Chapter 314-38 WAC
PERMITS

Last Update: 1/20/26

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

314-38-010 Serve employees and guests permit under Title 66 RCW. [Statutory Authority: RCW 66.08.030 and 66.08.050. WSR 12-17-006, § 314-38-010, filed 8/1/12, effective 9/1/12. Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 82-13-068 (Order 106, Resolution No. 115), § 314-38-010, filed 6/16/82.] Repealed by WSR 21-01-057, filed 12/9/20, effective 1/9/21. Statutory Authority: RCW 66.08.030.

WAC 314-38-020 Permits—Fees established. The fees for permits authorized under RCW 66.20.010 and 66.20.400 are established as follows:

(1) The fee for a special permit authorized by RCW 66.20.010(1) is $7.50.

(2) The fee for a special permit authorized by RCW 66.20.010(2) for purchase of five gallons or less is $7.50 and for purchase of over five gallons is $15.

(3) The fee for a banquet permit authorized by RCW 66.20.010(3) is established in WAC 314-18-040.

(4) The fee for a special business permit authorized by RCW 66.20.010(4) is established in WAC 314-38-050.

(5) The fee for a special permit authorized by RCW 66.20.010(5) is $15.

(6) The fee for a special permit authorized by RCW 66.20.010(6) is $7.50.

(7) There is no fee for a special permit authorized by RCW 66.20.010(7).

(8) The fee for a special permit authorized by RCW 66.20.010(8) is $37.50.

(9) The fee for a special permit authorized by RCW 66.20.010(9) is $37.50.

(10) The fee for a special permit authorized by RCW 66.20.010(10) is $45.

(11) The fee for a special permit authorized by RCW 66.20.010(11) is $112.50.

(12) There is no fee for a special permit authorized by RCW 66.20.010(12).

(13) The fee for a special permit authorized by RCW 66.20.010(13) is $15.

(14) The fee for a special permit authorized by RCW 66.20.010(14) is $15.

(15) The fee for a special permit authorized by RCW 66.20.010(15) is $15.

(16) The fee for a special permit authorized by RCW 66.20.010(16) is $37.50.

(17) The fee for a special permit authorized by RCW 66.20.010(17) is $37.50 for each winery selling wine at the auction.

(18) The fee for a day spa permit authorized by RCW 66.20.400 is established in WAC 314-38-070.

[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 314-38-020, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030. WSR 21-01-057, § 314-38-020, filed 12/9/20, effective 1/9/21. Statutory Authority: RCW 66.24.010, 66.24.035, and 66.24.330. WSR 18-04-116, § 314-38-020, filed 2/7/18, effective 3/10/18. Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 17-08-099, § 314-38-020, filed 4/5/17, effective 5/6/17. Statutory Authority: RCW 66.08.030, 66.20.010 and 66.98.070. WSR 84-14-028 (Order 145, Resolution No. 154), § 314-38-020, filed 6/27/84; WSR 83-23-123 (Order 133, Resolution No. 142), § 314-38-020, filed 11/23/83.]

WAC 314-38-030 Fee for replacement of a lost or destroyed license or permit. (1) The fee for replacement by the board of a lost or destroyed representative's license issued pursuant to RCW 66.24.310 is five dollars.

(2) The fee for replacement by the board of a lost or destroyed retail or wholesale liquor license of any class is five dollars.

[Statutory Authority: RCW 66.08.030. WSR 21-01-057, § 314-38-030, filed 12/9/20, effective 1/9/21. Statutory Authority: RCW 66.08.030, 66.20.010 and 66.98.070. WSR 83-23-123 (Order 133, Resolution No. 142), § 314-38-030, filed 11/23/83.]

WAC 314-38-040 Alcohol raffle permit—Fee. (1) Any organization authorized to conduct a raffle under RCW 9.46.0315 may raffle alcohol upon obtaining a raffle permit from the board. The fee for a raffle permit is $15 for a one-time raffle permit or $37.50 for an annual permit.

(2) An application for a raffle permit must be submitted at least 30 days in advance of ticket sales.

(3) An application for a raffle permit must contain the following information:

(a) The full name of the bona fide charitable or bona fide nonprofit organization with verification of qualification as referenced in RCW 9.46.0209;

(b) The name, address, and phone number of the organization's officer in charge of the raffle;

(c) The date the raffle ticket sales will begin;

(d) The date, time, and exact location of the drawing;

(e) A description of the alcohol being raffled including its estimated value; and

(f) The source of the alcohol to be raffled (purchased at retail or donated by a private citizen).

(4) An organization's officer must certify that:

(a) Only organization members may purchase tickets or be awarded prizes;

(b) The organization meets the qualifications of a bona fide charitable or bona fide nonprofit organization under RCW 9.46.0209;

(c) The organization will not sell more than $5,000 of raffle tickets in a calendar year; and

(d) The organization will not sell raffle tickets to anyone under 21 years of age when alcohol is awarded as a prize.

(5) Alcohol to be raffled must have all applicable Washington State taxes paid and may only be:

(a) Purchased at retail; or

(b) Donated by a private citizen.

(6) The issued raffle permit will include:

(a) The organization name and address;

(b) The date and time of the drawing;

(c) The effective dates of the raffle permit; and

(d) A description of the alcohol to be raffled.

(7) The raffle permit must be posted at the location of the drawing prior to and during the drawing. The organization or person in charge of the raffle must allow any representative of either the board or any law enforcement officer, or both, to inspect the raffle permit and raffle items at any time.

[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 314-38-040, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030. WSR 21-01-057, § 314-38-040, filed 12/9/20, effective 1/9/21; WSR 92-01-079, § 314-38-040, filed 12/16/91, effective 1/16/92.]

WAC 314-38-050 Special permit to serve employees and guests—Purpose—Use—Fee. (1) Businesses that are not licensed under Title 66 RCW may apply for a special permit authorized by RCW 66.20.010(4) to serve alcohol free of charge to employees and invited guests of the business.

(2) The annual fee for each permit is $750.

(3) A separate permit is required for each business premises at which alcohol will be served or consumed.

(4) A permit is not transferable to another business or organization.

(5) A permit is valid for 12 months from the first day of the month in which it is issued.

(6) Permits may only be issued to businesses at which the service and consumption of alcohol is incidental to, and is not part of, the service of the business.

(7) The permit may not be used to stimulate or increase business from the general public.

(8) All alcohol served by permit holders must be purchased at retail from a Washington state retail liquor licensee.

(9) Alcohol service and consumption must be limited to either hospitality rooms or dining rooms, or both, on the premises of the permit holder's business.

(10) The general public may not enter an area of the business where alcohol is being served or consumed.

(11) Permit holders may not charge for admission to an area where alcohol is being served.

(12) Permit holders may not advertise the service of alcohol.

(13) Alcohol may not be sold by permit holders, including by scrip, donation, contribution, or other means.

(14) Permit holders may serve alcohol for no more than 24 hours during any weekly (168 hour) period.

(15) Consistent with RCW 66.20.070, failure to comply with applicable laws and rules may result in the suspension or cancellation of the permit.

[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 314-38-050, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030. WSR 21-01-057, § 314-38-050, filed 12/9/20, effective 1/9/21. Statutory Authority: RCW 66.08.030 and 66.08.050. WSR 12-17-006, § 314-38-050, filed 8/1/12, effective 9/1/12. Statutory Authority: RCW 66.08.030. WSR 93-20-031, § 314-38-050, filed 9/27/93, effective 10/28/93.]

WAC 314-38-060 Special permit for community or technical colleges, regional universities, or state universities. (1) Community or technical colleges, regional universities, or state universities may apply for a special permit authorized by RCW 66.20.010(12) to allow tasting of alcohol by persons at least eighteen years of age who are enrolled as students in a required or elective class that is part of a culinary, sommelier, wine business, enology, viticulture, wine technology, beer technology or spirituous technology-related degree program.

(2) Students at least eighteen but under twenty-one years of age may not consume or purchase alcohol, but may taste alcohol for the purposes of educational training as part of the class curriculum with approval of the educational provider.

(3) Tastings may occur on the premises of the college or university at which the student is enrolled or while on a field trip to a grape-growing area or production facility.

(4) All tastings must be done under the supervision of a faculty or staff member of the college or university who is at least twenty-one years of age and possesses a class twelve or thirteen alcohol server permit under the provisions of RCW 66.20.310.

(5) There is no fee for this permit.

[Statutory Authority: RCW 66.08.030. WSR 21-01-057, § 314-38-060, filed 12/9/20, effective 1/9/21; WSR 16-01-102, § 314-38-060, filed 12/16/15, effective 1/16/16; WSR 14-03-078, § 314-38-060, filed 1/15/14, effective 2/15/14.]

WAC 314-38-070 Day spa permit—Fee. (1) The annual fee for a day spa permit authorized by RCW 66.20.400 is $187.50.

(2) "Day spa" is defined as a business that offers at least three of the following four service categories:

(a) Hair care (haircut, hair color, perms, etc.);

(b) Skin care (facials, makeup application);

(c) Nail care (manicure, pedicure); and

(d) Body care (massage, wraps, waxing).

(3) The holder of a day spa permit may offer complimentary wine or beer by the individual glass under the following conditions:

(a) Customers must be at least 21 years of age;

(b) Spa services must last more than one hour;

(c) A customer may consume no more than one six ounce glass of wine or one 12 ounce glass of beer per day;

(d) Employees involved in the service of wine or beer must complete a board-approved limited alcohol server training program;

(e) Permit holders may not advertise the service of complimentary wine or beer;

(f) Wine and beer must be purchased from a Washington state licensed retailer;

(g) The permit must be posted in a conspicuous area at the point of sale; and

(h) At least three of the service area categories must be in separate areas of the spa.

(4) The board has the right to inspect the premises and business records at any time.

(5) Consistent with RCW 66.20.070, failure to comply with applicable laws and rules may result in the suspension or cancellation of the permit.

[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 314-38-070, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030. WSR 21-01-057, § 314-38-070, filed 12/9/20, effective 1/9/21; WSR 14-20-046, § 314-38-070, filed 9/24/14, effective 10/25/14.]

WAC 314-38-080 Special winery permit. (1) Domestic wineries may apply for a special permit authorized by RCW 66.20.010(14).

(2) The permit allows a manufacturer of wine to be present at a private event not open to the general public at a specific place and date for the purpose of tasting wine and selling wine of its own production for on-premises and off-premises consumption.

(3) The application and fee must be submitted to the board at least ten days prior to each event.

(4) The special permit must be posted at the event.

(5) The winery is limited to twelve events per calendar year.

[Statutory Authority: RCW 66.08.030. WSR 21-01-057, § 314-38-080, filed 12/9/20, effective 1/9/21. Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 17-08-099, § 314-38-080, filed 4/5/17, effective

5/6/17. Statutory Authority: RCW 66.08.030. WSR 16-01-102, § 314-38-080, filed 12/16/15, effective 1/16/16.]

WAC 314-38-090 Special distillery permit. (1) Washington distilleries or craft distilleries may apply for a special permit authorized by RCW 66.20.010(13).

(2) The permit allows a manufacturer of spirits to be present at a private event not open to the general public at a specific place and date for the purpose of tasting spirits and selling spirits of its own production for on-premises and off-premises consumption.

(3) The activities at the event are limited to the activities allowed on the distillery or craft distillery premises.

(4) The application and fee must be submitted to the board at least ten days prior to each event.

(5) The special permit must be posted at the event.

(6) The licensee is limited to twelve events per calendar year.

[Statutory Authority: RCW 66.08.030. WSR 21-01-057, § 314-38-090, filed 12/9/20, effective 1/9/21. Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 17-08-099, § 314-38-090, filed 4/5/17, effective 5/6/17. Statutory Authority: RCW 66.08.030. WSR 16-01-102, § 314-38-090, filed 12/16/15, effective 1/16/16.]

WAC 314-38-095 Special brewery permit. (1) Domestic breweries and microbreweries may apply for a special permit authorized by RCW 66.20.010(15).

(2) The permit allows a manufacturer of beer to be present at a private event not open to the general public at a specific place and date for the purpose of tasting beer and selling beer of its own production for on-premises and off-premises consumption.

(3) The application and fee must be submitted to the board at least ten days prior to each event.

(4) The special permit must be posted at the event.

(5) The licensee is limited to twelve events per calendar year.

[Statutory Authority: RCW 66.08.030. WSR 21-01-057, § 314-38-095, filed 12/9/20, effective 1/9/21. Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 17-08-099, § 314-38-095, filed 4/5/17, effective 5/6/17.]

WAC 314-38-100 Accommodation sale permit. (1) An accommodation sale permit authorized by RCW 66.20.010(16) allows an individual or business to sell a private collection of wine or spirits to another individual or business.

(2) The seller must submit an application and $37.50 fee to the board.

(3) Once the board verifies the information on the application, a permit for the sale will be issued to the seller.

(4) The seller must wait at least five business days after receiving the permit to release either the wine or spirits, or both, to the buyer.

(5) Within 20 calendar days of the sale, the seller must complete an accommodation sale inventory report and submit it to the board.

(6) The following are definitions for the purposes of this section:

(a) "Accommodation sale" means the sale of a private collection of wine or spirits to an individual or business. Both the seller and the buyer must be located in Washington state.

(b) "Buyer" means the individual or business buying a private collection of wine or spirits. A buyer may be a liquor licensee.

(c) "Private collection" means a privately owned collection of wine or spirits. There is no minimum or maximum quantity to be considered a collection.

(d) "Seller" means the individual or business selling a private collection of wine or spirits. The seller cannot be a liquor licensee.

[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 314-38-100, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030. WSR 21-01-057, § 314-38-100, filed 12/9/20, effective 1/9/21. Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 17-08-099, § 314-38-100, filed 4/5/17, effective 5/6/17.]

WAC 314-38-110 Nonprofit private wine auction permit. (1) A nonprofit private wine auction permit authorized under RCW 66.20.010(17) allows a nonprofit organization to sell wine through a private auction not open to the public.

(2) The nonprofit organization must submit an application and fee to the board.

(a) The date and location of the auction must be specified on the application.

(b) Consistent with RCW 66.20.010(17), the one-time event fee is $37.50 multiplied by the number of wineries that are selling wine at the auction event.

(c) A list of event attendees must be submitted with the wine auction permit application.

(3) The holder of the permit may conduct wine tastings of the wine to be auctioned at the event.

(4) All wine sold by auction cannot be consumed during the event.

(5) Wine from multiple wineries may be sold at the auction. Each winery must be listed on the application.

(6) The permit must be posted in a conspicuous location at the premises for which the permit was issued during all times the permit is in use.

[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 314-38-110, filed 1/20/26, effective 1/20/26. Statutory Authority: RCW 66.08.030. WSR 21-01-057, § 314-38-110, filed 12/9/20, effective 1/9/21. Statutory Authority: RCW 66.24.010,

66.24.035, and 66.24.330. WSR 18-04-116, § 314-38-110, filed 2/7/18, effective 3/10/18.]

WAC 314-38-120 Emergency liquor permits. (1) Per RCW 66.20.010, there is an emergency liquor permit for eligible licensees to authorize the sale, service, and consumption of liquor of their own production on the premises of another liquor licensee with retail sales privileges when an emergency has made the permit holder's premises inaccessible and unable to operate due to an emergency or road closure.

(2) There is no fee for the emergency liquor permit.

(3) The following licensees are eligible to obtain an emergency liquor permit:

(a) Distilleries, craft distilleries, and fruit and wine distilleries;

(b) Domestic breweries and microbreweries; and

(c) Domestic wineries.

(4) The following licensees are eligible to operate as a host of a permit holder:

(a) All the licensees identified in subsection (3) of this section;

(b) All liquor licensees with retail sales privileges, except for the following:

(i) Caterers, licensed under RCW 66.24.690;

(ii) Private clubs licensed under RCW 66.24.450 or 66.24.452; and

(iii) Sports entertainment facilities licensed under RCW 66.24.570.

(5)(a) To be eligible to host a permit holder, the host must have the authority to sell the type of products manufactured by the permit holder.

(b) If the permit holder is a distillery, craft distillery, or fruit and wine distillery, the host must comply with the food offerings requirements in WAC 314-28-067.

(6) The permit holder shall identify the host when applying to the board's licensing division for an emergency liquor permit.

(7)(a) The permit shall last for 30 days.

(b) If the emergency continues, the permit may be renewed for an additional 30 days.

(8) The permit holder may store no more than a 30-day supply of liquor at the host premises.

(a) The permit holder's liquor must be kept separate from the host liquor.

(b) Host employees and agents are permitted to serve liquor provided by the permit holder if they have the MAST permits required by RCW 66.20.310 and chapter 314-17 WAC.

(c) The permit holder's employees and agents must meet the same MAST permit requirements as the host's employees and agents.

(9) A host and permit holder may not enter into any type of agreement that would involve impermissible direct or indirect interests as provided in chapter 66.28 RCW.

(10)(a) A host may have no more than three permit holders operating on its premises at a time.

(b) A permit holder may only have one permit at a time.

(c) The permit holder must conspicuously post the emergency liquor permit at the host premises at all times the permit is in use and be available for inspection by liquor enforcement officers.

(11)(a) Hosts and permit holders must maintain separate records consistent with Titles 66 RCW and 314 WAC as it applies to the host and permit holder.

(b) Hosts and permit holders must comply with all tax payment and reporting requirements in Titles 66 RCW and 314 WAC.

(c) Hosts and permit holders must use distinctively marked glassware or serving containers to identify the source of any alcohol product being consumed on the host premises. The distinctive markings may be either permanent or temporary. Any temporary markings must remain on the glassware or serving containers through the duration of use by the customer.

(12) Hosts and all permit holders on the hosts' premises are jointly responsible for any violation or enforcement issues unless it can be demonstrated that the violation or enforcement issue was due to one or more licensee's specific conduct or action, in which case the violation or enforcement action applies only to those identified licensees.

(13) **Definitions:** For purposes of this section, the following definitions apply:

(a) "Emergency" means an emergency or disaster as defined in RCW 38.52.010.

(b) "Host" means a liquor licensee with the same retail sales privileges that allows a permit holder to operate on their premises pursuant to the terms of the emergency liquor permit.

(c) "Inaccessible" means unable to be safely entered, reached, or used for on-premises business purposes for more than 48 hours.

(d) "Permit holder" means a licensed manufacturer that has experienced an emergency that has made its premises inaccessible and unable to operate due to an emergency or road closure.

(e) "Road closure" means whenever the condition of any state highway, county road, city street, or right-of-way is such that its use by vehicles will be dangerous to traffic, or it is being constructed, altered, or repaired in such a manner as to require their use to be closed or restricted to all vehicles for more than 48 hours.

(f) "Unable to operate" means unable to perform the on-premises activities which the liquor license authorizes in Titles 66 RCW and 314 WAC.

[Statutory Authority: RCW 66.08.030, 66.20.010, and 66.98.070. WSR 25-01-156, s 314-38-120, filed 12/18/24, effective 1/18/25.]