

What You Need to Know About Maine Liquor Laws

The following is a summary with highlights. For full information, please refer to the State of Maine Liquor Laws and Rules and Regulations.

Title 28-A: Liquors

Maine Liquor Liability Act, §2502 et seq.

Anyone who sells, gives, or otherwise provides liquor to a minor or visibly intoxicated person can be sued for damages caused by that person's consumption of the liquor. Repayment may be awarded for property damage, bodily injury, or death caused by the consumption of liquor served by the defendant. The limit on awards is \$250,000 plus limitless medical expenses.

Negligent Service of Liquor; Liability, §2506

1. Negligent service to a minor.

A server who negligently serves liquor to a minor is liable for damages proximately caused by that minor's consumption of the liquor.

2. Negligent service to a visibly intoxicated individual.

A server who negligently serves liquor to a visibly intoxicated individual is liable for damages proximately caused by that individual's consumption of the liquor.

3. Negligent conduct.

Service of liquor to a minor or to an intoxicated individual is negligent if the server knows or if a reasonable and prudent person in similar circumstances would know that the individual being served is a minor or is visibly intoxicated.

4. Server's knowledge of individual's consumption.

A server is not chargeable with knowledge of an individual's consumption of liquor or other drugs off the server's premises, unless the individual's appearance & behavior, or other facts known to the server, would put a reasonable and prudent person on notice of such consumption.

Signage: Chapter 29 §710 (1) & (2)

- A premise may have only one outside sign advertising liquor.
- A premise may have only one sign inside the store which can be seen from the outside advertising liquor—this includes store displays.

Identification Cards: Chapter 29, §706(2)

A licensee or licensee's employee or agent may not sell, furnish, give or deliver liquor or imitation liquor to a person under 27 years of age unless the licensee or licensee's employee or agent verifies the person is not a minor by means of reliable photographic identification containing that person's date of birth.

Prohibition of Certain Practices:

Chapter 29, §709 (1)(A) et seq.

No licensee or employee or agent of a licensee may:

- Sell, offer, or deliver an unlimited number of drinks for a fixed price.
- Encourage or permit any game or contest that involves drinking or the awarding of drinks as prizes.
- Conduct any other practice the specific purpose of which is to encourage customers to drink to excess.

Enforcement: Chapter 3-A §82

Local and county police departments may enforce administrative liquor violations through an agreement with the Commissioner of Public Safety. This agreement gives the local authorities the right to enter licensed establishments expressly for the purpose of investigating liquor violations.

Furnishing Liquor or Allowing Consumption:

Chapter 83 §2081 (A)

No person (including another minor) may furnish, give, sell or deliver liquor to a minor. (Criminal Offense-Class D Crime)

Penalties

The court may impose fines up to \$2,000 and jail time up to 1 year. If the minor served is under 18 years of age, these are the minimum penalties:

1st offense: Fines of at least \$500

2nd offense: Fines of at least \$1,000

3rd offense: Fines of at least \$1,500

Juvenile offenses: Probation, fines and/or community service.

It is a Class C Felony offense if consumption of liquor by the minor causes serious bodily injury or death to the minor or any other individual.

Furnishing a Place for Minors to Consume:

Chapter 83 §2081 (B)

No person (including another minor) may allow a minor under that person's control or in a place under that person's control to possess or consume liquor. (Criminal Offense-Class D Crime)

Penalties

The court may impose fines up to \$2,000 and jail time up to 1 year. If the minor served is under 18 years of age, these are the minimum penalties:

1st offense: fines of at least \$1,000

2nd offense: fines of at least \$2,000

Juvenile offenses: Probation, fines and/or community service.

It is a Class C Felony offense if consumption of liquor by the minor causes serious bodily injury or death to the minor or any other individual.

If you have questions regarding your State license you should contact the Department of Public Safety Liquor Licensing & Compliance Division at (207) 624-7220.

21
reasons

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