

DOR on Tap

An Alcohol Industry Update

August 2022 | AIU 013

In the May 2022 edition of DOR On Tap, we announced special agents William Gray and Georgeann King retired in February 2022. I am excited to announce DOR has filled those vacancies with the hiring of special agents Buck Robertson and Ashley Schnering.

Special Agent Robertson comes to us from the Waukesha County Sheriff's Office, where he served as a patrol lieutenant for two years. Before that, Robertson worked as a patrol deputy and sergeant at the Washington County Sheriff's Office for approximately 15 years. Robertson is headquartered out of the Eau Claire office and will be assigned to the following counties: Buffalo, Clark, Dunn, Eau Claire, Jackson, Pepin, Pierce, St. Croix, Taylor, Trempealeau, and Wood.

Special Agent Schnering comes to us from the Oak Creek Police Department where she served as a patrol officer and training coordinator for the past 14 years. Schnering is headquartered out of the Milwaukee office and will be assigned to Milwaukee County.

We are looking forward to successful and enjoyable careers for Ashley and Buck at DOR!

June was an especially busy time for municipal officials and our Alcohol & Tobacco Enforcement Unit. As another retail licensing renewal period is behind us, I want to give a special thanks to everyone for their work during this busy time.

Summer months usually bring festivals, events, and gatherings where alcohol beverages are sold. Consumption of alcohol beverages typically increases because of these events. I want to remind everyone to have fun by consuming responsibly, avoiding over-consumption, obeying local and state laws, and arranging for a safe ride home.

Last, I'd like to give a special thanks to Lt. Nate Henriksen of the Wisconsin State Patrol for his article on impaired driving that you will find within this newsletter.

Cheers,

Tyler Quam

Resources & News

[Wisconsin Department of Revenue Website](#)

[Wisconsin Department of Revenue Alcohol Beverage Landing Page](#)

[Operator's \(Bartender's\) License – Training](#)

[Federal TTB \(Alcohol and Tobacco Tax and Trade Bureau\)](#)

[Wisconsin Department of Agriculture, Trade and Consumer Protection](#)

[Wisconsin Department of Health Services](#)

[Wisconsin Department of Justice](#)

[League of Wisconsin Municipalities](#)

Guest Column: Wisconsin State Patrol Impaired Driving in Wisconsin

Sobering statistics:

Last year in Wisconsin (2021), 6,368 alcohol-related crashes killed 166 people. 2,094 crashes involved drugs, including 74 fatalities.

2020 data shows there were 15,790 Operating While Intoxicated (OWI) convictions in Wisconsin (2021 data is still being compiled). Impaired driving (drunk or drugged) convictions can cost around \$10,000, including fines, court costs, attorney fees, lost time at work, higher insurance rates, car towing and repairs, and more.

Law Enforcement's Response:

Wisconsin law enforcement agencies work throughout the year to deter impaired driving. There are several multi-jurisdictional high-visibility OWI task forces around the state that team up to combat impaired driving using predictive analytical data. Grant funding allows Wisconsin law enforcement agencies extra patrols during holiday and high-peak travel seasons. "Drive Sober" campaigns are aimed not just to stop or arrest drivers, but to prevent tragedies by getting impaired drivers off the road.



Make the choice:

If you plan to drink, identify a sober designated driver. If you're feeling impaired, you likely are over the 0.08 blood alcohol concentration limit and should not drive. Rather than risk an arrest, take mass transit, call a taxi, use a rideshare service, or ask a sober friend to drive you home. If you have a friend who is about to drink and drive, step in. Take the keys away and help them get home safely.

The free "Drive Sober" mobile app (iOS or Android) helps estimate blood alcohol levels and provides information to find a safe ride home. Some bars and restaurants also have programs to provide customers with a safe ride home.

Everyone can play a role. Designate a sober driver or arrange for a safe ride home. Never allow anyone to drive impaired. If you see a driver you suspect is impaired, safely gather as much info as you can about the vehicle, driver, and location, then call 911.

By Lt. Nate Henriksen
Wisconsin State Patrol

Spot a Fake!

Practical Tips For Identifying Fake IDs

Physical

Check the weight, size, and surface of the card. Does it have glue lines? Is it raised where it shouldn't be? Are the corners uneven or rough?

1



2

Missing

Is the card missing something? Is the back of the card unfinished or blank? Does it have missing security features?

Quality

What is the quality of the card? Does the photo have shadows, glare, or eye redness? Are there missing spots in the state logo?

3



4

Format

How is the formatting of the text of the card? Check the font color, type, spacing. Consider the colors of the document. Are the correct number of digits in the issuance, birth, and expiration dates?

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TO DOR ALCOHOL BEVERAGE NEWS

Class is in Session

New Wisconsin bartenders must pass a responsible beverage server (RBS) training course before receiving their operator's license to bartend independently. This course is also required of new retail license holders, among others. These courses cover underage restrictions, ID checking guidelines, and the effects of alcohol on the human body and many other common alcohol beverage retail laws. Trainees must pass a final exam before receiving their course completion certificate.

While the Wisconsin Department of Revenue (DOR) does not create RBS courses, we do review and approve new courses, in addition to verifying that existing courses continue to meet DOR training standards.

Visit our website to find all [approved RBS courses](#). This list has been recently updated to include a new course and remove a course that is no longer approved.

Municipal clerks should only accept RBS completion certificates from approved providers.

Send questions and requests for review of new RBS courses to DORAlcoholTobaccoEnforcement@wisconsin.gov.

Cocktails To-Go Reminder

"Class B" liquor license holders, such as bars and restaurants, may only sell cocktails by the glass for off-premises consumption if the container is closed with a tamper-evident seal.

Tamper-evident seals must fully and securely close the container and show evidence of tampering if the container is opened. The tamper-evident seal cannot include any perforations. For example, a lid with a straw or sipping hole would not be sufficient.

Any person who violates these laws may be subject to a fine of up to \$1,000, imprisonment for up to 90 days, license revocation, or any combination of these penalties.

For more information on Wisconsin's cocktails to-go laws, see our [May 2021 Newsletter](#) or [2021 Wisconsin Act 21](#).

Do Recycle; Don't Reuse

Wisconsin law prohibits retailers from doing any of the following activities (sec. [125.68\(8\)\(a\)](#), Wis. Stats.):

- Diluting any intoxicating liquor with the purpose of selling as non-diluted intoxicating liquor
- Refilling any intoxicating liquor container which was originally used for intoxicating liquor containing 21% or more of alcohol by volume
- Possessing diluted intoxicating liquor or refilled original containers on any retail licensed premises

Mere possession of an original container which contains diluted intoxicating liquor or was refilled is sufficient evidence of intent to violate the law. Retailers should be aware that even refilling a bottle with the same brand and flavor is a violation of Wisconsin law. Penalties for violating these laws may include fines of \$150 to \$500 and/or jail time of 60 days to 6 months.

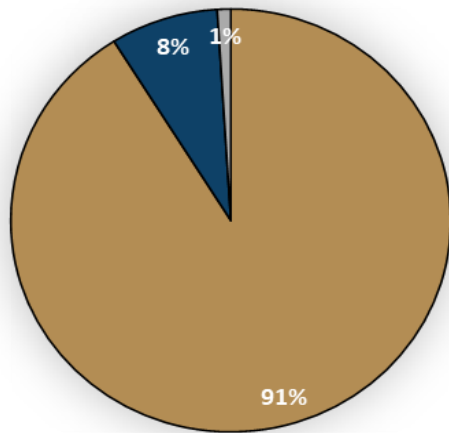
All intoxicating liquor served should be dispensed from the original container and properly disposed of when empty. Retailers must immediately scratch, deface, or mutilate the label of an intoxicating liquor bottle so that the label cannot be reused. In addition, retailers must break or destroy the bottles so that they cannot be reused, unless they will be recycled. If retained for recycling, bottles must have all labels scratched, defaced, or mutilated; stored in containers marked "For recycling only," and be removed from the licensed premises within 10 days (sec. [Tax 8.43](#), Wis. Adm. Code).

Alcohol and Tobacco Enforcement Unit Year in Review

The following charts summarize investigations and permit application background checks for the fiscal year ending June 30, 2022, by the Wisconsin Department of Revenue's Alcohol and Tobacco Enforcement Unit.

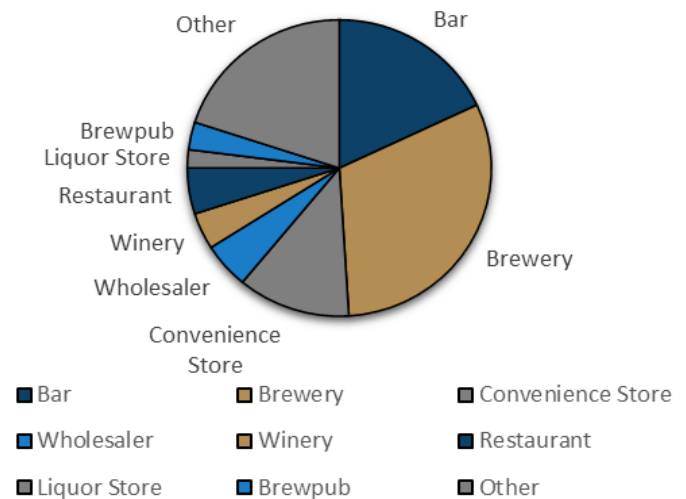
For the second year in a row, breweries saw the most actions. Over 95% of brewery actions in fiscal year 2022 were related to permit application background checks and requests for approvals of offsite retail outlets. The remaining brewery actions were investigations.

Investigation Outcomes Fiscal Year 2022



■ Education ■ Warning ■ Prosecution

Actions by Business Type Fiscal Year 2022



New Brew

We recently redesigned our [Alcohol Beverage page](#) to be simpler and easier to navigate.

New alcohol beverage fact sheets are available on the DOR website. Each of these fact sheets are based on a previous article from [DOR on Tap](#), the alcohol industry update. [Sign up for DOR on Tap here.](#)

- Fact Sheet 3111: Brewer's Permits
- Fact Sheet 3112: Brewpub Permits
- Fact Sheet 3113: Winery Permits
- Fact Sheet 3114: Manufacturers' and Rectifiers' Permits
- Fact Sheet 3115: Bringing Alcohol Beverages into Wisconsin
- Fact Sheet 3116: Reserve Licenses
- Fact Sheet 3117: License Transfers
- Fact Sheet 3118: "Class B" License Quotas
- Fact Sheet 3119: Alcohol Beverage Regulations for Underage Persons

[Publication 309, Retail Alcohol Beverage Licensing Information](#), is updated. If you have any feedback regarding these publications or our website, contact Ann DeGarmo, Excise Tax Specialist, at ann.degarmo@wisconsin.gov.

Contact Us

(608) 264-4573 | DORAlcoholTobaccoEnforcement@wisconsin.gov | Follow us on [Twitter](#) and [LinkedIn](#)

What's My Age Again?

As summer wanes and turns into fall, students head back to campus. Those in the alcohol beverage industry have a responsibility to ensure only people 21 and over are served alcohol beverages.

The legal drinking age in Wisconsin is 21 years old (sec. [125.02\(8m\)](#), Wis. Stats.). Potential consequences for selling, dispensing, or giving away alcohol beverages to underaged persons in Wisconsin could result in fines, imprisonment, and license revocation. Read more in sec. [125.07](#), Wis. Stats.

Retailers should be vigilant about checking IDs to avoid law violations that may result in fines, imprisonment, or lawsuits.

Here are some tips to protect yourself and your employees:

- Demand valid identification from all customers entering your premises.
- Ask questions about the ID or the information presented on the ID.
- Check the expiration date. Only unexpired IDs should be accepted.
- Look for the "under 18" or "under 21" feature on the card.
- Look for "duplicate" stamp on the card.
- Check for the star in the top right corner for Real ID compliance.
- Ask for additional documentation verifying the identity of the person presenting the card.
- Look for laser engraved information unique to Wisconsin ID cards.
- Use an ID checking guide.

Applicable Laws and Rules

This document provides statements or interpretations of Wisconsin statutes and administrative rules enacted as of August 16, 2022. Laws enacted and in effect after this date, new administrative rules, and court decisions may change the interpretations in this document. Guidance issued prior to this date that is contrary to the information in this document is superseded by this document, according to sec. 73.16(2)(a), Wis. Stats.

OFFICIAL ID CARDS

Driver's License

State ID Card

Military ID Card

U.S. Passport

ID Cards Issued by

Native American Tribes