

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control No. 20 Department or Agency Alabama Alcoholic Beverage Control Board

Rule No. 20-X-8-.10

Rule Title: Delivery of Alcoholic Beverages by Wholesalers and In-State Manufacturers of Beer and Wine.

           New   X   Amend            Repeal            Adopt by Reference

Would the Absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?           no          

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?           yes          

Is there another, less restrictive method of regulation available that could adequately protect the public?           no          

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?           no          

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?           no          

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?           yes          

.....

Does the proposed rule have an economic impact:           no          

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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**Certification of Authorized Official**

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer           *[Signature]*            
Date           2/18/16

ALABAMA ALCOHOLIC BEVERAGE  
CONTROL BOARD

NOTICE OF INTENDED ACTION

<u>RULE NO. &amp; TITLE</u>	20-X-2-.01	Glossary of Terms.
	20-X-7-.07	Wine Tasting.
	20-X-7-.11	Spirits Tasting.
	20-X-8-.10	Delivery of Alcoholic Beverages by Wholesalers and In-State Manufacturers of Beer and Wine.

INTENDED ACTION: Amend rules.

SUBSTANCE OF PROPOSED ACTION: The agency proposes to amend the above rules consistent with newly enacted legislation. The proposed amendments to rules can be found on the ABC Board website [www.abc.alabama.gov](http://www.abc.alabama.gov)

<u>RULE NO. &amp; TITLE</u>	20-X-5-.15	Permits for Off-Site Tasting Rooms for In-State Wine Manufacturers and a Winery Association.
	20-X-6-.18	Draft Beer for Off-Premises Consumption.
	20-X-8-.14	Requirements of Financial Responsibility by Manufacturers.
	20-X-9-.04	Record Keeping Requirements for In-State Manufacturers of Beer, Wine and Spirits, and Brew Pubs.

INTENDED ACTION: Adopt new rules.


SUBSTANCE OF PROPOSED ACTION: The agency proposes to adopt new rules consistent with newly enacted legislation. The proposed new rules can be found on the ABC Board website [www.abc.alabama.gov](http://www.abc.alabama.gov)

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Interested persons may present their views in writing to the Administrative Procedures Secretary, Alabama ABC Board, 2715 Gunter Park Drive, West, Montgomery, Alabama 36109, or via email [admin@abc.alabama.gov](mailto:admin@abc.alabama.gov), to be received no later than September 7, 2016.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: September 7, 2016

CONTACT PERSON AT AGENCY: Robert S. Hill, III, General Counsel, Alabama ABC Board, 2715 Gunter Park Drive, West, Montgomery, Alabama 36109.

  
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H.M. Gipson  
Administrator

**20-X-8-.10. DELIVERY OF ALCOHOLIC BEVERAGES BY WHOLESALERS AND IN-STATE MANUFACTURERS OF BEER AND WINE.**

**(1) Deliveries of alcohol, including donated beer and wine to charitable special events and wine deliveries to off-site tasting rooms, shall be made by the wholesaler, manufacturer, agent or employee of the same in a vehicle bearing signage on each side identifying the licensee and transporting in the vehicle a current copy of the license or permit and the bill of lading.**

~~(1)~~ **(2)** Any delivery of beer or table wine from the warehouse of a licensed wholesaler to anyone unauthorized to accept delivery of same is prohibited.

~~(2)~~ **(3)** Any ABC Board licensee authorized to purchase alcoholic beverages from a wholesaler may do so at the premises of the wholesaler and transport such beverages to the licensee's premises, provided a copy of the current ABC Board license is located in the transporting vehicle. No retail licensee, agent or employee thereof may purchase or transport alcoholic beverages for any other licensee of the ABC Board. This shall not prohibit a wholesale licensee from making deliveries to the premises of its retail customers. All sales and deliveries of alcoholic beverages under this section shall comply with Chapter 8 of Title 28, Code of Ala. 1975.

~~(3)~~ **(4)** All deliveries by wholesale licensees of beer and/or table wine shall only be to the premises of licensees authorized to purchase same, or as authorized by the Board.

**Author:** ABC Board

**Statutory Authority:** *Code of Ala. 1975, § 28-3-49*

**History: Repealed and New:** Filed August 21, 1998; effective October 16, 1998. **Amended:** Filed January 15, 1999; effective February 19, 1999.