

MEMORANDUM

To: Kimberly Robinson, Secretary LDR
From: Juana Lombard, Commissioner ATC
Date: January 2, 2019
Re: ATC Commentary on Alcohol Delivery

Secretary Robinson,

The ATC recommends that the taskforce consider of the following with regard to alcohol delivery:

A. The ATC will approve applications and monitor compliance for alcohol delivery.

1. Third party delivery companies shall be required to obtain a permit from ATC.
2. The fee for the permit shall be set at such a rate as to offset the cost of ensuring compliance.
3. Drivers shall be RV certified.
4. Third party delivery company shall be accountable for their drivers.

Recommended language: (a) Any person making deliveries of alcoholic beverages on behalf of a retail dealer shall first obtain a LA Responsible Vendor Server's permit and shall be subject to the liability, fines, and penalty provisions and (b) ATC may issue violations to the 3rd party delivery company for violations deemed attributable to the 3rd party or a delivery person associated with the 3rd party.

5. Drivers shall have id scanners to verify age.
6. Retailers shall provide written notice to ATC prior to providing delivery services.

7. Retailers shall provide written notification to ATC prior to utilizing any 3rd party for delivery services (including the legal name, registered trade name, physical address, mailing address.) Notification could also include the name, phone, number and email address of the 3rd party's general manager and the name, mailing address, phone number, and email address of the 3rd party's LA registered agent.
8. Set restrictions for retailers that have products delivered (similar to requirements to obtain a 2-year permit - considering violation history, etc.).
9. No deliveries to high schools or universities.
10. The commissioner shall have the authority to adopt rules and regulations in accordance with the Administrative Procedure Act for the purpose of enforcing the provisions of this Title.

The ATC takes no position on the following but offers suggestions for consideration:

A. The Taskforce should consider:

1. Implementation of a delivery radius in order to reduce issues such as taxes across municipal lines, etc.
2. Restaurant deliveries should be required to also contain a food order.
3. Other retail delivery locations (Class B) should have non-alcoholic products included in the order.
4. Delivery records should be available to law enforcement for 3 years.
5. Deliveries should only be made to a residence or business (which does not have a retail alcohol permit).
6. Alcohol should only be delivered in factory sealed or tamper resistant containers.

