



STATE OF ARIZONA
DEPARTMENT OF LIQUOR LICENSES AND CONTROL

Douglas A. Ducey
GOVERNOR

John Cocca
DIRECTOR

March 12, 2019 (Updated)

The Arizona Department of Liquor Licenses and Control (Department) is committed to ensuring public safety through education, prevention and enforcement when appropriate. One of the agency's highest priorities is to prevent the sale of alcohol to underage persons. This goal can only be achieved with the support and cooperation of licensed liquor establishments that are required under the law to act responsibly and not sell alcohol to underage persons.

The Department utilizes a covert underage buyer (CUB) program wherein underage buyers are deployed by Department investigators to determine if a licensed establishment is selling alcohol to underage persons. Initially, this occurs when a complaint of such activity is alleged to the Department.

Education and collaboration is the Department's preferred approach to preventing underage liquor sales. The primary applicable statutes that licensees are encouraged to train and discuss with their employees include:

- **ARS 4-241.A, Requires the licensee or their employees to properly inspect identification from ANY potential underage buyer, and ensure the sale is legal.**
- **ARS 4-241.K, Prohibits the licensee or their employees from accepting an Arizona vertical ID 30 days after a person's 21st birthday.**
- **ARS 4-244.9, Makes it illegal to furnish alcohol to any underage person.**

800 WEST WASHINGTON, 5th FLOOR PHOENIX, ARIZONA 85007-2934 PHONE (602) 542-5141 FAX (602) 542-5707

WWW.AZLIQUOR.GOV

Individuals requiring special accommodations please call (602)542-9027

The Department enforces the law regarding the sale of alcohol to underage persons and will be implementing an even more vigorous enforcement posture utilizing the CUB program. The Department asks for your cooperation and attention to Arizona law so together we can keep alcohol out of the hands of underage persons.

To date, the Department's proactive initiatives to minimize the sale of alcohol to underage persons has not achieved the reduction in violations that we had strived for. Despite providing written and verbal notification to retailers that a complaint of underage service was received, and informing the alleged violators that a CUB (Covert Underage Buyer) inspection would be conducted, we continue to see an unacceptable violation rate. Consequently, effective April 1, 2019, the Department will increase the monetary penalties assessed to licensees when an underage service violation, via a CUB investigation, is established. A typical CUB violation results in (2) Title IV charges that combined, per Arizona law, carry a maximum penalty of \$6,000. Presently, on a first violation, at the Department's discretion, a licensee can settle both charges by paying \$750.00 via a mail-in consent agreement. The minimum penalty for the same type of violations will increase to \$1,500. A second violation will result in a minimum penalty of \$4,000. A third violation will result in a minimum penalty of \$6,000, and a license suspension of 3 days.

Again, the Department asks for your support in preventing the sale of alcohol to underage persons. The Department is proactively providing you the planned penalty increases which we believe are necessary at this point to gain compliance. It is our sincerest desire that the assessment of increased monetary penalties alters the actions of some retailers and prevents future violations.

Sincerely,

A handwritten signature in black ink, reading "Michael D. Rosenberger". The signature is written in a cursive style with a horizontal line extending from the end.

Michael D. Rosenberger
Deputy Director
Investigations Division