

Third Party Alcoholic Beverage Delivery: Nationwide Overview

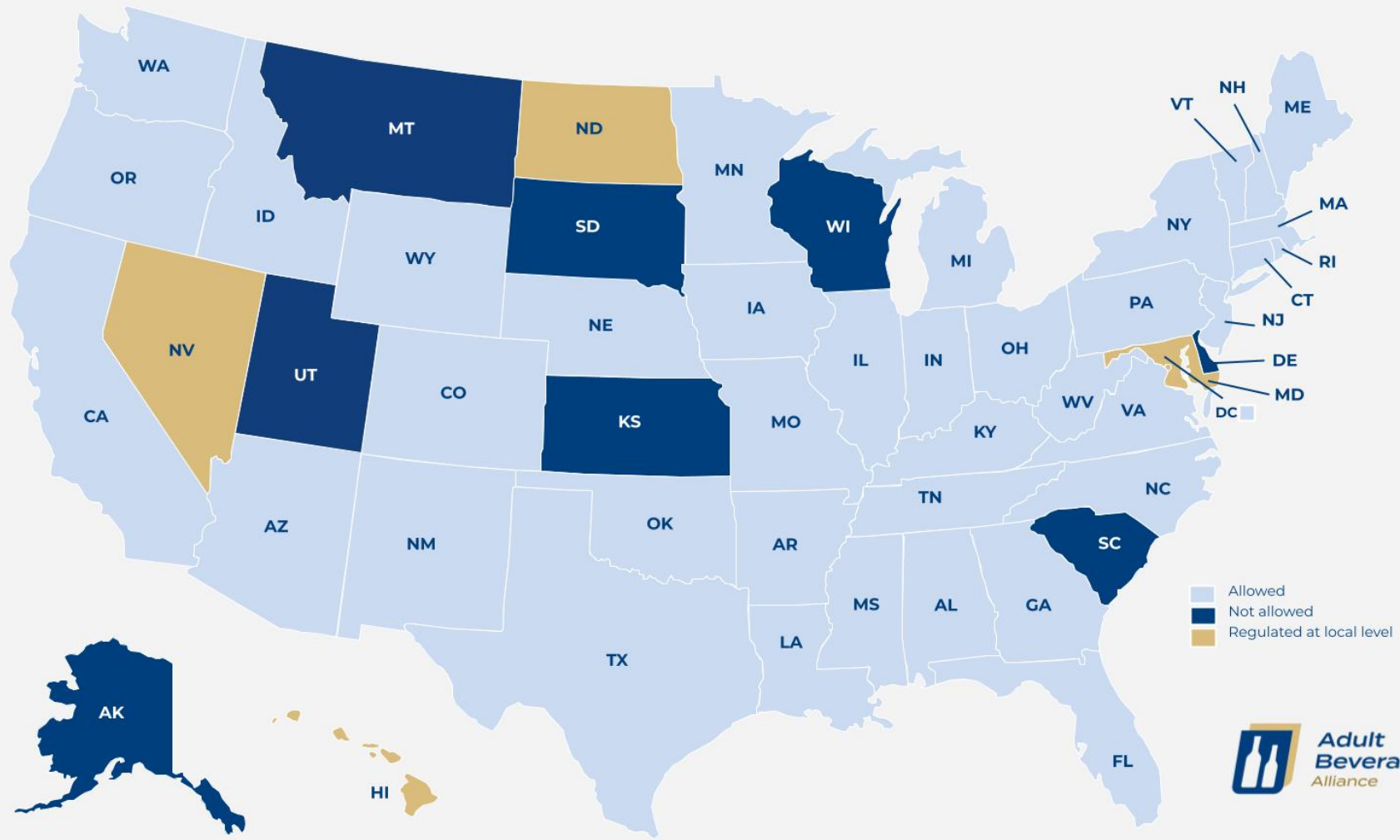
Oklahoma Senate
Interim Study on Alcohol Delivery
October 1, 2024



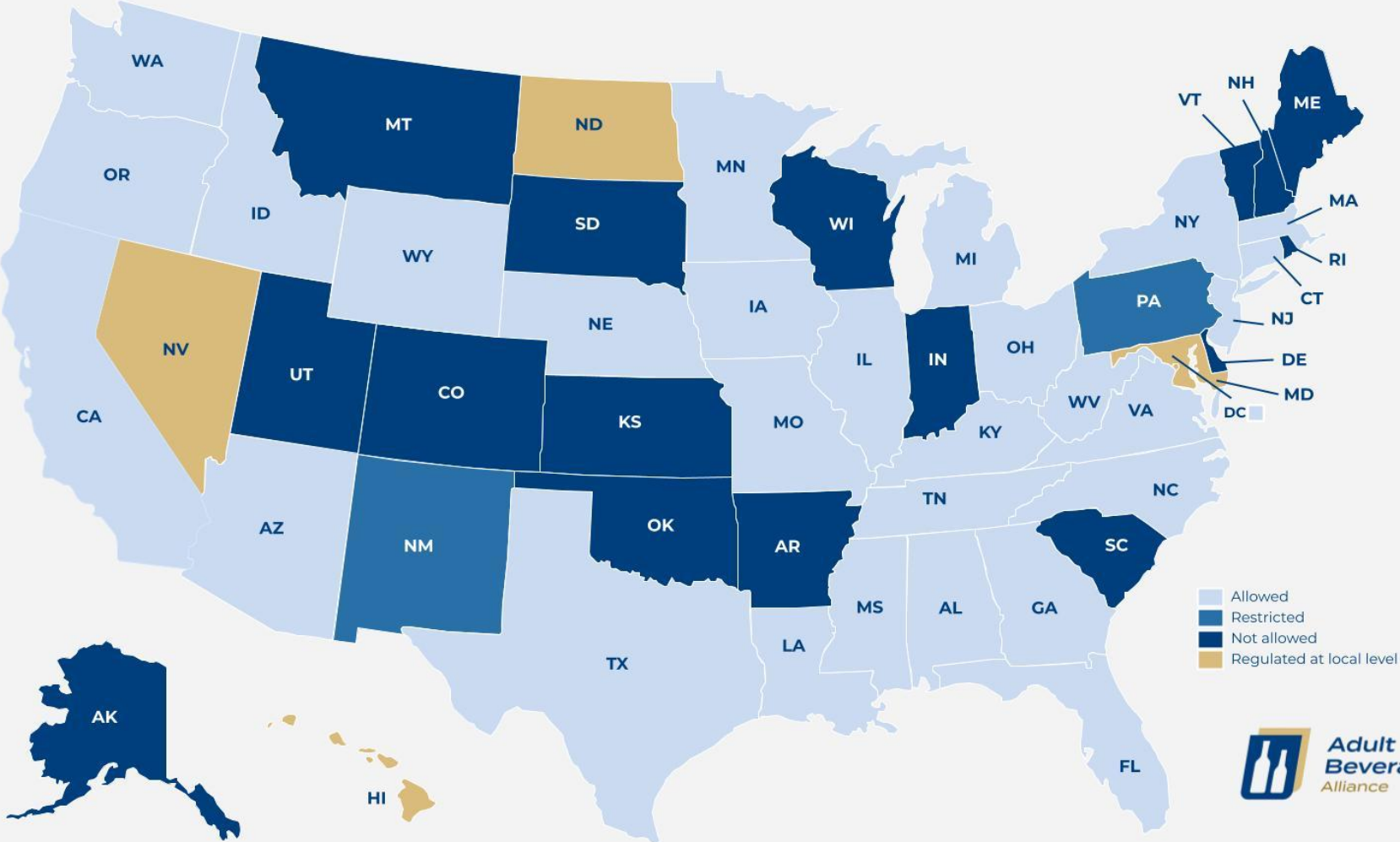
Alcoholic Beverage Delivery: Overview

- Retailers can currently deliver alcoholic beverages to consumers in 40 states.
- Retailers can use third parties to deliver alcoholic beverages to consumers in about 30 states.
- Third parties must hold a permit to deliver alcoholic beverages in 18 states.

Off-Premises Retailer Delivery by Retailer Employees



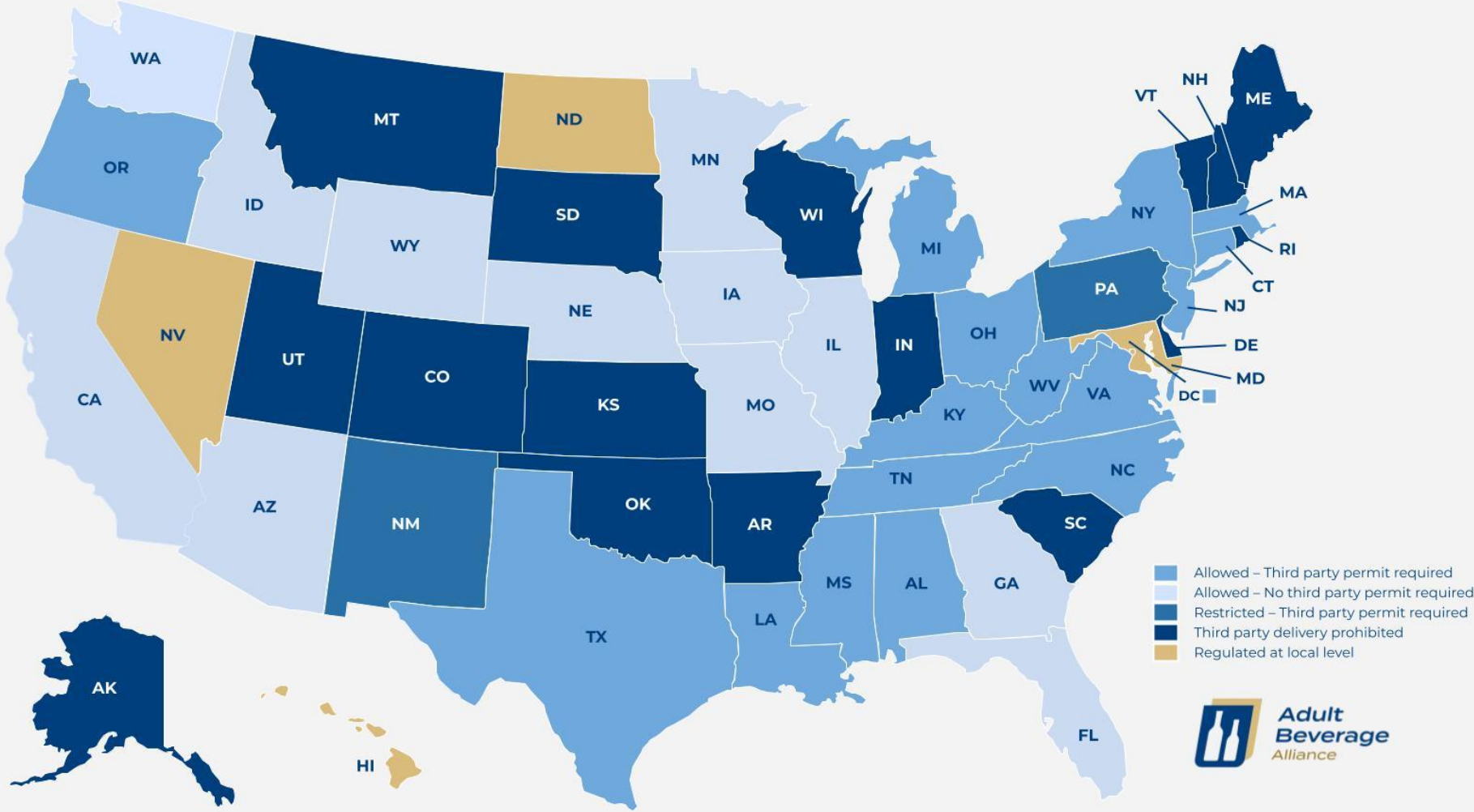
Off-Premises Retailer Alcohol Delivery by Third Parties



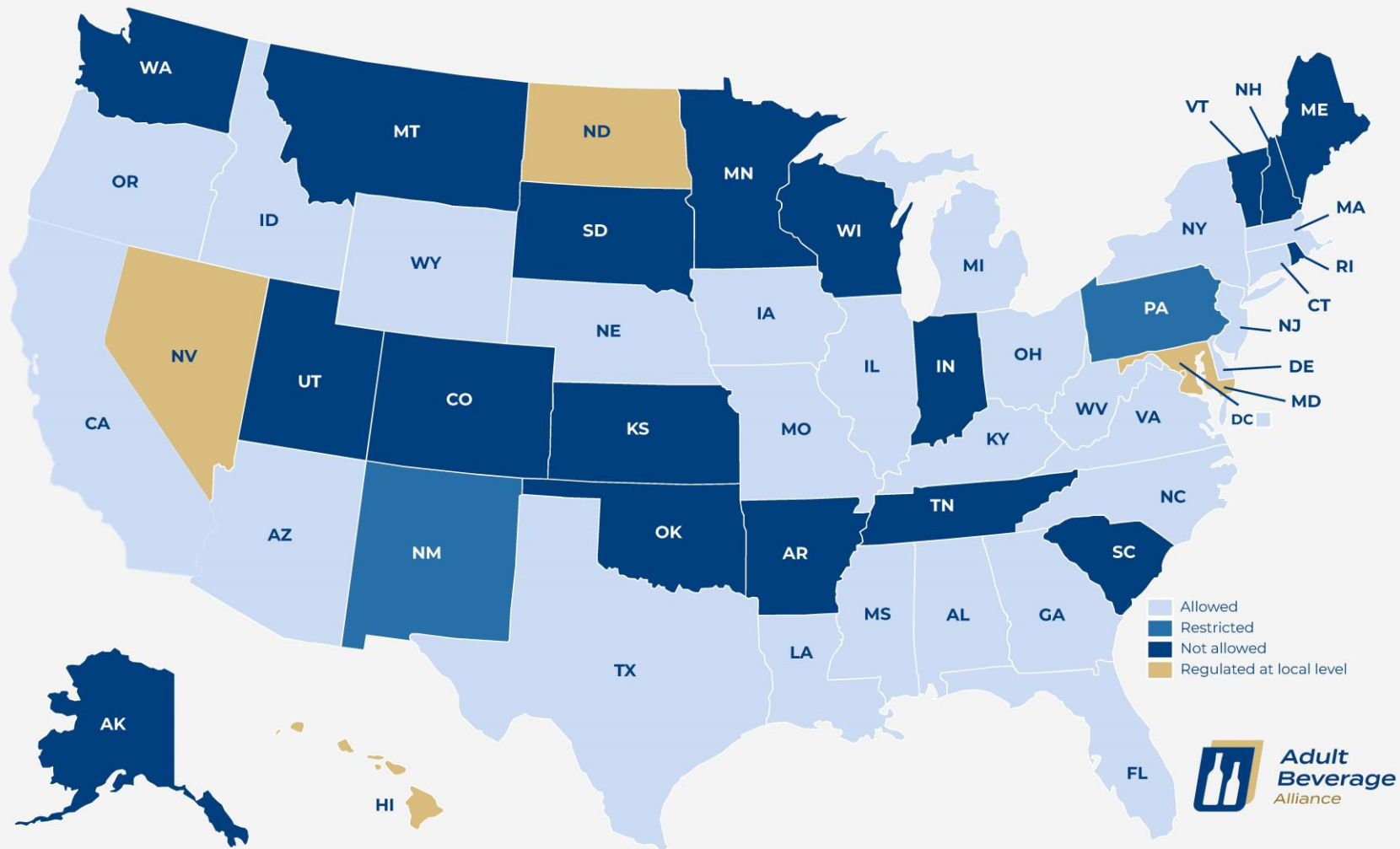
Allowed
Restricted
Not allowed
Regulated at local level



Off-Premises Retailer Alcohol Delivery by Third Parties (Third Party Permit Required)



On-Premises Alcohol Retailer: Third Party Delivery



Alcoholic Beverage Delivery: Key considerations

- *License types:* delivery rules often vary by retail license type. Off-premises v. on-premises, and sometimes within each category.
- *Commodities:* delivery rules can vary between beer, wine, and spirits.
- *On-premises retailers and cocktails-to-go:* e.g., manufacturer-sealed v. mixed drinks; food requirements.
- *Local considerations:* county and city-level rules.

Alcoholic Beverage Delivery: Third party delivery considerations

- *Who can deliver?*
- *Third party permits.*
- *Driver education.*
- *Background checks.*

Alcoholic Beverage Delivery: Third party delivery considerations

- *Age verification rules.*
- *Packaging/labeling rules.*
- *Quantity limits.*
- *Hours of sale and delivery.*

Alcoholic Beverage Delivery: Third party delivery considerations

- *Geographical limits.*
- *Ecommerce functions.*
- *Undeliverable orders.*
- *Liability-shifting.*
- *Recordkeeping, reporting, and data retention.*

Alcoholic Beverage Delivery: Oklahoma HB2090

HB2090 is consistent with third party alcohol delivery bills in other states.

- *Creates third party delivery permit (Delivery Service license)*
- *Allows Delivery Service licensees to educate drivers via their own approved programs.*
- *Requires driver background checks.*
- *Shifts liability from retailers to Delivery Service licensees once drivers take possession of alcohol.*