



BEWARE OF OBVIOUSLY INTOXICATED PERSONS. THEY CAN COST YOU!

No person may sell or give alcohol to anyone who is obviously intoxicated. No person may cause or permit this to occur. A person is obviously intoxicated when the average person can plainly see that the person is intoxicated. In other words, the person looks or acts drunk. This includes regular customers who “always act that way.” It does not matter that the person is not driving. (25602 (a) B&P)

Criminal Penalty for the Seller:

First Time - Up to \$1000 fine and/or six months in County Jail.

Also take into consideration possible disciplinary action from your employer and disciplinary action against the ABC license. A second sale to an obviously intoxicated subject within three years is a mandatory license suspension.

Civil Liability:

Lawsuit: (For service to an underage, obviously intoxicated person) (Sec 25602.1 B&P)
Civil penalties are money judgments or settlements, usually against everyone (seller or server, licensee, licensee’s insurer, etc.). They are determined by the court or jury during a civil lawsuit.

PREVENT SALES TO OBVIOUSLY INTOXICATED SUBJECTS!

Take your time, slow down, and look for signs of a person who is obviously intoxicated such as: Being overly friendly, using foul language, argumentative, belligerent, slurred speech, slow, deliberate movements, swaying, drowsy, stumbling, red/watery eyes, or alcoholic breath.