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Alcohol Beverage Service Regulation

Responsible Beverage Service Training Program

- The California Assembly Bill 1221 (2017) established the Responsible Beverage Service Training Program Act to help reduce alcohol-related harm in local communities.
- The bill required the Department of Alcoholic Beverage Control (ABC) to create the Responsible Beverage Service Training Program (RBSTP).
- The RBSTP ensures that on-premises alcohol servers and their managers are educated on the dangers of serving alcohol to minors and over-serving patrons.

RBSTP curriculum requirements

1. The social impact of alcohol.
2. The impact of alcohol on the body.
3. State laws and regulations relating to alcoholic beverage control, including laws and regulations related to driving under the influence.
4. Intervention techniques to prevent the service or sale of alcoholic beverages to underage persons or intoxicated patrons.
5. The development of management policies that support the prevention of service or sale of alcoholic beverages to underage persons or intoxicated patrons.

Alcohol server certification exam

After completing the RBSTP course, you must take the Alcohol Server Certification exam. ABC will be automatically notified upon completion of the course, and they will send you a link to take the exam on the ABC website.

Definitions

Definitions related to Alcoholic Beverage Control

- **ABC** means the Department of Alcoholic Beverage Control.

- **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.
- **ABC on-premises licensee** means the owner of an ABC on-premises license.
- **ABC licensed premises** means a location where an ABC on-premises licensee uses the privileges granted by an ABC on-premises license.

Definitions related to Responsible Beverage Service training

- **RBS** means Responsible Beverage Service.
- **RBSTP** means Responsible Beverage Service Training Program.
- **Approved RBS training provider** means a training provider that has been approved by ABC to deliver training of the required RBS curriculum.
- **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.
- **Alcohol server certification exam** means an exam taken by alcohol servers after they complete an RBS training course to test the alcohol server's knowledge of the required curriculum.
- **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 service certifications.

Definitions related to Alcohol Service

- **Alcohol server** is anyone employed or contracted by an ABC on-premises licensee to serve alcoholic beverages for consumption.
- **Serving alcoholic beverages for consumption** means performing any of the actions of an alcohol server as an employee or contractor of an ABC on-premises licensee when interacting with a patron of the ABC licensed premises, including:
 - Checking patron identification
 - Taking patron alcoholic beverage orders
 - Pouring alcoholic beverages for patrons
 - Delivering alcoholic beverages to patrons



Responsible Beverage Service CA Training Guide

- **Manages or supervises** means any person who trains, directly hires, or oversees alcohol servers at an ABC licensed premises, or any person who trains alcohol servers how to perform the service of alcohol for consumption for an ABC on-premises licensee makes policy or operational decisions dictating how alcohol service is performed at an ABC licensed premises, including but not limited to, when to check identification or when to refuse service to a patron.
- **Initial employment** means the date an employee signs an employment contract or employee tax and identification documents, whichever is sooner.
- **Onsite** for the purposes of Business and Professions Code § 25682(c) means being engaged and directly overseeing the service of alcohol for consumption by any persons on behalf of the nonprofit organization licensee. This includes, but is not limited to, creating and imparting responsible beverage service policies to the other persons serving alcoholic beverages for consumption at the event.

Module 1: The Social Impact of Alcohol

The positive impact of alcohol sales

- People coming together
- Community social spaces
- Revenue for local businesses
- Job creation in hospitality
- Tourism benefits

The negative impact of alcohol sales

- Alcohol related crimes
- Increased calls to first responders
- Adverse impact on neighborhood quality of life
- Public health risks

Specific costs to the community for overuse of alcohol

- Alcohol-related crimes: DUI, domestic violence, sexual & physical assault
- Increased calls to first responders: EMS, law enforcement, fire
- Neighborhood quality-of-life issues: noise, litter, crime, public indecency
- Public health risks: binge drinking, alcoholism, diseases, alcohol poisoning and death

The server's responsibility as gatekeeper

- Preventing service to intoxicated persons
- Preventing service to minors
- Understanding your influence on community health and safety

Module 2: The Impact of Alcohol on the Body

Physiology of alcohol on the human body

Alcohol impacts the body. In alcohol's path through the human body:

- No digestion is needed in alcohol absorption
- Alcohol is absorbed into the bloodstream after consuming
- Some consumed alcohol is absorbed through the stomach lining
- Most consumed alcohol is absorbed quickly through the small intestine

How the human body processes alcohol

- Alcohol in the blood stream causes intoxication
- Liver metabolizes alcohol (~1 standard drink/equivalent per hour)
- Liver does not speed up metabolization when the bloodstream has excessive alcohol

Common myths about sobering up

- Water, fatty foods, coffee, a cold shower, or exercise do NOT speed sobriety
- The only way to sober up is to stop drinking and wait

Alcohol's effects on the human body

- Alcohol depresses central nervous system functions, including judgment, inhibitions, reaction time
- Causes dehydration
- Interrupts normal functions of the liver and blood-sugar regulation

Alcohol-impaired driving

- Slows reaction times
- Reduced/decreased vision
- Impaired judgment
- Reduced concentration & coordination

Blood Alcohol Concentration (BAC) Levels

Intoxication by alcohol

When someone drinks enough alcohol, it starts to interfere with how their brain and body normally work.

Under Californian law, “intoxication by alcohol” means a state in which alcohol has impaired a person’s physical or mental faculties, e.g. their coordination, judgment or behavior, to a point where they may be unable to care for their safety or the safety of others.

- **Broadly, alcohol intoxication refers to:** a temporary, reversible impairment of the central nervous system caused by alcohol, which can affect consciousness, cognition, coordination, perception, behavior, and judgement.
- **Under California Penal Code § 647(f):** a person in a public place is considered “intoxicated” when they are under the influence of alcohol (or other substances) to the extent they cannot care for their own safety or the safety of others, or they obstruct public ways.
- **Level of impairment:** this can range from mild to severe, and depends on blood alcohol concentration (BAC) and varies per individual (tolerance, metabolism, etc.).
- **Short-term effects of drinking:** include impaired thinking, movement, or awareness; walking unsteadily, slurred speech, reacting slowly, making poor decisions, or behaving dangerously.

Blood Alcohol Concentration (BAC)

- **Definition:** BAC = grams of ethanol per 100 mL of blood (so 0.08% = 0.08 grams per 100 mL)
- **BAC levels and effects:** impairment depends on BAC levels and the individual, e.g. body size, sex, metabolism, food, drinking speed, tolerance, etc.

BAC % ranges, typical effects & symptoms

BAC % Range	Typical Effects & Symptoms
0.01–0.09	Mild relaxation or euphoria; lowered inhibitions; reduced alertness; impaired judgment and memory; slower reaction time; decreased coordination and balance; increased risk-taking
0.10–0.15	Clear intoxication; slurred speech; slowed thinking; poor balance and motor control; blurred vision; drowsiness; significantly impaired judgment and perception; mood swings
0.16–0.30	Severe intoxication; confusion and disorientation; inability to walk steadily; nausea or vomiting; blackouts; major cognitive and motor impairment; reduced awareness; possible loss of consciousness; vital functions may be affected
0.30–0.40	Life-threatening alcohol poisoning; stupor or coma; severely slowed breathing and heart rate; high risk of respiratory arrest; unconsciousness or death

Summary points

- Individual differences matter
- Feeling 'okay' does not mean okay, i.e. judgment, reaction time and coordination may already be significantly impaired
- High BAC levels = serious risk of alcohol poisoning
- One alcoholic drink equivalent or standard drink can result in intoxication by alcohol

Sources: Alcohol.org. Blood Alcohol Concentration: (BAC) Levels & Effects. <https://alcohol.org/effects/blood-alcohol-concentration>; Cleveland Clinic. Blood Alcohol Content (BAC): What It Is & Levels. <https://my.clevelandclinic.org/health/diagnostics/22689-blood-alcohol-content-bac>; Grace Legal Group. Penal Code § 647(f). <https://gracelegalgroup.com/criminal-laws/penal-code/%C2%A7-647f-pc>; MSD Manuals. Alcohol Toxicity and Withdrawal. <https://www.msmanuals.com/professional/special-subjects/illicit-drugs-and-intoxicants/alcohol-toxicity-and-withdrawal>

Potential Signs Of Intoxication

Signs of Intoxication

- **Physical reactions:** slurred speech, slow movement, decreased alertness, loss of coordination while sitting or standing
- **Physical appearance:** red or watery eyes, sweating, droopy eyelids, face appearing flushed or red, disheveled clothing, lack of eye focus, alcohol odor
- **Lowered inhibitions:** overly friendly, use of foul language, loud, rapid drinking
- **Loss of judgment:** complaints about alcoholic beverages' strength, argumentative, careless spending, irrational statements

Factors Affecting The Severity Of Intoxication

Amount and speed of consumption of alcohol

- Food in the stomach, particularly fatty foods, may slow the rate of intoxication
- The higher the amount of alcohol consumed = the more alcohol in the bloodstream
- Binge drinking can quickly lead to higher levels of intoxication

Tolerance levels

- Tolerance to alcohol, drugs, and other toxic substances can build up over time
- Varies from person to person
- Increased tolerance lessens the effects on the central nervous system
- A person with high tolerance can hide effects of intoxication while still being impaired

Mixing with medications or drugs

- Medications or recreational/illegal drugs mixed with alcohol can have harmful effects
- Can impair the human body in similar ways to alcohol intoxication
- Can lead to side effects from discomfort to death

High altitude

- Altitude can make alcohol intoxication nearly 2x as potent on the human body

Module 3: State Laws and Regulations

Mandatory Certification for Alcohol Servers

California licensing laws

- Any business that sells or serves alcoholic beverages for consumption in California must have an on-premises license issued by the Department of Alcoholic Beverage Control (ABC).

Server certification requirement

- ABC on-premises licensees may not employ or continue to employ an alcohol server without a valid Responsible Beverage Service (RBS) certification.
- Certification is achieved by:
 - Completing training from an approved RBS Training Provider
 - Passing the Alcohol Server Certification Exam, administered by ABC
- An alcohol server is anyone employed or contracted by an ABC on-premises licensee to serve alcoholic beverages for consumption, or supervise alcohol servers. This includes anyone who: checks patron identification; takes patron alcoholic beverage orders; pours alcoholic beverages; or delivers alcoholic beverages to patrons.
 - “Supervises” means any person who: trains, directly hires, oversees alcohol servers, or makes policy or operational decisions about alcohol service at an ABC licensed premises, including but not limited to, when to check identification or when to refuse service to a patron.
- Alcohol servers must obtain certification within 60 calendar days of starting employment.
- Nonprofits holding a temporary daily on-sale or off-sale license must:
 - Designate one or more individuals to complete RBS training before the event
 - Ensure that the trained person(s) remain onsite for the entire event.

Records of certification

- Licensees must keep records of each alcohol server's certification.
- These records must be available for inspection by ABC when requested.

Penalties for licensee and server violations

- If a licensee fails to comply with these requirements, it can result in disciplinary action against the licensee.
- Except for nonprofit situations it is a valid defense for a licensee if the server was within their 60-day grace period after initial employment.
- Violations do not constitute a criminal offense for the licensee or their employees.

Categories of Crimes in California

Categories of crimes

- **Infractions:** minor violations of the law, not considered criminal offenses; usually result in fines. Examples: traffic violations, littering, minor ordinance breaches.
- **Misdemeanors:** more serious than infractions but less severe than felonies; can include fines, probation, community service, and/or jail time up to 1 year. Examples: petty theft, simple assault, DUI (first offense).
- **Felonies:** most serious crimes; can include prison time in state prison, significant fines, loss of civil rights. Examples: murder, robbery, major drug offenses.

Types of liability for licensees, their employees, and their contractors

- **Criminal:** for committing a criminal act. Penalties include monetary fines, community service, and jail time.
- **Administrative:** for violations of licensing regulations; designed to deter licensees using license privileges in ways contrary to the law and that puts the community's health, safety, and welfare at risk. Penalties include suspension of license privileges, imposition of conditions, and revocation of the license.

- **Civil:** liability arising from harm caused through alcohol service that results in injury or death, including to minors, and can also arise from general negligence or reckless conduct related to alcohol service. Penalties: monetary liability includes payments to victims who bring civil lawsuits.

Laws Related to the Service of Alcohol for Consumption

Alcohol server certification

- All alcohol servers must have valid RBS certification.
- ABC may adopt rules necessary to administer alcohol server certification requirements and apply fees to cover administrative costs (currently not exceeding \$5 for exam, \$15 for RBSTP course).
- Employees must be certified within 60 days of commencing employment.
- Licensees must maintain records of certification and make them available to authorities.

Underage employment and entry

- No one under 21 years may serve or prepare alcohol on licensed premises. Violations are misdemeanors.
 - Employees aged 18-21 may serve alcohol only in bona fide public eating places licensed for on-sale alcohol, in areas primarily for food service, where primary duties are meal service, and alcohol service is incidental.
- Any licensee under an on-sale license issued for public premises, as defined in Section 23039, who permits a person under the age of 21 years to enter and remain in the licensed premises without lawful business therein is guilty of a misdemeanor.

Intoxicated patrons & disorderly conduct

- Selling or providing alcohol to obviously intoxicated persons or habitual drunkards is a misdemeanor.
- Disorderly conduct (misdemeanor) occurs if a person is publicly intoxicated and unsafe, or obstructs public ways due to intoxication.

DUI

- Driving under the influence of alcohol ($\geq 0.08\%$ BAC), drugs, or both is illegal.
- BAC is grams per 100 mL of blood or per 210 L of breath.

Late-night alcohol restrictions

- Selling alcohol between 2 a.m. and 6 a.m. is a misdemeanor, with exceptions for certain large arenas with permits.
- Allowing consumption during prohibited hours is also a misdemeanor.

Cannabis regulations

- Smoking or ingesting cannabis is prohibited:
 - In public places
 - Where tobacco smoking is banned
 - Within 1,000 feet of schools, day care, or youth centers while children are present
- ABC on-premises licensees cannot sell alcohol-cannabis products; violations may lead to suspension or revocation.

Regulation & Enforcement

Alcohol service laws

- Enforced by state and local law enforcement agencies in California.
- The ABC department licenses businesses to sell alcohol.
- ABC agents are sworn peace officers.
- As sworn peace officers they are authorized to: enforce laws; maintain public order; perform arrests.

T.R.A.C.E.

ABC agents work with local law enforcement as part of the Target Responsibility for Alcohol Connected Emergencies (T.R.A.C.E.) protocol.



- **Notification:** First responders alert the ABC to incidents involving a person under 21 seriously injured/killed by alcohol, or anyone charged with DUI manslaughter, regardless of age.
- **Investigation:** ABC agents conduct a parallel investigation to find where the alcohol was bought, sold, or served, gathering evidence like receipts, false IDs, and witness statements.
- **Accountability:** If a licensed business sold to a minor or obviously intoxicated person, the business and employees face penalties (fines, license suspension or criminal charges).

Role of local law enforcement officers

- Enforce alcohol laws.
- Send ABC all arrest reports and calls for service at ABC licensed locations.
- Any sworn peace officer has the right to: visit and inspect any licensed premises at any time during business hours, whether in uniform or in plain clothes.
- The right to inspect:
 - Is not dependent on probable cause or obtaining a warrant.
 - Extends to the bar, back bar, store room, office, closed or locked cabinets, safes, kitchen, or any other area within the licensed premises.
 - Interfering in any way with a peace officer's right to inspect is grounds for arrest and license revocation.
 - The ABC agent's right to inspect also extends to licensee records required to be kept under Business and Professions Code Division 9.

Local ordinances

- **Local jurisdictions** may have additional laws, ordinances, or provisions that apply to an ABC licensed location in their area in addition to the statewide laws.

Module 4: Intervention Techniques

Checking Identification (ID) Of Patrons Prior To Serving Alcohol

Identification checking procedures

- Servers must examine ID carefully and refuse questionable IDs.
- Minimum alcohol purchase age is **21**
- The alcohol server has a defense to a charge of selling to a minor if:
 - Prior to serving alcohol an alcohol server diligently inspects a patron's ID
 - They reasonably conclude it is legally acceptable (even if it turns out to be a fake ID)
 - The appearance of the minor indicates the minor could be twenty-one years of age or older

Characteristics of a legally acceptable ID

- Issued by a government agency
- Contains: the name, date of birth, photograph, and physical description of the ID holder
- A valid expiration date

Legally acceptable IDs

- State issued driver's licenses and identification cards.
- Military ID's containing date of birth and photograph, even without a physical description of the ID holder.
- Valid government issued US or foreign passports, even without a physical description of the ID holder.
- A biometric verification system. Biometrics are unique personal characteristics (e.g., fingerprints, iris, face, or similar identifiers). A biometric system is technology linking a person's identity to their biometrics.

Unacceptable IDs

These include:

- Expired ID
- School or work ID
- Obviously altered ID
- ID belonging to someone else
- Interim or temporary state issued driver licenses

Elements of Valid and False IDs

Legally acceptable IDs

Examples of legally acceptable IDs include a state-issued drivers license or identification card, such as:

- California Real ID
- California Federal Non-Compliant ID

Elements of a valid California Real ID

Format

- A printed, plastic, wallet-sized card issued by the California Department of Motor Vehicles (DMV)
- For persons over 21, the format is horizontal; for minors (>21) it is vertical

Front - key elements:

- **Personal details:** full legal name, date of birth (in red), residential address, physical description (sex, hair color, eye color, height, weight)
- **Signature:** underneath the photograph on the bottom left
- **Photographs:** a larger color photograph of the person on left and smaller black and white one on bottom right
- **Card type:** driver license or identification card
- **Identifiers:** card number, issue & expiry date (in red).
- **Federal markings:** a gold bear with a white star in the top right corner.
- **Security features:** holograms, the State Seal over the holder's picture.

Back - key elements:

- **Barcodes:** two barcodes, one containing a digital security signature.
- **Perforations:** an outline of the state and a California brown bear are visible when a flashlight is pressed against the back of the card.
- **Signature:** a smaller version of the signature.
- **Background images:** of California's natural beauty (redwoods, poppies, coastline).
- **New versions (as of May 2025)** no longer have a magnetic strip.

Valid California Federal Non-Compliant ID

A California Federal Non-Compliant ID is a state-issued driver license or identification card that does not meet federal Real ID requirements. However, it is valid for identification and age verification, including for alcohol purchases.

Key elements:

- As per California Real ID
- Displays the text: "FEDERAL LIMITS APPLY" on the front top right corner

Indicators of a false ID

- Photograph appears raised or altered
- Thickness of the card, too thick or too thin
- Lumps, bumps, or creases on the surface of the card
- The card can be peeled apart
- Alterations of the birthdate
- Signature written in ink

Techniques for Checking ID

- Physically hold the ID
- Look at the front and back of the ID
- Compare the photograph to the ID holder
- Compare the physical description to the ID holder
- Verify the information on the card by asking questions of the ID holder

- Compare the signature on the ID to a fresh signature given by the ID holder
- Check for security features visible by UV light or flashlight

Right to Refuse Service

Alcohol servers are protected when refusing service properly.

Authority to refuse service

Licensees and their employees may refuse to sell or serve alcohol to anyone who cannot produce adequate written evidence of being 21 or older.

Authority to seize ID

A licensee or their employee may seize any ID that:

- Shows the person is under 21
- Is false, forged, or fraudulent
- Seizure is optional, not mandatory

Required procedure after seizing ID

- Give a receipt to the person from whom the ID is taken
- Deliver the seized ID to the local law enforcement agency that has jurisdiction over the licensed premises within 24 hours

No liability for choosing not to seize ID

- A decision not to seize an ID cannot create civil or criminal liability for the licensee or their employee.

The Minor Decoy Program

- The Minor Decoy Program allows law enforcement to use individuals under 20 to test alcohol sales compliance at licensed premises.
- The program is a proven tool to reduce illegal alcohol sales and consumption by those under 21.



- A 1994 California Supreme Court ruling confirmed the program is legal and not entrapment.
- Regular use of the program has reduced alcohol sales to minors from about 50% to under 20% in some communities.

Avoiding Service to Obviously Intoxicated Patrons

- Use effective listening and visual cues to determine when patrons have become obviously intoxicated.
- Do not advocate for continued drinking when one patron attempts to buy a beverage for another patron who no longer wants a beverage.

When to refuse service

- If a patron's ID is invalid
- If the patron becomes belligerent
- If a patron is obviously intoxicated either by alcohol, medication, or recreational or illegal drugs
- If a patron requests service outside the hours of operation
- If a server has any doubts about any of the preceding factors

Techniques for an Alcohol Server Refusing Service to a Patron

- **Be:**
 - Courteous but firm in telling patrons they can no longer be served
 - Quiet and discrete
 - Assertive in the decision to stop alcoholic beverage service
- **Focus:**
 - On statements about the alcohol server's duty and liability not to serve
- **Do not:**
 - Bargain with the patron
- **Inform:**
 - Managers and co-workers of the decision, identity of the person, and reasons the person should no longer be served alcohol
 - Other members of the patron's group, if any
- **Offer:**
 - A glass of water, non-alcoholic beverage, or food item

Identifying Persons under the Influence of Medication or Recreational/Illegal Drugs

Depressants

Definition

A depressant is a substance that slows down activity in the central nervous system. This results in reduced brain function, decreased alertness, slower body processes, and a calming or sedating effect. Depressants can be legal (such as alcohol or prescription sedatives) or illegal.

Common depressants

- Alcohol
- Benzodiazepines (e.g. Xanax, Valium, Ativan)
- Barbiturates (e.g. phenobarbital)
- Sleep medications (e.g. zolpidem/Ambien, eszopiclone/Lunesta)
- Opioids
- Some anti-seizure medications, muscle relaxants and anesthetics

Signs a patron is under the influence of a depressant

Physical signs:

- Slurred or slow speech
- Poor coordination (dropping items, stumbling, swaying)
- Slow reactions or delayed responses
- Drowsiness, nodding off, heavy eyelids
- Bloodshot or droopy eyes
- Slowed breathing or very relaxed posture

Behavioral signs:

- Lowered inhibitions (overly friendly, loud, inappropriate behavior)

- Confusion or difficulty following conversations
- Impaired judgement (risky decisions, disregard for rules)
- Emotional changes (suddenly sad, angry, or overly affectionate)
- Difficulty handling money, IDs, or belongings

Environmental / Interaction cues:

- Trouble standing, walking, or balancing
- Trouble ordering, repeating themselves, or forgetting what was said
- Appearing unaware of surroundings or disoriented
- Mixing alcohol with medications

Stimulants

Definition

A stimulant is a substance that speeds up activity in the central nervous system, increasing alertness, energy, heart rate, and blood pressure. Stimulants can enhance mood and focus but can also cause agitation, restlessness, and risky behavior.

Common stimulants:

- Cocaine
- Methamphetamine (meth)
- Amphetamines (e.g. Adderall, Dexedrine)
- MDMA/Ecstasy (stimulating and hallucinogenic properties)
- Prescription stimulants for ADHD
- Caffeine (mild stimulant)
- Nicotine

Signs a patron is under the influence of a stimulant

Physical signs:

- Rapid speech or talking excessively

- Dilated pupils
- Restlessness, pacing, or fidgeting
- Elevated heart rate or sweating
- Grinding teeth or tight jaw
- Increased energy, inability to sit still

Behavioral signs:

- Overconfidence or unusually bold behavior
- Irritability, agitation, or sudden mood swings
- Impulsivity or risky decision-making
- Difficulty listening or interrupting frequently
- Easily triggered, argumentative, or confrontational

Interaction/Environmental cues:

- Hyperfocus on certain topics
- Ordering rapidly or changing orders repeatedly
- Difficulty calming down or lowering voice

Hallucinogens (Psychedelics)

Definition

A hallucinogenic drug is a substance that alters perception, thoughts, emotions, and sensory experiences, causing users to see, hear, or feel things that are not real. These substances disrupt normal brain functioning, especially affecting sensory processing and awareness.

Common types of hallucinogens:

- PCP (angel dust)
- LSD (acid)
- Psilocybin (magic mushrooms)
- Mescaline / Peyote
- DMT / Ayahuasca

- Ketamine
- MDMA

Signs a patron is under the influence of a hallucinogen

Physical signs:

- Wide pupils
- Uncoordinated movements or unusual posture
- Staring or difficulty focusing visually
- Slow, drifting movements
- Possible sweating, chills, or nausea

Behavioral signs:

- Confused, disoriented, or detached behavior
- Talking to themselves or responding to unseen stimuli
- Distorted sense of time or space
- Emotional unpredictability
- Difficulty understanding simple questions or instructions

Interaction/Environmental cues:

- Describing visual or auditory distortions
- Exhibiting paranoia or anxiety
- Inconsistent or irrational explanations for behavior
- Appearing overwhelmed by lights, sounds, or crowds

Module 5: Management Policies

Licensee's Responsibilities

Management policies

- ABC licensees have a duty to ensure policies are created to guide employees in the service of alcoholic beverages for consumption
- Administrative violation can lead to penalties

ABC penalty guidelines

- ABC must use the official Penalty Guidelines (dated 12/17/2003) when determining disciplinary actions.
- These guidelines are officially incorporated by reference into the decision-making process.

Aggravating or mitigating factors

- Deviation is allowed if ABC determines the case facts justify a different penalty.
- Justification may include:
 - Aggravating factors (worse-than-usual circumstances).
 - Mitigating factors (circumstances that reduce severity).
- ABC has sole discretion to decide when deviation is appropriate.

Offer in Compromise (OIC) in lieu of license suspension

When a suspension is issued by ABC, a licensee may request permission to pay a monetary penalty instead of serving the suspension.

This payment, known as an Offer in Compromise (OIC):

- Must be made before the suspension begins
- Is deposited into the Alcohol Beverage Control Fund

- Is not allowed when the suspension exceeds 15 days

Upon receiving a petition, the department may temporarily delay (“stay”) the suspension while it investigates.

The department may approve the OIC only if:

1. Public welfare and morals will not be harmed by allowing the business to stay open during the suspension period, and the payment still meets the disciplinary goals.
2. The licensee’s records accurately show alcohol sales, allowing the department to determine the estimated sales the business would have lost during the suspension.

Benefits of RBS Policies

Policy benefits

Having effective policies in place for the service of alcoholic beverages for consumption to the public benefits ABC on-premises licensees:

- **Ensure:**
 - Uniformity of responsible business practices
 - An ABC licensed premises is a safe and comfortable space for patrons and employees
- **Reduce** the risk of criminal, civil, and administrative liability for the ABC licensee, its agents, and its employees
- **Increase** profitability of the ABC licensed premises

Guidelines for Policy Development

Policy development

Effective policies should establish clear rules and procedures to:

- Prevent sales or service of alcoholic beverages to minors or visibly intoxicated patrons

- Comply with all state and local laws pertaining to the ABC on-premises licensed premises

Licensees should develop strategies for:

- Instructing and reinforcing policy implementation by management and employees.

Guidelines for effective use of policies

- Written policies should be clear and specific
- Policies should be reviewed for relevance and accuracy, especially if there are frequent incidents of violence or illegal activity requiring peace officer assistance
- Policies need to be taught and enforced with each employee
- Policies should be reinforced through regular training and meetings with employees

Critical RBS Policy Elements

There are some critical elements for an RBS policy:

- Stopping alcoholic beverage service to a patron
- Encouraging intoxicated patrons travel home safely
- Handling patrons who arrive already intoxicated
- Handling potentially violent situations
- Handling illegal activities
- Dealing with underage patrons
- How and when to check a patron's identification
- Handling emergency situations
- Implementing an incident log
- Prohibiting employees consuming alcohol while working
- Prohibiting promotions that encourage intemperate consumption of alcoholic beverages or unlawful discrimination, such as:
 - Two for one drink specials
 - Ladies nights
 - All you can drink or 'bottomless' alcoholic drink specials.

Incident Log Requirements

Recording incidents

Use an incident log to record the following incidents, for employee communication:

- When alcoholic beverage service was stopped for a patron
- When alternate transportation has been arranged for a patron
- Any seizure of an identification
- A patron becoming ill due to over consumption of alcohol
- Any injury, medical treatment, or hospitalization of a person on the ABC licensed premises
- Any illegal or violent incidents occurring on the ABC licensed premises
- Any calls for law enforcement assistance or other contact with peace officers

Interacting with Law Enforcement

Cooperating with peace officers

ABC licensees, their employees, and their agents are expected to cooperate with all sworn peace officers, including ABC agents and local law enforcement

Frequent calls for law enforcement assistance at an ABC–licensed premises can be grounds for an administrative action to suspend or revoke the license

Policy changes to avoid frequent need for law enforcement assistance could include:

- Hiring more employees
- Closing earlier
- Hiring security guards
- Changing the type of music played
- Increasing lighting on the premises

Non-Discrimination on ABC Licensed Premises

Non-discrimination

ABC-licensed premises must not discriminate in pricing or services based on gender, including alcohol pricing, drink specials, or other service fees. Licensed businesses are responsible for ensuring fair and equal treatment of all patrons and avoiding practices that could be construed as discriminatory.

Prohibition of gender-based price discrimination

- ABC-licensed premises cannot charge different prices for alcoholic beverages or services of similar type based solely on a patron's gender.
- Exceptions are allowed only if the price differences reflect time, difficulty, or cost of providing the service.

Drink specials and promotions

- Gender-specific discounts or promotions (e.g., "Ladies' Night") may violate this law.
- Pricing and promotions must be gender-neutral.

Transparency and documentation

- Licensed premises should maintain clear pricing policies to demonstrate compliance if challenged.

Remedies and liability

- Violations may result in civil penalties or disciplinary action under Business & Professions Code § 125.6 and related ABC enforcement provisions.
- Applies independently of other legal remedies available to patrons.

Scope of enforcement

- Applies to all ABC-licensed premises, including bars, restaurants, and clubs.



- Ensures equal pricing for all patrons, regardless of gender.
- Licensed operators must avoid practices that could be seen as discriminatory under Section 51 of the Civil Code.

ABC licensing implications

- Failure to comply:
 - May be considered a violation of licensing laws
 - Can trigger ABC enforcement action
 - Potentially affect license status

Hiring Requirement

Hiring

- To pour and serve an alcoholic beverage, an employee must be 21 years or older
- If incidental to food service, an employee who is at least 18 years old may serve an alcoholic beverage, but not pour

Alcohol server certification requirements

Alcohol Server Certification

- Licensees cannot employ any alcohol server without valid RBS certification
- Servers must obtain certification within 60 days of hire

Licensee responsibilities:

- Ensure every alcohol server has a valid certification.
- Maintain records of all employee certifications for inspection by ABC

Recordkeeping requirements:

- Employment and payroll records for on-premises licensees must be kept for four years
- Records must be made available to ABC agents upon request

Good Hospitality Policies

Service policies

The following policies are recommended for serving alcoholic beverages for consumption by patrons at ABC licensed premises:

- Offer or serve a glass of water with the service of alcohol
- Serve one beverage per patron at a time
- Slow beverage service if needed
- Do not serve a beverage to anyone who does not want one
- Offer alternative non-alcoholic beverages
- Offer food promotions
- Offer promotions for designated drivers
- Advise managers and coworkers when ceasing service to a patron
- Encourage all patrons have a safe ride to their next destination

Monitor patrons' alcoholic-beverage intake

The alcoholic drink equivalent, or standard drink, is a specific measure of: **14 g/0.6 fl.oz. of alcohol per serving.**

These examples are *average sizes by type of alcohol* and their *average alcohol by volume (ABV)*.

- 12 oz. beer or cooler, about 5% ABV
- 8 to 9 oz. malt liquor, including some beers greater than 7% ABV
- 5 oz. table wine, 12% ABV
- 1.5 oz. 80 proof-distilled spirit, 40% ABV

Use measuring devices to ensure standard drink sizes or alcoholic drink equivalents are used for all types of alcoholic beverages.

Remember: The size of an alcoholic drink equivalent is dependent upon the alcoholic beverage's alcohol by volume:

- Mixed beverages may have multiple servings within one drink
- Using correct pours ensures profitability of the business and helps the alcohol server calculate how much a patron has consumed to comply with other policies against serving obviously intoxicated patrons.

Monitor common behavior of minors seeking alcohol service

Common behaviors include:

- One adult patron ordering alcoholic beverages for a large group that may include one or more minors
- Making excuses for not having an identification
- Finding secluded locations in the licensed premises where employees cannot monitor their activity.

Policies on the economics of quality hospitality service

Implementing effective policies makes good economic sense. Consider practices that will help you improve alcohol service and hospitality overall. For example:

- Have multiple interactions with patrons to evaluate their moods and needs
- Listen to patron complaints, compliments, and suggestions for improvement of service
- Share feedback with management
- Recognize that better service and patron engagement will help the establishment be more popular and more productive.

Additional Information

Resources

- You may use this training guide to help you prepare for, and during, the exam.
- Upon passing the exam, you will be provided with a certificate.

The exam

Taking the exam

ABC will be automatically notified once you have passed the final quiz in the RBS course. Use the link ABC provides you to go to the ABC website and take the Alcohol Server Certification exam.

Exam tips guide

Relax. Be calm and confident

- The exam has 50 questions, and you need 70% (35 correct answers) to pass.
- You're allowed 3 attempts to pass the exam, so there's room to learn and improve if needed.
- Remember: the score doesn't matter as long as you pass.

Be prepared (and use your resources)

- This is an open-book exam.
- Keep this guide and any notes you've made within reach while testing.
- You can refer to this guide and your notes to help you.

Pace yourself

- Don't get stuck on one question you find difficult or confusing.
- If a question feels unfamiliar or you don't remember learning the material, make your best educated guess.

- An unanswered question can't help you - a guess might.
- You'll answer many questions correctly, so don't let one tough question shake your confidence.

Read carefully and strategically

- Read each question and all answer choices thoroughly before selecting your answer.
- Eliminate answers you know are incorrect to narrow your choices.
- Pay close attention to key words, because they can change the meaning of a question:
 - Verbs that matter: 'can' (able to), 'will' (inevitable), 'may' (possible), 'should' (expected or recommended), 'must' (required), 'shall' (command or obligation)
 - Descriptive words to watch for: 'only' (just one), 'generally'/'usually' (most cases), 'rarely' (seldom), 'unlikely' (improbable), 'best'/'most'/'least' (extremes - read carefully)
 - Other important clues: watch for negative words like 'not', which tells you what it isn't. Notice conjunctions like 'but' (signals contrast) and 'and' (means more than one). Be careful with choices like "All of the above" or "None of the above".
 - If more than one option is correct, the correct answer is often the choice that includes them all.

Final check

- When you're finished, take an extra minute to review your answers.
- Look for careless mistakes or questions you may want to rethink.

Stay relaxed, trust your preparation, and use the tools available to you.

Good luck!



Responsible Beverage Service CA Training Guide

TRAINING DISCLAIMER

This training is designed to provide accurate and authoritative instruction to support members of the hospitality industry in developing best practices in alcohol service. It is also intended to help with preparation for the Responsible Beverage Service certification exam administered by the California Department of Alcoholic Beverage Control.

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