provide alcohol service at a location within the parameters of the event.

(b) If attendance at the catered event is limited to members or invited guests of the sponsoring individual, society, or organization, the requirement in subsection (2) of this section does not apply.

(5) A spirits, beer, and wine caterer licensee must have the ability to serve at least four complete meals. A commissary kitchen, licensed by the city and/or county health department, shall be maintained in a substantial manner as a place for preparing and cooking complete meals. The caterer licensee must maintain the kitchen equipment necessary to prepare the complete meals required under this section. The complete meals must be prepared at the licensed commissary kitchen premises. "Complete meal" is defined in WAC 314-02-010.

(6) A beer and wine caterer licensee must have the ability to provide minimum food service. A commissary kitchen shall be maintained in a substantial manner as a place for preparing and cooking minimum food service. The caterer licensee must maintain the kitchen equipment necessary to prepare minimum food service required under this section. The minimum food service must be prepared at the licensed commissary kitchen premises. "Minimum food service" is defined in WAC 314-02-010.

(7) Licensees holding a caterer's license may share a commissary kitchen under the following conditions:

(a) Each licensee has their own secure area for their own liquor stock. Liquor stock cannot be shared.

(b) If using a shared commissary kitchen, each applicant/licensee must provide a sketch of the commissary kitchen to licensing indicating the separate secured area for each licensee.

(8) The applicant must provide the liquor and cannabis board with a copy of their commissary kitchen license issued by the city or county health department.

(9)(a) The licensee is required to send a list of scheduled catered events to their regional enforcement office on the first of each month. The licensee must provide the following information:

(i) Date of the catered events;

(ii) Time of the catered events; and

(iii) Place and location of catered events.

(b) Any changes to the information provided to the board must be reported to the regional enforcement office 72 hours prior to the catered event.

(10) For events at a civic campus authorized under WAC 314-03-211 or events at fan zone authorized under WAC 314-03-212, participating caterers must attest to joint responsibility as submitted by the campus operator or the local authority.

(11) A caterer's license holder is not allowed to cater events at a liquor licensed premises, except as permitted in RCW 66.24.800 (3)(b), (effective until December 31, 2027).

(12) The holder of the caterer's license may store liquor on other premises operated by the licensee if the licensee owns or has a leasehold interest at the other premises. Documentation must be provi-

ded to the board showing the licensee owns or has a leasehold interest in the property.

(13) All employees that sell or serve alcohol must hold MAST permits.

(14) The annual fee for the caterer's license is as follows:

(a) The annual fee for beer is $300;

(b) The annual fee for wine is $300;

(c) The annual fee for beer and wine is $600; and

(d) The annual fee for a combined spirits, beer, and wine is $1,500.

[Statutory Authority: RCW 66.08.030, 66.24.380, 66.24.690, 66.24.710, 66.24.800, 66.24.810, 66.24.820, 66.44.100, 66.98.070, 2025 c 361, and 2025 c 343. WSR 26-02-076, s 314-02-112, filed 1/7/26, effective 2/7/26. Statutory Authority: 2021 c 48 § 2, RCW 66.08.071, 66.08.030 and 2021 c 48. WSR 22-01-052, § 314-02-112, filed 12/8/21, effective 1/8/22. Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-112, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.24.690. WSR 14-24-128, § 314-02-112, filed 12/3/14, effective 1/3/15.]

WAC 314-02-114 Senior center license. (1) A senior center license can only be issued to a nonprofit organization whose primary service is providing recreational and social activities for seniors on the licensed premises.

(2) The senior center license permits the sale of spirits by the individual glass, including mixed drinks and cocktails mixed on the premises only, beer and wine, at retail for consumption on the licensed premises.

(3) To qualify for the senior center license, the applicant must:

(a) Be a nonprofit organization under RCW 24.03.005;

(i) "Corporation" or "domestic corporation" means a corporation not for profit subject to the provisions of this chapter, except a foreign corporation.

(ii) "Foreign corporation" means a corporation not for profit organized under laws other than the laws of this state.

(iii) "Not for profit corporation" or "nonprofit corporation" means a corporation no part of the income of which is distributable to its members, directors or officers.

(b) Only serve alcohol between the hours of 6 a.m. and 2 a.m.; and

(c) Provide at least minimum food service anytime alcohol is sold. "Minimum food service" is defined in WAC 314-02-010.

(4) Alcohol may be sold and served at the following types of events:

(a) Events hosted by the senior center; and

(b) Private events where the facility is rented by a private party for an event such as a wedding reception, family reunion, etc.

(5) If minors are allowed on the premises, floor plans must meet the requirements in WAC 314-02-025.

(6) All alcohol servers must have a valid mandatory alcohol server training permit.

(7) The annual fee for this license is $720.

[Statutory Authority: 2021 c 48 § 2, RCW 66.08.071, 66.08.030 and 2021 c 48. WSR 22-01-052, § 314-02-114, filed 12/8/21, effective 1/8/22.

Statutory Authority: RCW 66.24.680. WSR 14-20-048, § 314-02-114, filed 9/24/14, effective 10/25/14.]

WAC 314-02-115 Requirements for licensees that sell keg beer. Consistent with RCW 66.28.200 and 66.28.210:

(1)(a) Any licensee, except for a domestic brewery or microbrewery selling beer of its own production as provided in subsection (3) of this section, who sells beer for off-premises consumption in kegs or other containers holding four or more gallons of beer must require the purchaser to provide at least one piece of identification (see WAC 314-11-025 for acceptable forms of identification); and

(b) The licensee or employee and purchaser must fill out a keg registration form, provided by the board, which contains:

(i) The name and address of the purchaser;

(ii) The type and number of the identification presented by the purchaser;

(iii) The address where the beer will be consumed and the date on which it will be consumed; and

(iv) A sworn statement, signed by the purchaser under penalty of perjury, that:

(A) The purchaser is at least twenty-one years of age;

(B) The purchaser will not allow persons under twenty-one years of age to consume the beer purchased;

(C) The purchaser will not remove or obliterate the keg registration form affixed to the keg or allow it to be removed or obliterated; and

(D) The address listed in (b)(iii) of this subsection is the true and correct address at which the beer will be consumed or physically located.

(2) It is the licensee's or employee's responsibility to distribute the properly completed keg registration form as follows:

(a) One copy to the purchaser;

(b) One copy affixed to the keg or container holding four gallons or more of beer, prior to it leaving the licensed premises; and

(c) One copy must be retained on the licensed premises for one year, available for inspection and copying by any law enforcement officer.

(3) Domestic breweries and microbreweries and their licensed retail locations are not subject to the keg registration and container identification requirements when selling kegs or other containers containing four gallons or more of beer of the licensee's own production, and purchasers of these kegs or containers are not subject to the related purchaser requirements, except that the purchaser must be at least twenty-one years of age and must not allow persons under twenty-one years of age to consume any beer purchased.

(4) Except in cases involving sales by domestic breweries and microbreweries of beer of the licensee's own production as described in subsection (3) of this section, possession of a keg or other container which holds four gallons or more of beer without a properly completed keg registration form affixed to it, other than on the licensee's premises, will be a violation of this title.

[Statutory Authority: RCW 66.08.030, 66.24.240, 66.24.244, 66.28.200, 66.28.210, and 66.28.220. WSR 21-03-095, § 314-02-115, filed 1/20/21, effective 2/20/21. Statutory Authority: RCW 66.08.030, 66.24.010,

66.24.120. WSR 00-07-091, § 314-02-115, filed 3/15/00, effective 4/15/00.]

WAC 314-02-120 How do licensees get keg registration forms? (1) The board will provide keg registration forms free of charge to licensees who hold (a) a beer and/or wine restaurant license in combination with an off-premises beer and/or wine endorsement; (b) a tavern license in combination with an off-premises beer and/or wine endorsement; or (c) a beer and/or wine specialty shop license with a keg endorsement.

(2) Licensees who hold a grocery store license with a keg endorsement, or a spirits, beer, and wine restaurant license with a keg endorsement, must purchase the keg registration forms. Keg registration books can be ordered online at the liquor and cannabis board website or from the enforcement customer service line for four dollars per book of twenty-five forms.

[Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-120, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-120, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030. WSR 09-02-012, § 314-02-120, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-120, filed 3/15/00, effective 4/15/00.]