
By: Senator Conway

Introduced and read first time: February 21, 1997

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages - Mandatory Identification**

3 FOR the purpose of requiring certain persons to require certain forms of identification
4 before alcoholic beverages may be served; imposing a penalty; clarifying language;
5 and generally relating to mandatory State-issued identification and alcoholic
6 beverages.

7 BY repealing and reenacting, with amendments,
8 Article 2B - Alcoholic Beverages
9 Section 12-109
10 Annotated Code of Maryland
11 (1996 Replacement Volume)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article 2B - Alcoholic Beverages**

15 12-109.

16 [(1)] (A) Every licensee under the provisions of this article may cause a book to be
17 kept and such licensee or his employee, or both, may require any person who has shown
18 documentary proof of age, which substantiates his age to allow the legal purchase of
19 alcoholic beverages, to sign such book if the age of such person is in question. The book
20 shall contain copies of the following form upon which the licensee or his employee shall
21 record all information required by each and all sections of the form:

22 Date..... 19...

23 To Be Filled In By Seller

24 _____
25 _____

26 IDENTIFICATION (CHECK ALL SHOWN)

27 _____

1 BEGIN-TABLE;c=04:000:037:040:077

2 <Tr01 >

3 <Tc02 >_____

4 <Tc03 >

5 <Tc04 >_____

6 <Tr01 >Driver's License.....

7 <Tc02 >_____

8 <Tc03 > Army I.D. Card.....

9 <Tc04 >_____

10 <Tr01 >Birth Certificate.....

11 <Tc02 >_____

12 <Tc03 > Coast Guard I.D. Card.....

13 <Tc04 >_____

14 <Tr01 >Service Discharge.....

15 <Tc02 >_____

16 <Tc03 > Marine I.D. Card.....

17 <Tc04 >_____

18 <Tr01 >Draft Card.....

19 <Tc02 >_____

20 <Tc03 > Navy I.D. Card.....

21 <Tc04 >

22 <Tr01 >Air Force I.D. Card.....

23 <Tc02 >

24 END-TABLE

25 Other (Specify).....

26 _____

27 _____

28 DESCRIPTION OF PURCHASER

29 _____

30 Height.....Weight.....

31 Color of Eyes..... Color of Hair.....

32 Outstanding Features.....

33

34

35

36

37 Seller's Signature.....

38 To Be Filled in by Prospective Purchaser

39 I declare I am of legal age to purchase fermented malt beverages or intoxicating liquor,
40 and that I am subject to arrest and prosecution for misrepresenting my age.

41 Print full name.....

42 Street address.....

43 City..... State.....

44 Signature.....

45 No.

46 [(2)] (B) The establishment of the following facts by a person making a sale of
47 alcoholic beverages to a person not of legal age shall constitute prima facie evidence of
48 innocence and a defense to any prosecution therefor:

49 [(a)] (1) That the purchaser falsely represented in writing and supported
50 with other documentary proof that he was of legal age to purchase alcoholic beverages.

51 [(b)] (2) That the appearance of such purchaser was such that an ordinary
52 and prudent person would believe him to be of legal age to purchase alcoholic beverages.

3

1 [(c)] (3) That the sale was made in good faith and in reliance upon the
2 written representation and appearance of the purchaser in the belief that the purchaser
3 was of legal age to purchase alcoholic beverages.

4 (C) (1) EVERY PERSON WHO HOLDS A LICENSE FOR THE SALE OF
5 ALCOHOLIC BEVERAGES PURSUANT TO THIS ARTICLE, OR EVERY EMPLOYEE OF
6 THAT PERSON, SHALL REQUIRE THE SHOWING OF A STATE-ISSUED FORM OF
7 IDENTIFICATION, SUCH AS A DRIVER'S LICENSE OR AN AGE OF MAJORITY CARD,
8 BEFORE THE ALCOHOLIC BEVERAGES MAY BE SERVED.

9 (2) THE PENALTIES PROVIDED FOR IN § 16-503 APPLY TO ANY
10 VIOLATION OF THIS SUBSECTION.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 1997.