



Super Bowl 50 Guidance

The Department of Alcoholic Beverage Control has received a number of inquiries regarding proposed activities and events in the lead-up to and during Super Bowl 50. The information provided herein is not intended to encompass all possible activities contemplated by licensees and the public, but rather provides guidance on how to comply with California laws regarding the sale, service, and marketing of alcoholic beverages during the Super Bowl.

1. The Legislature has not enacted or amended any laws related to the sale, service, consumption, or marketing of alcoholic beverages for the Super Bowl. As such, all current laws and regulations remain in effect during the Super Bowl.
2. There has been no change to the hours during which alcoholic beverages may be sold, served or consumed on licensed premises. It is unlawful to sell or knowingly purchase alcoholic beverages, either by the drink or by the package, between the hours of 2 a.m. and 6 a.m. of the same day (Section 25631 of the Business and Professions Code). Some licenses have operating restrictions (conditions) as to the hours of sale that are stricter than the law. It is also unlawful for a licensee to allow a customer to consume alcoholic beverages on the licensed premises during these hours.
3. It is unlawful to serve alcoholic beverages to minors (under 21). Licensees should exercise special care to ensure compliance with these laws during what is expected to be a particularly busy time. Diligent checking of identification is strongly encouraged.
4. It is unlawful to serve alcoholic beverages to obviously intoxicated persons. Evaluating customers before serving them alcohol is recommended. A customer is considered obviously intoxicated when a reasonable person can plainly observe that the patron is intoxicated. The usual signs are staggering, strong odor of alcohol, slurred speech, poor muscular coordination, etc.
5. Any events at which alcoholic beverages are sold must be properly licensed by the Department. Charging for entry to an event at which alcoholic beverages are available constitutes the sale of alcoholic beverages. This includes such things as a door charge or pre-selling tickets. Selling alcohol without a license is a misdemeanor.
6. Alcoholic beverages may only be sold, served, and consumed on licensed premises. Licensees who sell, serve, or allow the consumption of alcoholic beverages in areas not

encompassed by their license are in violation of the law. If a licensee wishes to expand their licensed premises during the Super Bowl they should contact their local ABC district office to determine if they are eligible for an event permit (Type-77 license).

7. Licensees may only sell alcoholic beverages authorized to be sold under their license, and can only exercise the privileges of their license. There will be no special exemptions to these requirements during the Super Bowl period. If you have any questions about your license privileges you should contact your local district office.
8. Licensees are reminded that law enforcement personnel may visit and inspect your licensed premises at any time during which you are exercising license privileges.

Responsible Beverage Server Training

In preparation for the 2016 Super Bowl in Santa Clara, the California Department of Alcoholic Beverage Control encourages alcoholic beverage licensees and servers to attend a free Licensee Education on Alcohol and Drugs (LEAD) responsible beverage server training class provided by the Department.

The LEAD Program is a free, voluntary, prevention and education program for retail licensees, applicants, and their employees. The training classes are offered at a variety of locations throughout the California. The classes include instruction on checking various forms of identification, detecting and preventing illegal activity, reducing liability and much more. Specifically for the Bay Area, the Department has scheduled the following two hour LEAD classes designed primarily for those holding special event (one-day) licenses issued by ABC, or are working at such licensed special event locations connected with the Super Bowl (no LEAD certificate will be issued in connection with these condensed classes):

- **January 25, 2016 – State Building Auditorium, 100 Paseo de San Antonio, San Jose, CA (12:00 noon to 2:00 p.m.)**
- **January 27, 2016 – San Francisco Police Department, Taraval Station Community Room, 2345 24th Ave, San Francisco, CA (11:00 a.m. to 1:00 p.m.)**

The above classes are in addition to the following regularly scheduled four hour LEAD classes to be held in the Bay Area immediately prior to the Super Bowl:

- **February 3, 2016: City Council Chambers, 250 East L Street, Benicia, CA (10:00 a.m. to 2:00 p.m.)**
- **February 4, 2016: Palo Alto Police Department, Cubberley Community Center, 4000 Middlefield Road Room H-1, Palo Alto, CA 94306 (1:00 p.m. to 5:00 p.m.)**

Registration for any of these classes may be done at:

<http://www.abc.ca.gov/programs/Lead%20webpage.html>