

News & Publications

Curbside Pickup and Home Delivery for Alaska Licensees

LEGAL ALERT 04.17.2020

The Alaska Alcohol and Beverage Control Board (the “**Board**”) issued an advisory to all alcohol licensees in the State of Alaska following the Board’s meeting on April 8, 2020, which stated that the Board considered options to change alcohol regulations in response to the COVID-19 pandemic and passed a motion to approve emergency regulations to permit curbside pickup, but noted that “no curbside pickup of alcoholic beverages is currently permitted.”

In the week since the advisory was issued, the Board drafted and approved emergency regulations to allow curbside pickup and delivery of alcohol beverages, the Governor suspended certain statutes prohibiting off-premises sales for on-premises licensees, and the office of the Lieutenant Governor approved and filed the emergency regulations April 16, 2020. The emergency regulations are effective immediately and expire August 13, 2020, unless made permanent by the Board.

The emergency regulations allow curbside pickup and home delivery by licensees, in accordance with the following guidelines:

Curbside Pickup

Curbside Pickup privileges are allowed for the following license types:

- Beverage Dispensary
- Brewery
- Brewpub
- Distillery

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- Restaurant / Eating Place
- Package Store
- Winery

Alcohol beverage products purchased for curbside pickup must be “factory sealed” products that the licensee is ordinarily permitted to sell. Factory sealed means sealed *“in a closed, manufacturer-sealed or packaged bottle or can, or a licensee sealed, tamper proofed, and labeled growler of beer.”* The employee or agent of the licensee who takes the product from the licensed premises to the designated pickup area must hold an alcohol server education card, and must verify in person that the purchaser is not visibly drunk and is at least the legal drinking age and not otherwise restricted from purchasing alcohol beverages by examining the purchaser’s driver’s license or identification card.

Home Delivery

Home Delivery privileges are allowed for the following license types:

- Beverage Dispensary (with a Restaurant Designated Permit)
- Brewpub
- Restaurant / Eating Place

Alcohol beverage products purchased for home delivery must be “factory sealed” products that the licensee is ordinarily permitted to sell and must accompany the purchase of food. The retail price of the food purchased must be at least one half of the retail price of the alcohol purchased. In other words, alcohol beverages cannot be more than 66.6% of the retail price of the total order. Licensees are not permitted to use third-party delivery services for home deliveries including alcohol beverages; the delivery person must be an employee or agent of the licensee. The employee or agent of the licensee who makes the home delivery must hold an alcohol server education card, and must verify in person that the purchaser is not visibly drunk and is at least the legal drinking age and not otherwise restricted from purchasing alcohol beverages by examining the purchaser’s driver’s license or identification card.

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The Board requires an application for curbside pickup and home delivery privileges;
however, there is no formal application. Instead, the Board asks that licensees provide the
information detailed below via email to amco.enforcement@alaska.gov.

To apply for curbside pickup privileges, a licensee should provide the following information to the Board:

- License Number:
- License type:
- DBA:
- Licensee Email Contact:
- Licensee Daytime Phone Number:
- Physical Location of Curbside Delivery:
- Describe in detail the physical curbside delivery areas adjacent to the licensed premises, including the distance (in feet) of the curbside delivery location from the licensed premises:

To apply for home delivery privileges for beer and wine with food, a licensee should provide the following information to the Board:

- License Number:
- License type:
- DBA:
- Licensee Email Contact:
- Licensee Daytime Phone Number:
- Physical Location of Curbside Delivery:

The Board will hold another meeting to consider items related to the COVID-19 pandemic on Wednesday April 22, 2020, at 1:00 p.m., local time. The public call in number for the meeting is 1-800-315-6338, code 69173#. The meeting is open to the public to attend at any time during the meeting.

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If you have any questions about curbside pickup and home delivery of alcohol beverage products, please contact us.

Related Practices & Industries

Industries

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Wine, Beer & Distilled Spirits

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