

Cal. Code Regs. tit. 4 § 160

Section 160 - Responsible Beverage Service Training Program

- (a) The department adopts these regulations in compliance with Business and Professions Code § 25681 with the intent to ensure effective responsible beverage service training for servers and their managers to curb harm of the overuse of alcohol in California communities.
- (b) Definitions for use in this article and in interpreting and enforcing Business and Professions code §§ 25680-25686.
- (1) "ABC" means the Department of Alcoholic Beverage Control.
 - (2) "ABC on-premises license" means an ABC license that grants the privilege to serve alcoholic beverages to patrons who then consume them within the licensed premises.
 - (3) "ABC on-premises licensee" means the owner of an ABC on-premises license
 - (4) "ABC licensed premises" means a location where an ABC on-premises licensee uses the privileges granted by an ABC on-premises license.
 - (5) "Accreditation agency" means a business entity the department has given the authority to approve RBS training courses and training providers according to the standards of the RBSTPA and this article.
 - (6) "Alcohol server certification exam" means an exam given to alcohol servers after they complete an RBS training course to test the alcohol server's knowledge of the required curriculum.
 - (7) "Data security protocols" means an electronic system with functionality and protocols designed and intended to prevent any unauthorized user, application, service, or device to access personal identifying information and other confidential data stored within that electronic system.
 - (8) "Initial employment" means the date an employee signs an employment contract or employee tax and identification documents, whichever is sooner.
 - (9) "Interactivity element" means a portion of an RBS training course that reasonably requires alcohol servers to be engaged in the training, demonstrate their knowledge of the curriculum, and develop an understanding of how to apply course material to their employment.
 - (10) "Manages or supervises" means directly hiring alcohol servers, overseeing alcohol servers at an ABC licensed premises, or training alcohol servers how to perform the service of alcohol for consumption for an ABC on-premises licensee, including but not limited to, when to check identification or when to refuse service to a patron. This

definition specifically excludes the training of alcohol servers performed by an employee of contractor of another separate ABC Licensee for marketing or distribution purposes.

(11) "Onsite" for the purposes of Business and Professions Code § 25682(c) means within the area where the service of alcoholic beverages is occurring at the nonprofit organization's event licensed under a temporary or daily license by the department.

(12) "Online certification system" means an electronic online database maintained by the department that alcohol servers, training providers, ABC on-premises licensees, law enforcement agencies, and the department will use to establish the validity of issued alcohol server certifications.

(13) "Owner and officer" includes any owner, director, or officer of a business entity, or any person that has control over or holds at least the following interest in the business entity:

(A) Ten percent or more of the stock of a corporation;

(B) Ten percent or more of the voting interest of a limited liability company; or

(C) Ten percent or more of the capital or profits of a partnership.

(14) "RBS" means responsible beverage service.

(15) "RBS trainer" means an owner, contractor, or employee of a training provider that delivers an RBS training course to alcohol servers either in-person or online.

(16) "RBSTPA" means the Responsible Beverage Service Training Act of 2017, codified as Business and Professions Code sections 25680- 25686.

(17) "Serving alcoholic beverages for consumption" means performing any of the following actions by an alcohol server as an employee or contractor of an ABC on-premises licensee when interacting with a patron of the ABC licensed premises:

(A) checking patron identification,

(B) taking patron alcoholic beverage orders,

(C) pouring alcoholic beverages for patrons, or

(D) delivering alcoholic beverages to patrons.

(18) "Valid fingerprint record" means a fingerprint copy where the identity of the person fingerprinted has been verified by a notary, governmental agency, or an electronic fingerprinting service at the time of fingerprinting.

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Note: Authority cited: Section 25685(a), Business and Professions Code. Reference: Sections 25680, 25681, 25682, 25683, 25684, 25685 and 25686, Business and Professions Code.

1. New article 25 (sections 160-173) and section filed 5-20-2020; operative 5-20-2020 pursuant to Government Code section 11343.4(b)(3) (Register 2020, No. 21).

