

Article - Alcoholic Beverages

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§21-106.

(a) (1) In this section the following words have the meanings indicated.

(2) “Keg” means a container of beer with a capacity of at least 4 gallons, which is designed to dispense beer directly from the container.

(3) “Keg licensee” means a person that holds an alcoholic beverages license that authorizes that person to sell beer in kegs at retail.

(b) A keg licensee may not sell or otherwise transfer, or offer to sell or otherwise transfer the contents of a keg for consumption off-premises unless:

(1) The keg licensee provides to the purchaser a keg registration form approved and distributed by the State Comptroller that is designed to be affixed to the keg and that indicates the name and address of the licensed establishment and a registration number;

(2) Except as provided in subsection (c) of this section, the purchaser provides identification and completes and signs a registration form with the following information:

(i) The purchaser’s name and address as shown on the identification produced; and

(ii) The date of purchase; and

(3) The keg licensee affixes the completed registration form to the keg and retains a copy of the form for 30 days on the licensed premises.

(c) (1) In this subsection, “Identification number” means the identifying number:

(i) On the purchaser’s driver’s license;

(ii) If the purchaser is a resident of the State, on the purchaser’s identification card as provided for in the Transportation Article;

(iii) If the purchaser is not a resident of the State, on the purchaser’s identification card that is issued by the purchaser’s home state or jurisdiction; or

(iv) The identification number on a United States military identification card.

(2) In Prince George’s County:

(i) The keg licensee shall complete a registration form with:

1. The purchaser's name;
2. The date of purchase; and
3. The address of the purchaser as shown on the identification produced or, if the person provides a United States military identification card as identification, the address that the purchaser provides;

(ii) The purchaser shall sign the completed registration form; and

(iii) The keg licensee shall record on the copy of the registration form retained by the keg licensee the purchaser's identification number and the date that the purchaser's identification was issued.

(d) (1) Upon return of a registered keg from the purchaser, the keg licensee shall remove or obliterate the keg registration form affixed to the keg and note that removal and the date of that removal on the copy of the keg registration form retained by the keg licensee at the licensed premises.

(2) (i) If a keg is made of disposable packaging that does not have to be returned to the keg licensee, the keg licensee shall indicate on the keg registration form that the keg is disposable.

(ii) Disposal of empty kegs made of disposable packaging does not constitute obliteration of the keg registration form.

(e) Each board of license commissioners or, if there is no board of license commissioners in that county, the liquor control board shall adopt regulations to implement this section.

(f) A keg licensee may charge a keg registration fee to a purchaser.

(g) (1) A keg licensee who violates any provision of this section is subject to a fine not exceeding \$100 or a suspension or revocation of the alcoholic beverages license, or both fine and suspension or revocation.

(2) The existence of a completed registration form signed by the purchaser shall create a presumption that the keg licensee has complied with the requirements of this section.

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