

**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.]