



STATE OF INDIANA
ALCOHOL AND TOBACCO COMMISSION

302 West Washington
Street IGCS Room E114
Indianapolis, IN 46204
Telephone 317 / 232-2430
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www.IN.gov/atc

Memorandum

Date: November 9, 2015

Re: Enforcement of Ind. Code § 7.1-3-1.5-13 & 905 IAC 1-12.5-7; Server Training Requirements.

Dear Permittee:

As prosecutor for the Indiana Alcohol and Tobacco Commission, I am concerned regarding the escalation of server training violations. It appears to me that many permit holders are either not familiar with their responsibilities with respect to the requirements of Indiana's server training laws or fail to recognize their importance in preventing public safety and public health violations. Public safety issues such as operating while intoxicated (OWI), public intoxication, and sales to intoxicated persons are covered in this training. The Alcohol and Tobacco Commission (ATC) has a server training program on its website which is free. There are also a number of certified alcohol server trainers which are relatively inexpensive.

As the permit holder employing these permittees, it is your responsibility to see that all your servers' alcohol training obligations are met. Alcohol servers include managers, bartenders, waiters or waitresses, and sales clerks. A retailer permittee or dealer permittee is required to ensure that each alcohol server completes a certified server program not later than 120 days after beginning employment. In addition, you are also required ensure that each alcohol server attends a refresher course every three (3) years after the date the alcohol server completes a server program.

Additionally, retailer permittees, dealer permittees, or a management representative of a retailer or dealer permittee must complete a server training program not later than 120 days after you are issued your permit by the Indiana Alcohol and Tobacco Commission. You are also required to re-take the server program every 5 years thereafter. As the permit holder, you are required to maintain verified training records for each person who serves alcohol under your permit. The Commission may suspend or revoke your retailer or dealer permit or impose a fine for noncompliance.

Compliance with server training requirements will be a point of emphasis in future permit inspections by the Indiana Excise Police. If an officer has given you a Notice of Warning, you will have ten (10) days to correct this violation. You will need to notify the excise officer in writing, within this allotted timeframe, how you have rectified this situation. Your attention and cooperation in this matter is appreciated.

Respectfully yours,

/s/ Mark E. Mader

Mark E. Mader
ATC Prosecutor