

§ 331 . Regulation XIII – Posting of the National Human Trafficking Resource Center Hotline

A. All establishments listed in R.S. 15:541.1(A) shall prominently display a poster furnished by the office of alcohol and tobacco control containing information regarding the National Human Trafficking Resource Center hotline in all male and female public restrooms located within the premises.

CHAPTER 5. RESPONSIBLE VENDOR PROGRAM

§ 501. Purpose

A. The Responsible Vendor Program is intended to educate vendors and their employees and customers about selling, serving, and consuming beverage alcohol, tobacco, and tobacco products. Chapter 5 relates to the development, establishment, and maintenance of the program.

§ 503. Definitions

A. For purposes of this Chapter, the following terms are defined.

Approved Provider—an individual, unincorporated association, partnership, or corporation approved by the program administrator to provide server or security personnel training courses.

Commissioner—the commissioner of the state Office of Alcohol and Tobacco Control.

Program Administrator—a committee or board of nine persons that shall develop and administer the Responsible Vendor Program.

Responsible Vendor—any vendor who qualifies and maintains certification in the Responsible Vendor Program.

Responsible Vendor Handbook—the handbook that is developed, published, and distributed by the program administrator and approved by the commissioner.

Server—any employee of a vendor, other than security personnel, who is authorized to sell or serve beverage alcohol, tobacco, and tobacco products in the normal course

of his or her employment or deals with customers who purchase or consume beverage alcohol, tobacco or tobacco products.

Server Permit—the permit issued to a server or security personnel upon completion of all required server or security personnel training and all refresher courses.

Security Personnel - any person other than a server who monitors the entrance and other areas of an establishment for purposes of identifying underage and intoxicated persons, enforcing establishment rules and regulations and otherwise providing security for the establishment and its customers where alcoholic beverages are the principle commodity sold for consumption on the premises. “Security Personnel” shall not include persons employed by hotels or motels which consist of sleeping rooms, cottages, or cabins unless the person works primarily in an area on the licensed premises of a hotel or motel where the principle commodity sold is alcoholic beverages for consumption on the licensed premises.

Trainer—an individual employed or authorized by an approved training provider to conduct an alcohol server education course wherein the successful completion of the course by the student will result in the issuance of a server permit.

Vendor—any holder of a state Class A—General, Class A—Restaurant, or Class B—Retail permit.

§ 505. Vendors

A. Certification and Enrollment as a Responsible Vendor

1. The vendor shall review and understand the vendor handbook.
2. The vendor shall provide the Office of Alcohol and Tobacco Control with a completed “vendor affidavit” for enrollment in the program.
3. The vendor shall require all “servers” and “security personnel” to attend an approved server or security personnel training course within 45 days of the first day of employment.
4. The vendor shall pay an annual fee of \$50 per licensed establishment holding a Class A-General, Class A-Restaurant, or Class B-Retail permit for the purpose of funding development and administration of the Responsible Vendor Program.
 - a. The fee shall be assessed on all new and renewal applications for retail permits to

engage in the business of dealing in alcoholic beverages and/or tobacco and tobacco products.

b. The fee shall not be assessed to those parties seeking a Special Event Permit under the provisions of R.S. 26:793(A).

B. Maintaining Certification

1. The vendor shall keep the vendor handbook current with all updates and periodic amendments distributed by the program administrator.

2. The vendor shall provide new employees already licensed under the Responsible Vendor Program with the rules and regulations applicable in the parish or municipality of the establishment's location.

3. The vendor shall maintain server and security personnel training records, which include the name, date of birth, last four digits of Social Security Number, and date of hire for all servers and security personnel. The records shall be kept on the licensed premises at all times for inspection by agents of the Office of Alcohol and Tobacco Control or other peace officers.

4. The vendor shall post signs on the licensed premises informing customers of the vendor's policy against selling alcoholic beverages or tobacco products to underage persons if required by law.

§ 507. Servers and Security Personnel

A. Server and security personnel applicants with special needs, such as an inability to read or write in English, hearing impairment, etc., shall contact the approved training provider at least one week before the alcohol server or security personnel training course to request specific assistance in completing the course. Notwithstanding any other provisions of Chapter 5, the approved provider and the program administrator shall attempt to provide reasonable accommodation when requested in compliance with the state and federal law.

B. Server and Security Personnel Permit

1. Server and security personnel permits shall be valid for four years from the completion of an approved responsible vendor training course.

2. Whenever a server or security personnel is employed in the service of alcohol, their permit and one legal form of picture identification shall be available on the

premises for inspection by agents of the Office of Alcohol and Tobacco Control or other peace officers.

3. A server's or security personnel's refusal or failure to make their permit available on the premises for immediate inspection by authorized agents or peace officers shall be evidence of a violation of this Section.

C. Server or Security Personnel Permit Verification. The Office of Alcohol and Tobacco Control shall maintain a list of currently certified servers and security personnel by name, permit number, and date of birth, so that vendors can verify the validity of the servers' and security personnel's permits.

D. Permit Expiration, Renewal and Lost Permits

1. Every server and security personnel permit shall expire on the last day of the month, four years after the month that the server or security personnel successfully completed the applicable responsible vendor server or security personnel course.

2. To be eligible for renewal of a server or security personnel permit, the server or security personnel shall attend and successfully pass an approved abbreviated renewal responsible vendor course and examination given by an approved provider.

3. Lost permits shall be canceled and a replacement issued by the Office of Alcohol and Tobacco Control after the server or security personnel submits an affidavit of lost permit and a \$5 fee.

E. Illegal Possession of a Permit. Any person who falsifies, keeps, or possesses a server permit contrary to the provisions of this Chapter shall be guilty of a violation of this Chapter.

F. Server and Security Personnel Liability: Penalties, Fines, Suspension, or Revocation of Server or Security Personnel Permit. Notwithstanding any criminal actions taken, the commissioner may issue administrative violations notices to any holder of a server permit for noncompliance with this Chapter or for any violations, attributable to the server or security personnel, of Title 26 of the Louisiana Revised Statutes.

§ 509. Training: Providers and Trainers

A. Trainer Certification. Approved providers shall only contract with trainers that have any combination of a minimum of two years of:

1. verified full-time employment in the fields of training, education, law, law enforcement, certified security services, substance abuse rehabilitation, the hospitality, retail industry that involved the sale or service of alcohol or tobacco products; or

2. post-secondary education in the fields of training, education, law, law enforcement, certified security services, substance abuse rehabilitation, the hospitality or retail industry that involved the sale or service of alcohol or tobacco products.

B. Provider Certification

1. Classroom Training Provider: A person or business entity that applies to become an approved provider for alcohol and tobacco server or security personnel classroom training shall submit the following to the program administrator:

a. a completed application form provided by the program administrator;

b. a copy of the lesson plans, audio, visual, and printed materials provided as part of the alcohol server training course;

c. a copy of the examinations;

d. the names, dates of birth, last four digits of Social Security numbers, addresses and phone numbers, and educational and employment backgrounds of all trainers to be used in teaching the course; and

e. notification of any changes within 30 days of hiring, contracting with, or termination of any trainers.

2. Computer-Based Training Provider. A person or business entity that applies to become an approved provider for alcohol and tobacco server computer based education shall submit the following to the program administrator:

a. a completed application forms provided by the program administrator;

b. the names, dates of birth, last four digits of Social Security numbers addresses and phone numbers, and educational and employment backgrounds of all persons engaged in the development/creation of the online (computer-based) training course;

c. a copy of the complete online (computer-based) alcohol and/or tobacco server training course;

i. the presentation and course progress platform used by a computer-based provider must be reviewed and approved by the program administrator to ensure that the course of instruction contains all topics required by the mandatory curriculum;

d. a copy of the examination and item bank;

e. verification that the security measures implemented and maintained by the provider meet state and federal standards for the transmission and protection of personal identification information and financial information of individuals accessing the website;

f. a detailed description of the provider's system to verify a student's identity;

g. approved providers for computer-based training shall make a representative available to provide information and/or technical support during standard business hours via the internet, telephone, or other method as approved by the program administrator;

h. approved providers for computer-based training must submit to audits by the Office of Alcohol and Tobacco Control for the purpose of ensuring compliance and to review and examine the following:

i. number of server courses that have been issued by the provider;

ii. security measures taken in relation to the course examination;

iii. procedures used to score the course examination;

iv. size of the examination bank to generate examination questions;

v. methodology used to translate the course and examination in multiple languages and the name and qualifications of the translator service provider;

vi. integrity of the program data generated and stored by the approved provider;

vii. program's data handling, reporting and archiving capacities, policies and procedures;

viii. approved provider's anti-discrimination policy and procedures;

i. access to the provider's web address and secured portal must be made available to the Office of Alcohol and Tobacco Control and the entire course of instruction offered to servers must be provided free of charge to the Office of Alcohol and Tobacco Control;

j. notification within 30 days of any changes in the provider's ownership or system

operations;

k. approved classroom training providers shall obtain approval to become a computer-based provider by submitting a separate application and all additional information required in this section;

l. computer-based training providers are exempt from the provisions of LAC55:VII.511.K requiring seven days notice of scheduling courses;

m. computer-based training providers shall adhere to the provisions of LAC55.VII.509.E.1 requiring submission of class rosters within 10 days of any training course.

3. After the program content or method of presentation has been approved by the program administrator, the provider shall notify and obtain approval of any changes from the program administrator.

C. the alcohol and tobacco server and security personnel permits issued to students who successfully complete the server and security personnel training programs shall be obtained from the Office of Alcohol and Tobacco Control or its designee.

D. Denial or Rescission of Program Approval

1. The program administrator may deny or rescind approval of any program if any of the following is found:

a. the program does not meet the minimum course standards set out in Chapter 5;

b. the Application for Program Certification is not correct or complete;

c. any trainer has been convicted of a felony or of a misdemeanor related to theft, fraud, or misrepresentation and it has been less than three years since the discharge of the sentence imposed as a result of the conviction; or

d. any trainer has been convicted of operating a vehicle while intoxicated at the time they were employed as a trainer and it has been less than one year since the discharge of the sentence imposed as a result of the conviction.

2. Within 10 days after receipt of the notice that the program approval has been denied or rescinded, the applicant has the right to request a hearing before the program administrator.

3. If the applicant fails to request a hearing, the right to a hearing is waived and the program administrator's decision is final.

4. The notice that the program approval has been denied or rescinded shall be served by either certified mail or personal service at the applicant's main office to any adult agent or employee or to its registered agent.

E. Provider and Trainer Records -- Rights of Inspection

1. Within 10 days of any training course, the approved provider shall submit to the Office of Alcohol and Tobacco Control a report of the server or security personnel training that includes the following:

a. the name, last four digits of Social Security number, permit number, address, telephone number, and date of birth of each student that completed the training course and passed the required examination;

b. the name of the trainer or training provider that provided the course and the trainer's signature and verification that each student listed has successfully completed the approved course on the date indicated and any other facts as the program administrator or agents or employees of the Office of Alcohol and Tobacco Control may require.

2. Copies of the examinations and permits shall be kept for four years from the date of issue at the approved provider's place of business available for inspection and copying by agents or employees of the Office of Alcohol and Tobacco Control.

3. The approved provider shall maintain for four years from the date the class was conducted, the course information, which includes the class location, date, and time; trainer's name; and the student's names, last four digits of Social Security number and permit number. These records shall be maintained at the approved provider's place of business available for inspection and copying by agents or employees of the Office of Alcohol and Tobacco Control.

F. Approved Provider Minimum Course Standards. To be certified to issue a server or security personnel permit, the provider's course of instruction must include the subject areas specified in R.S. 26:933(C) in accordance with LAC 55:VII.511.

G. Approved Server and Security Personnel Training Course Fees. Approved providers may charge fees for the cost of conducting the approved server or security personnel training courses. The fees for classroom or computer-based instruction and examination shall be approved by the program administrator and the commissioner and may not exceed \$25.

H. Sanctions against Approved Providers and Trainers. Any approved provider or trainer who violates any of the provisions of Title 26 of the Louisiana Revised Statutes or any of the requirements of Chapter 5 shall:

1. for a first offense receive a notice of intended suspension or revocation of the program administrator's certification or authorization, with 30 days allowed to correct any violations. If the violation is rectified no further action will be taken;

2. if the violation is not rectified or a second violation by the provider or their trainer occurs, the program administrator or their designee shall suspend approval and certification of the provider or trainer for a period not to exceed six months. Before the suspension will be lifted, the provider or trainer shall correct all violations;

3. the program administrator or their designee may increase sanctions based on successive violations within a two-year period. Numerous violations within a two-year period may indicate disregard for the law or failure to provide an acceptable responsible vendor server or security personnel program so as to warrant cancellation of the certification of either the provider or their trainer.

I. Approved Provider Responsible for Acts of Trainers. The program administrator may hold a provider responsible for any act or omission of the provider's program, personnel, trainers, or representatives that violate any law or administrative rule pertaining to approved providers' privileges.

J. Prohibited Conduct. No approved provider or authorized trainer shall:

1. make any false or misleading statement to induce or prevent the program administrator's actions;

2. falsify, alter or otherwise tamper with responsible vendor server or security personnel permits or records;

3. permit a student to refer to any written material or have a discussion with another person during the exam unless the instructor authorizes the student to use an interpreter;

4. permit any student to drink alcoholic beverages or to be under the influence of intoxicants during the course presentation or examination, including breaks;

5. drink alcoholic beverages or be under the influence of intoxicants during the course presentation or examination, including breaks;

6. prohibit, interfere, or fail to assist the program administrator or their designee with scheduling or attendance of on-site observations.

K. Approved Provider and Trainer Advertising and Promotion Standards

1. Approved provider and trainer advertising related to the responsible vendor server and security personnel training courses shall include:

- a. the approved provider's or trainer's telephone number and cancellation policy;
 - b. the total amount of course time that includes instruction, examination and breaks;
 - c. a statement that students shall attend the entire course before taking the examination.
2. Advertising shall not suggest that the state of Louisiana, the program administrator, or any state agency endorses or recommends the approved provider's program to the exclusion of any other program.
 3. Upon request, the approved provider or trainer shall give the program administrator copies of the program publications, brochures, pamphlets, scripts, etc. or any other representation of advertising materials related to the program.
 4. An approved training provider or trainer must have records available to support all advertising claims or representations.

§ 511. Responsible Vendor Program Minimum Course Standards

A. Classroom Instruction

1. Alcoholic Beverage and Tobacco Products Classroom Training—must include at least two hours of classroom instruction, exclusive of breaks and examination time, presented in a continuous block of instruction. Classes shall be limited to no more than one 10-minute break per hour.
2. Tobacco Products—must include at least one hour of classroom instruction, exclusive of breaks and examination time, presented in a continuous block of instruction.

B. Computer Based Instruction

1. Alcoholic Beverage and Tobacco Products Online Training—must include:
 - a. A secure log in and data transfer process to ensure security:
 - i. a unique log in is required for each server or security personnel that only allows that server or security personnel to access course and exam;
 - ii. server or security personnel shall not be able to modify first name and last name on user profile;
 - iii. server or security personnel provides data required by the ATC to issue permits;

- iv. encryption, secure socket layer (SSL) or like, for personal information data transfer between website forms and database;
- b. course and exam access information is provided to server or security personnel via email and/or directly after point of purchase;
- c. online course shall automatically log users out after a minimum of 30 minutes of inactivity. Server or security personnel must be able to start where they left off;
- d. online course shall provide a minimum of two hours of course instruction;
- e. linear navigation requires participant to view all modules in course. Each the screen or module must be completed before proceeding to the next;
- f. servers or security personnel cannot take the exam until the course has been fully completed;
- g. a provider shall take extra measures to ensure to deter fraud and verify the identity of each student. Ways to prevent fraudulent course and test taking shall include, but are not limited to:
 - i. obtaining the log-in and log-off times;
 - ii. discontinuing an examination if it stays idle after a minimum period of 10 minutes of inactivity;
 - iii. asking each student personal identifying questions:
 - a). the server or security personnel must be asked a minimum of ten personal identifying questions before starting the exam;
 - b). server or security personnel must answer correctly a minimum of 5 randomly selected personal validation questions throughout the exam;
- h. exam must be completed in one sitting. If Server or security personnel logs out, server must start over at the beginning of the exam;
- i. the time allotted to take the examination shall not exceed 90 minutes;
- j. if the time limit is exceeded or personal validation questions are answered incorrectly, the exam shall be reset and server must start over at the beginning of the exam;
- k. server or security personnel must enter same exam access information to restart exam after exit;

l. server or security personnel will be allowed two exits from the exam before being locked out. The provider shall take sufficient measures to allow a student to re-access a previously started exam in the case of inadvertent logout;

m. approved providers must rotate the exam questions on a regularly scheduled basis to ensure exam security and validity;

n. the exam must include the 10 required Louisiana responsible vendor questions and then a minimum of 15 questions developed by the provider. The exam provider shall provide a bank from which the provider questions are taken which shall have a minimum of three times the number of items as the number of questions on the exam;

o. a server or security personnel must have adequate access to help desk/customer service during standard business hours to resolve technical issues without delaying the flow of instruction or examination;

p. no provider-based advertisements shall appear during the course of instruction and examination.

C. The approved server or security personnel training course shall be presented in its entirety to each student in a language approved by the program administrator.

D. Each server or security personnel training course must include an examination approved by the program administrator, which is administered by the trainer immediately following the course presentation. Students shall take the examination in writing, unless special circumstances require an oral examination. With the approval of the program administrator, the test may be offered in a language best understood by the student, or bilingual trainers may, in response to direct inquiries, clarify test questions using another language. Each student shall correctly answer at least 70 percent of the examination questions. Students who receive failing scores may be retested once at a time and place to be determined by the trainer. Otherwise, students must repeat the full course for an additional fee.

E. All training facilities shall meet the requirements of the Americans with Disabilities Act (ADA) and shall have adequate lighting, seating, easily accessible restrooms, and comfortable room temperature.

F. At the beginning of each server or security personnel training course, the trainer shall give each student:

1. an enrollment agreement that clearly states the obligations of the trainer and student, refund policies, and procedures to terminate enrollment;

2. a notice that a student must complete the course in order to take the examination;

3. a server training and/or a security personnel training workbook, approved by the program administrator, that is current, complete, and accurate. The workbook shall include an outline of the minimum course curriculum, table of contents, titles, subheadings, and page numbers. Physical specifications must meet the following minimum standards:

a. minimum dimensions of paper size must be 8 1/2 by 11 inches;

b. paper stock, excluding front and back cover, shall be white or near white, and of a quality and weight suitable for reproduction and note-taking with no ink bleed through;

c. type must be a minimum of 11-point in a type style commonly used for textbooks and periodicals;

d. binding must firmly hold the pages together in correct order and be sufficient for use during the course and as a reference;

e. professional printing and typesetting are not required, but reproductions must be clear, readable, and letter quality;

f. for ease of reading and adequate room for note-taking, white space must be a minimum of 30 percent per page with the print or copy to be no more than 70 percent of the page.

g. each student must be provided a copy of the applicable training workbook(s), in either paper or electronic format, that the student retains upon completion of sever and/or security personnel training course.

G. No server or security personnel training class shall include more than 100 students and students that arrive more than 15 minutes after the class begins shall not be admitted.

H. The classroom presentation must be consistent with the approved program.

I. Discussions must be pertinent to responsible beverage alcohol or tobacco sales, service, and consumption.

J. The program administrator or their designee may attend any class or computer-based course to evaluate conformance with the program certified by the program administrator.

K. At least seven days in advance, the approved provider or their authorized trainers shall give written notice to the Office of Alcohol and Tobacco Control of the date, time, and location of all courses scheduled. The Office of Alcohol and Tobacco

Control shall be notified by phone or fax of course cancellations prior to the course date except when cancellation cannot be anticipated, in which case notification shall be within three business days of the scheduled course date.

L. Minimum Course Standards for Alcoholic Beverage and Tobacco Product Server Training Courses. To be certified to issue a server permit, the provider's course of instruction shall include the subject areas specified in R.S. 26:933(C), as well as the following.

1. Introduction:

a. brief review of the law creating the Louisiana Responsible Vendor Program, which shall include when the program was enacted, who is required to participate and how, when it becomes mandatory, nature of permits issued to server, when server permits expire, obligation of server to attend a course every two years, and server renewal procedures;

b. objectives of the Responsible Vendor Program, which shall include education of vendors, servers, and their customers about responsible sales, service, and consumption of alcohol and tobacco; and prevention of the misuse, illegal use, and abuse of alcohol.

2. Alcoholic beverage and tobacco products course:

a. classification of alcohol as a depressant and its effect on the human body, particularly on the ability to drive a motor vehicle:

i. alcohol is a depressant not a stimulant;

ii. how alcohol travels through the body, including how quickly it enters the bloodstream and reaches the brain;

iii. alcohol's effect on a person's ability to drive a motor vehicle, specifically reviewing alcohol's effect on a person's behavior, self-control, and judgment;

iv. outline of Louisiana's driving while intoxicated laws and penalties for violations;

b. effects of alcohol when taken with commonly used prescription and nonprescription drugs:

i. mixing alcohol with other drugs can produce dangerous side effects. It is especially dangerous to drive under the influence of alcohol and other drugs because of the increased impairment due to both;

ii. alcohol and other depressant drugs. Mixing alcohol with other depressants

- dangerously increases the depressant effect on the body;
- iii. alcohol and stimulants. Stimulants do not cancel the intoxication and impairment due to alcohol;
 - iv. alone, many prescription and nonprescription drugs impair the ability to drive a motor vehicle;
 - v. the effects of commonly used prescription and nonprescription drugs;
 - vi. review of the effects of contemporary designer drugs such as GHB and Rohypnol;
- c. absorption rate, as well as the rate at which the human body can dispose of alcohol and how food affects the absorption rate:
- i. rate at which the human body absorbs alcohol;
 - ii. blood alcohol concentration (BAC) and how to estimate a person's BAC. Include drink equivalency guidelines;
 - iii. how the human body disposes of alcohol;
 - iv. the effect of food on the absorption rate;
 - v. time is the only real factor that reduces intoxication;
- d. methods of identifying and dealing with underage and intoxicated persons, including strategies for delaying and denying sales and service to intoxicated and underage persons:
- i. procedures and methods for detecting false identification;
 - ii. procedures and methods for denying service or entry to underage persons;
 - iii. procedures and methods for identifying intoxicated persons including behavioral warning signs and other signs of impairment;
 - iv. procedures and methods for preventing over intoxication;
 - v. procedures and methods for terminating service to intoxicated persons;
- e. state laws and regulations regarding the sales and service of alcoholic beverages for consumption on or off premises:
- i. legal forms of identification in Louisiana;
 - ii. legal age to purchase, possess, and consume alcohol and penalties for violation;

- iii. legal age to enter licensed premises and penalties for violation;
- iv. legal age to be employed by a vendor and penalties for violation;
- v. acts prohibited on licensed premises and penalties for violation;
- f. parish and municipal ordinances and regulations that affect the sale and service of alcoholic beverages for consumption on or off the licensed premises. These provisions will depend on the jurisdiction of the servers attending the class and may vary according to the parish and municipality:
 - i. legal hours of operation and Sunday sales;
 - ii. noise, litter, and zoning;
 - iii. leaving premises with alcohol;
 - iv. preemption of parish and municipal server training courses;
 - v. parish or municipal server licensing requirements;
 - vi. other relevant regulations;
- g. state and federal laws and regulations related to the lawful age to purchase tobacco products and age verification requirements:
 - i. state and federal legal purchasing age;
 - ii. federal age verification requirements;
 - iii. state and federal laws and regulations related to vending machines;
 - iv. state laws related to sign posting requirements;
 - v. state laws related to minimum packaging requirements.

3. Tobacco Products Course

- a. Outline and review of all relevant changes to local, state, and federal laws, rules and regulations affecting the retail operation of tobacco businesses. With regard to local laws, rules and regulations, each approved provider shall determine the changes for each jurisdiction in which it offers Tobacco courses and submit their local tobacco curriculum to the program administrator for approval;
- b. state and federal laws and regulations related to the lawful age to purchase tobacco products and age verification requirements:

- i. state and federal legal purchasing age;
- ii. federal age verification requirements;
- iii. state and federal laws and regulations related to vending machines;
- iv. state laws related to sign posting requirements;
- v. state laws related to minimum packaging requirements;
- c. state laws and regulation regarding the sales and service of tobacco products:
 - i. legal form of identification in Louisiana;
 - ii. procedures and methods for detecting false identification;
- d. guidelines for prevention of tobacco use and addiction:
 - i. health risks;
 - ii. addiction problems with adolescents;
 - iii. health effects of smoking among young people;
- e. what you should know about tobacco:
 - i. tobacco and athletic performance;
 - ii. tobacco and personal appearance;
- f. state laws and regulations regarding the sales and service of the Louisiana Lottery Corporation Law:
 - i. a review of the Louisiana Lottery Corporation Law, which shall include when it was established;
 - ii. legal age to purchase a lottery ticket and penalties for violation;
 - iii. legal age to claim a lottery ticket;
 - iv. legal age to sell lottery ticket;
 - v. advertisement;
- g. parish and municipal ordinances and regulations that affect the sale and service of tobacco products. These provisions will depend on the jurisdiction of the servers attending the class and may vary according to the parish and municipality.

M. Minimum Course Standards for Security Personnel Training Courses. To be certified to issue a server permit for security personnel, the provider's course of instruction shall include the subject areas specified in R.S. 26:933(C) and (D) and the minimum course standards specified on subsection L of these regulations as well as the following:

1. A description of the role and duties of security personnel that includes the responsibility to monitor the entrance and other areas of an establishment for purposes of identifying underage and intoxicated persons; to enforce the establishment's rules; and to otherwise provide security for the establishment and its customers.

2. A review of the skills that make security personnel more effective including communication skills, self-control, posture, confidence, physical fitness and knowledge of certain laws.

3. Techniques to identify and handle disruptive customers and customer altercations including but not limited to:

a. description of common types of disturbances;

b. techniques to identify and manage potentially disruptive customers;

c. proper procedures to employ when removing a disruptive customer from the premises including common mistakes to avoid; and

d. identification and description of the types of resistance security personnel may encounter when dealing with disruptive customers.

4. Description and review of proper restraint techniques and when to use such techniques including the following:

a. description and review of "positional asphyxia" including techniques to manage "positional asphyxia"; and

b. description and review of "excited delirium" including techniques to manage "excited delirium."

5. Identification and review of state laws related to the duties and responsibilities of security personnel including:

a. simple, second degree and aggravated battery;

b. simple and aggravated assault;

- c. false imprisonment;
- d. simple and aggravated criminal damage to property;
- e. entry on or remaining in places or on land after being forbidden;
- f. simple, second degree and armed robbery; and
- g. disturbing the peace.

N. Minimum Standards and Certification for an Abbreviated Renewal Course

1. To be certified to conduct abbreviated renewal server training courses, the approved provider's course of instruction shall include the following.

a. An Outline and Review of All Relevant Changes to Local, State, and Federal Laws, Rules and Regulations Affecting the Retail Operation of Alcohol Beverage and or Tobacco Businesses. With regard to local laws, rules and regulations, each approved provider shall determine the changes for each jurisdiction in which it offers abbreviated renewal courses and submit their local renewal course curriculum to the program administrator for approval.

b. Statistics Related to Drunk Driving Arrests, Accidents and Fatalities in Louisiana. The approved provider shall incorporate the statistics into their abbreviated renewal course curriculum in the same form and content that it is provided by the program administrator and compiled from the most current annual report of the Louisiana Highway Safety Commission or National Highway Traffic Safety Administration.

c. Techniques to Prevent Persons Suspected of Being Intoxicated from Operating Motor Vehicles.

d. Any Other Information Relevant to the Prevention of Drunk Driving.

e. Information Concerning Societal and Health Concerns Related to the Use of Tobacco Products.

2. All abbreviated renewal course program content and method of presentation shall be approved by the Program Administrator prior to conducting any abbreviated renewal server training courses.

3. All abbreviated renewal server training courses shall include at least one hour of classroom instruction exclusive of breaks and examination time, and shall be presented in a continuous block of time.

4. Each abbreviated renewal server training course shall include an examination

approved by the program administrator.

5. Prior to teaching an abbreviated renewal server training course, the trainer must receive proof of prior training from the server. This proof may consist of a server permit not having expired for longer than one year, or any other proof deemed valid by the discretion of the trainer.

6. Unless otherwise provided for in this Subsection, all other regulations applicable to regular server training courses shall apply to renewal server training courses.

CHAPTER 7. LIVE ENTERTAINMENT

§ 701. Prohibited Acts

A. Notwithstanding any provisions of R.S. 26:90(D) and (E) and R.S. 26:286(D) and (E) to the contrary, live entertainment shall be permitted on any licensed premises except that no permittee shall permit any person to perform acts of or act which permit or simulate:

1. sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law;
2. the touching, caressing or fondling of the breasts, buttocks, anus or genitals;
3. the displaying of the pubic hair, anus, vulva or genitals.

B. Such live entertainers whose breasts or buttocks are exposed to view shall perform only upon a movable or immovable stage at least 18 inches above the immediate floor level. Any provisions of R.S. 26:90 and R.S. 26:286 to the contrary are hereby suspended.