

Offered: 3/6/86
Referred: Judiciary

Original sponsors: Collins, Uehling
and Gruenberg

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE HOUSE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 55 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to liquor licensees' duty to contact
7 taxis for patrons and to display alcohol warning
8 signs."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 04.11.370 is amended to read:

11 Sec. 04.11.370. SUSPENSION AND REVOCATION OF LICENSES AND PER-
12 MITS. Except as provided in (b) of this section, a [A] license or
13 permit shall be suspended or revoked if the board finds that one or
14 more of the following grounds exists:

15 (1) misrepresentation of a material fact on an application
16 for a license or permit;

17 (2) continuation of activities authorized under a license
18 or permit would be contrary to the best interest of the public;

19 (3) failure on the part of the licensee to correct defects
20 which constitute violations of this title, regulations adopted under
21 this title, or other laws within a prescribed time after receipt of
22 notice issued by the board or its agent;

23 (4) conviction of a licensee of a violation of a provision
24 of this title, a regulation adopted under this title, or an ordinance
25 adopted under AS 04.21.010;

26 (5) conviction of the agent or employee of a licensee of a
27 violation of this title, a regulation adopted under this title, or an
28 ordinance adopted under AS 04.21.010, if the licensee is found by the
29 board to have either knowingly allowed the violation or to have

1 recklessly or with criminal negligence failed to act in accordance
2 with the duty prescribed under AS 04.21.030 with the result that an
3 agent or employee violates a law, regulation, or ordinance;

4 (6) failure of the licensee to comply with the laws and
5 regulations pertaining to public health in the state;

6 (7) use of the licensed premises as a resort for illegal
7 possessors or users of narcotics, prostitutes, or pimps; in addition
8 to any other legally competent evidence, the character of the premises
9 may be proved by the general reputation of the premises in the commu-
10 nity as a resort for illegal possessors or users of narcotics, prosti-
11 tutes, or pimps;

12 (8) occurrence of illegal gambling within the limits of the
13 licensed premises;

14 (9) permitting any public offense involving moral turpitude
15 to occur on the licensed premises;

16 (10) violation by a licensee of this title, a regulation
17 adopted under this title, or an ordinance adopted under AS 04.21.010;

18 (11) violation by an agent or employee of a licensee of a
19 provision of this title, a regulation adopted under this title, or an
20 ordinance adopted under AS 04.21.010, if the licensee is found by the
21 board to have either knowingly allowed the violation or to have reck-
22 lessly or with criminal negligence failed to act in accordance with
23 the duty prescribed under AS 04.21.030 with the result that the agent
24 or employee violates the law, regulation, or ordinance.

25 * Sec. 2. AS 04.11.370 is amended by adding a new subsection to read:

26 (b) The board may not suspend or revoke a license or permit for
27 the conviction of a licensee or permittee of a violation of AS 04.21.-
28 035 or 04.21.036.

29 * Sec. 3. AS 04.16 is amended by adding a new section to read:

1 Sec. 04.16.205. PENALTY FOR FAILURE TO CONTACT TAXI OR DISPLAY
2 ALCOHOL WARNING SIGNS. The board may impose a civil penalty, not to
3 exceed \$100, upon a licensee that the board finds, after notice and
4 hearing, has violated AS 04.21.035 or 04.21.036.

5 * Sec. 4. AS 04.21 is amended by adding new sections to read:

6 Sec. 04.21.035. DUTY TO CONTACT TAXI. A licensee or a licens-
7 ee's agent or employee shall make reasonable efforts to procure a
8 taxi, where regular taxi service is available, for any person in the
9 premises who requests a taxi. The licensee is not responsible for
10 paying the cost of the taxi.

11 Sec. 04.21.036. DISPLAY OF ALCOHOL WARNING SIGNS. (a) A li-
12 censee, except a common carrier licensee, shall conspicuously display
13 at the main public exit and in all restrooms, a sign that reads "Drunk
14 Drivers Go To Jail - Why Risk It - Call A Taxi." The sign shall
15 include a prohibitory symbol. The sign must be at least 18 inches
16 wide and six inches high, with lettering at least one and one-fourth
17 inches high.

18 (b) The state shall furnish, without cost, signs required under
19 this section to any licensee requesting them.