



RESPONSIBLE BEVERAGE SALES AND SERVICE (RBSS)

Responses to common questions

November 2017

This Frequently Asked Question (FAQ) sheet provides responses to the more common questions related to Encinitas Municipal Code (E.M.C.) Section 9.43 Alcoholic Beverages - Responsible Beverage Service and Sales (RBSS) training.

DOES RBSS PERTAIN TO MY BUSINESS?

In Encinitas, RBSS pertains to any "Alcohol Outlet." An "Alcohol Outlet" means any physical location or structure from which any alcoholic beverage may be sold, delivered, or served at retail." pursuant to a license granted by the ABC. This includes, but is not limited to, bars and restaurants.

WHICH OF MY EMPLOYEES REQUIRE TRAINING?

Per E.M.C. 9.43.010 "any person who, as part of his or her employment, sells, serves or delivers any alcoholic beverage" must have valid, current RBSS certification. This includes the licensee (named on the ABC license) or owner as well as any managers and servers.

WHERE IS THE TRAINING OFFERED?

Refer to the City of Encinitas RBSS website at <http://www.encinitasca.gov/Government/Departments/Development-Services/Planning-Division/Code-Enforcement/Responsible-Beverage-Sales-Service> or check the ABC website at <http://www.abc.ca.gov/>. Trainings must be conducted or certified by ABC.

HOW DO I KNOW IF A SPECIFIC TRAINING CLASS IS APPROVED?

It is highly recommended that servers attend the free trainings regularly scheduled through the ABC Alcohol Seller/Server Training Program (known as L.E.A.D. training). For other training programs, the trainee must demonstrate that the training program is certified by ABC.

HOW MUCH TIME DO I HAVE TO GET MY EMPLOYEES TRAINED?

Ninety days from the start of serving alcohol for new establishments or from the date of hire for new employees at existing establishments.

HOW OFTEN DO EMPLOYEES NEED TO BE TRAINED?

In Encinitas, per E.M.C. 9.43.020.C, "certification received

from an RBSS training program will be considered valid for a period of two years from the date of certification." Existing employees must be re-certified prior to the expiration of the previous certification.

HOW DO I TRACK MY EMPLOYEES' TRAINING?

Licensees are required to maintain, on the premises, a file of proof of completion for all affected employees, including a training certificate. Encinitas provides a [Business Compliance Form](#) on its website with all of the information necessary to comply with the ordinance.

WHAT ARE THE CONSEQUENCES FOR NON-COMPLIANCE?

A violation of any provision of E.M.C. 9.43 may be punishable in accordance with the provisions of E.M.C. Section 1.08.050, Section 1.08.060 and Section 1.08.070. The current fine for a first-time penalty is \$100. This penalty may be assessed to both the employee and employer.

MY EMPLOYEES ALREADY RECEIVE CORPORATE TRAINING RELATED TO ALCOHOL SALES. DOES THIS SATISFY THE CITY'S RBSS TRAINING REQUIREMENTS?

In accordance with the RBSS ordinance, training programs must be "conducted by the California Department of Alcoholic Beverage Control or by a certified RBSS training provider."

For additional information, please contact Code Enforcement at (760) 633-2685 or via email at code@encinitasca.gov.

