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The contents of this supplement have been organized to correspond with each of the four sections of the ServSafe Alcohol Online Course. Upon completing each section of the course, you should review the corresponding section of this supplement.

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Section 1: Alcohol Law and Your Responsibility

Pennsylvania Dram Shop Laws
Pennsylvania dram shop laws hold licensees and their employees liable if they sell alcoholic beverages to a visibly intoxicated person who then causes death, injury, or property damage.

Dram shop cases have resulted in verdicts rewarding substantial amounts of money to those parties involved. In most cases, the licensees or their insurance company pays damages. Sometimes, however, individual servers are also held liable.

Selling Beverage Alcohol to Minors
It is illegal for licensees and their employees to serve alcoholic beverages to a minor. Violations may result in the following penalties:

For the licensee:
- $1,000 to $5,000 fine
- Suspension or revocation of the liquor license
- Civil liability suits (if the alcohol service has resulted in death, injuries, or property damage)

For the seller/server (for knowingly selling or furnishing alcohol to a minor):
- $1,000 fine for the first offense and $2,500 fine for each subsequent offense
- Possible imprisonment for up to one year for each offense
- Civil liability suits (if the alcohol service has resulted in death, injuries, or property damage)

Adults who buy alcohol for anyone under age 21 years of age - even their own children - will receive a mandatory fine of $1,000 for their first offense and $2,500 for each following offense. That person could also be liable for any resulting injuries and/or property damage.

The Pennsylvania Crimes Code also makes it illegal to sell or furnish non-alcoholic beverages (non-alcoholic beer or wine) to any person less than 21 years of age.

Minimum Age for Purchasing, Consuming, and Possessing Alcohol
The legal drinking age in Pennsylvania is 21. It is illegal for a minor to attempt to purchase, possess, or consume alcohol. Minors caught violating this regulation may receive the following penalties:
- A fine up to $500
- Driver’s license suspension
  - First offense - 90 day suspension
  - Second offense – one year suspension
  - Third and each subsequent offense - two year suspension
Minors Frequenting a Licensed Premises
Minors may be permitted on the premises of a hotel, restaurant, club, or any retail dispenser if the minor is in the company of:

- A parent
- A legal guardian - an individual who is appointed by the court to take the place of a parent
- Proper supervision - a person who is 25 years of age or older, who is directly responsible for the care and conduct of the minor or minors while on the licensed premises, and who keeps the minor or minors within his or her sight or hearing at all times. If the licensee, employee, or anyone else paid by the licensee is performing a proper supervision, then that person may not perform any other employment-related duties; otherwise proper supervision shall consist of unpaid volunteers.
  - If a minor is frequenting a licensed premises with proper supervision, each supervisor can supervise up to twenty minors.
  - For licensees located in cities of the first class, each supervisor can supervise up to five minors.
  - If the minors are on the licensed premises as part of a school-endorsed function, then each supervisor can supervise up to 50 minors.

Social Gathering
Another exception is applicable to hotel, restaurant or club licensees for a social gathering, even if the gathering is exclusively for minors. In order to permit such conduct, ALL of the following must apply:

- No alcohol may be served anywhere on the licensed premises
- All alcohol must either be removed from the premises or secured under lock and key during the social gathering
- Written notice must be provided to the Pennsylvania State Police, Bureau of Liquor Control Enforcement, at least forty-eight (48) hours in advance of the event.

If a minor is attending a social gathering as defined above, then no other adult supervision is required for the event.

"Pizza Hut" Exception
Another exception to the prohibition of minor’s frequenting is limited to restaurant or retail dispenser licensees only. This exception allows minors to frequent a licensed premise for the purpose of eating food and without needing supervision.

- The licensee must be able to demonstrate that 50% or more of their total sales are food and non-alcoholic beverages combined and 50% or less is alcohol.
- The minors must be seated in the dining area or the take out area of the establishment only.
Serving Intoxicated Individuals
It is illegal to sell or serve alcoholic beverages to any person who is visibly intoxicated. Violating this law can have the following results:

For the licensee:
- $1,000 to $5,000 fine
- Suspension or revocation of the liquor license
- Civil liability suits

For the seller/server:
- Fines up to $5,000
- Possible imprisonment from three months to a year
- Civil liability suits
- Possible loss of position
Section 2: Recognizing and Preventing Intoxication

Visible Intoxication vs. Legal Intoxication
In Pennsylvania a distinction is made between visible intoxication and legal intoxication. Visible intoxication is defined as a level of impairment that any person can observe. When consuming alcohol a person’s judgment and inhibitions are the first human functions to be affected. If it is apparent that the person’s behavior, judgment, and coordination have diminished, then the person may be considered visibly intoxicated. Visible intoxication can occur at a high or low blood alcohol content (BAC) depending upon a person’s reaction to alcohol.

A person is considered legally intoxicated when they have a BAC of .08% as determined by a blood, urine, or breath test.

Some of the factors that affect visible intoxication are:
- Tolerance
- Health
- Food intake
- Rate and amount of alcohol consumed

Some of the factors that affect legal intoxication are:
- Weight
- Gender
- Health
- Food intake
- Rate and amount of alcohol consumed

Effects of Alcohol and Other Drugs
- Customers who mix drugs and alcohol can experience dangerous interactions.
- Alcohol may inhibit the performance of many medications.
- Alcohol may increase the potency of medications in the bloodstream and become toxic.
- Some signs that a customer may be having an alcohol/drug interaction include:
  - Breaking into a rash
  - Swelling around the eyes
  - Becoming visibly intoxicated quickly
  - Vomiting after one or two drinks
  - Extremely constricted pupils
  - Excessive sweating
  - Erratic or bizarre behavior

Alcohol/Drug Interaction
It is estimated that alcohol-medication interactions may be a factor in at least 25% of hospital emergency room admissions. It is estimated that interactions between alcohol and drugs, whether illegal or prescribed, may have been a factor in at least 80% of hospital emergency room visits.

- Alcohol can reduce the effectiveness or inhibit performance of the following drugs (in other words, preventing the drug from “doing it’s job”):
  - Antibiotics
• Cardiovascular medications
  o All blood-thinning medications (Anticoagulants)
  o Medications for seizure disorder
  o Medications for patients with diabetes

• Interactions that can cause serious side effects
  o Non-narcotic pain relievers, such as aspirin or ibuprofen, can cause stomach bleeding and inhibit blood from cloting. Alcohol use exacerbates these effects.
  o Antipsychotic medications – alcohol use can cause potentially fatal breathing difficulties
  o Antidepressants - There are major warning labels on all depression fighting agents that recommend avoiding alcohol because of the following risks:
    • Ventricular arrhythmia – sudden change in heartbeat pattern
    • Extremely high blood pressure
    • Erratic and/or atypical euphoric behavior
    • Excessive sweating
  o Sedatives and hypnotics – When mixed with alcohol, sleeping pills, tranquilizers, or anxiety medications (such as Valium or Ativan) can depress breathing functions.
  o Narcotic pain relievers – When mixed with alcohol, the interaction enhances the sedative effect increasing the risk of death from overdose. These medications are often opium-based (Demerol, codeine, morphine, Percocet, and Darvon).
  o Anticoagulants (blood thinners) – Blood thinners include a wide variety of products from over-the-counter (OTC) aspirin to prescription Coumadin. These products, when administered with alcohol (which acts as a blood-thinner) can produce a hemophilic injury in someone who is cut or bruised. Internal bleeding usually goes undetected until critical care is required.
  o Psychotropic medication – Risperdal, Zyprexa and Haldol among other antipsychotic agents when combined with alcohol can result in a variety of adverse reactions. Erratic behavior, heavy or difficult breathing, and excessive sweating can be attributed to this interaction.
  o Controlled substances – There are four classes of narcotics:
    • Class I – Illicit “street” drugs including cocaine, heroin, THC, etc.
    • Class II – Long-acting potent opioids including morphine, Demerol, Oxycontin, Percocet, Fentanyl, and other anesthesia medications
    • Class III – Short-acting “weak” opioids including Tylenol with codeine, Vicodin, etc.
    • Class IV – Cough medicines with codeine, antianxiety medications such as Valium, Xanx, and Librium, and sleep aids like Halcion and Ativan.

All of these controlled substances, when administered with alcohol, can oftentimes be fatal. Contrary to popular belief, overdose from one substance or another when combined is not the prevalent factor in fatalities. Hypoventilation or depressed breathing capabilities is what more often occurs when alcohol and these controlled substances are combined. This side effect along with a low oxygen, smoke-filled barroom environment may cause immediate respiratory failure.
**Synergism**
Synergism is the joint action of two or more drugs that results in a total effect greater than the sum of the individual effects. This is especially true for certain types of drugs, especially sedatives/hypnotics and narcotic pain relievers. For instance:

- One shot of alcohol and one shot of alcohol equals two shots of alcohol.
- One Percocet and one Percocet equals two Percocets.
- However, one Percocet and one shot of alcohol equals three shots of alcohol or three Percocets.

**Steady Alcohol Consumption**
Steady alcohol consumption may increase potency of medications in the bloodstream resulting in toxicity. Some reasons include:

- The human liver is very complex, but it can only metabolize a certain number of substances at a time.
- Alcohol and other certain drugs go through a similar cycle in the liver, but cannot be processed together.
- Regular drinkers’ livers are occupied with processing alcohol, allowing medication to roam free and accumulate in the blood while waiting for space in the liver. This can lead to toxic levels of medications often resulting in death. Depending on the type of medication, this is also a possibility among “occasional drinkers.”

**Signs of Medication Use**
Some signs that someone may be taking other medications include:

- After a few drinks individual breaks out in a rash, has skin irritation, has swelling around the eyes, etc.
- Quick to become visibly intoxicated
- Vomiting after one or two drinks
- Extremely constricted pupils (even in low light areas) suggest that perhaps a sedative, hypnotic, and/opium-based pain reliever is in the bloodstream
- Excessive sweating
- Erratic or bizarre behavior

**Basic Equivalency Statement**
The state of Pennsylvania considers the following drinks to be equivalent in alcohol content: a 12-ounce beer, a 5-ounce glass of wine, and 1½ ounces of 80-proof liquor contain approximately the same amount of alcohol.

As a rule of thumb, servers should count a mixed drink containing two or more shots of liquor as two or more drinks.

**Driving Under the Influence of Alcohol (DUI)**
It is illegal for a person to drive or be in control of any motor vehicle if he or she has a blood alcohol content (BAC) of 0.08 or higher, the legal point of intoxication in the state of Pennsylvania. However, in this state, it is possible to be convicted of driving under the influence with a BAC of .05 and above if there is supporting evidence of driving impairment.
Section 3: Checking Identification

Legally Acceptable Forms of ID
Only the following are legally acceptable in Pennsylvania:
• A valid* photo driver’s license issued by the PA Department of Transportation or by any other state
• A valid photo identification card issued by the PA Department of Transportation or by any other state
• A valid armed forces identification card containing the holder’s photograph
• A valid passport or travel visa issued from another country containing the holder’s photograph

* “Valid” means that the ID has not expired.

Unacceptable IDs
The following are examples of unacceptable IDs:
• College IDs
• National IDs
• Gun permits/Hunting licenses
• Social Security cards
• Birth certificates
• Welfare cards
• Library cards
• Personal ID cards
• Resident Alien cards
• Check Cashing cards
• Voter registration cards
• Selective Service cards
• International driver’s license

Who and When to Card
Customers who appears to be under 30 years of age should be considered potential underage drinkers. They should be asked to provide proper identification and fill out a Declaration of Age Card (form 931). Always hold onto the guest’s ID during the carding process. This will allow you to check for possible alterations and will make it more difficult for a minor to use the information from a counterfeit, altered, stolen, or borrowed ID to fill out the Declaration of Age Card.

Legal Forms of Defense
To defend against citations for serving minors, carding incidents should be documented. The Pennsylvania Liquor Code allows the following to be used in defense:
• Photocopies of the ID
• Photographs or videotaped pictures of the ID
• ID swipe machines that document information contained in the ID’s magnetic strip
• A completed Declaration of Age Card
The Declaration of Age Card is the most popular method for documenting carding incidents. It can be used to provide proof of all guests that were carded and to document the form of ID that was presented. After the customer and the server fill out the card, it should be filed alphabetically in a file box and retained on the premises for a minimum of two years.

Presenting False Identification
It is illegal for a minor to lie about his or her age to obtain alcohol or to carry a false ID card. Violation of these conditions may result in:

- A fine up to $500
- Driver's license suspension
  - First offense - 90 day suspension
  - Second offense – one year suspension
  - Third and each subsequent offense - two year suspension
- Required completion of a program in alcohol education, intervention, or counseling
Section 4: Handling Difficult Situations

*Incident Documentation*
Licensees and managers should keep records of events that occur in their establishment. An Incident Documentation Form is an excellent tool to accomplish this. The Incident Documentation Form can provide a defense in the event a lawsuit is filed. Incident records should be kept for at least two years because lawsuits can be filed up until that point after the event.