

INSTRUCTIONS FOR ALCOHOL DELIVERY PERMIT BY RESTAURANT LICENSEE

The non-refundable application fee of \$300.00, must be enclosed with a current copy of the Food Permit, in the Applicants name, or the application will be returned. **Keep a copy of the complete application packet for your records.** Checklist, located on last page, is used by ABC when submitted.

In obtaining a Permit for the Delivery of Alcoholic Beverages with the sale of Food, Restaurant Licensee agrees to the following:

- Sale and Delivery of alcoholic beverages will only be made if the minimum \$10.00 food purchase has been met.
- Under no circumstances shall delivery be more than 750 milliliters of wine; OR six (6) 12-ounce pre-packaged containers of wine or beer; OR one locally produced growler; OR one (1) howler of a cocktail containing no more than 4.5 ounces of spirituous liquors. A howler is a clean, refillable, resealable container, that has a liquid capacity not exceeding 32 fluid ounces. All howlers used for delivery must contain the DBA of the Licensee, etched onto it or be accompanied with the receipt secured to it.
- Delivery of alcoholic beverages shall only be made by an Employee who is at least twenty-one years of age, holds a valid server permit and holds a current/valid driver's license.
- An alcoholic beverage delivery permit is not transferable from person to person or from one location to another.
- Records for delivery purchases and age verification will be made available for inspection or audit, upon request.
- I understand that the Delivery Permit can be suspended or revoked if the Division finds that the establishment does not meet the eligibility requirements.

Requirements and Restrictions:

1. Alcoholic beverages delivered only in unbroken packages or growlers.
2. Payment received at the licensed premises only.
3. Price charged to deliver alcoholic beverage must not change from on premise charge; provided that a separate delivery fee may be imposed, and shall be disclosed to the customer at time of purchase.
4. Delivery sales and service of alcoholic beverages are the same as the hours of operation for the sale and service of food and alcoholic beverages at the licensed premises.
5. Shall not deliver an alcoholic beverage to a business, a commercial establishment, a college or university campus or a school campus that is not a home school.
6. Age verification shall be made at the Point of Sale and at time of Delivery of alcoholic beverages.
7. Delivery shall not be made to an intoxicated person or to a Minor.
8. While delivering alcoholic beverages, delivery permittee shall have in their possession, only alcoholic beverages that have been purchased for delivery.
9. While delivering alcoholic beverages, delivery permittee shall have in their possession, the original or an electronic or physical copy of the Permittee's Alcoholic Beverage Delivery Permit.
10. Delivery shall only be made to a person, 21 years of age or older and if unable, the delivery must be returned to the Establishment, and under no circumstance will delivery be left unattended. If for any reason, a delivery cannot be completed, the alcoholic beverages must be returned to the licensee, and the customer shall be refunded for the payment.
11. Liability for Violations: the Licensee, the ABC Licensed Third-Party Delivery Service and the Server delivering the alcohol may be separately liable for violations of the Liquor Control Act, including the delivery of alcohol to an intoxicated person or to a Minor.
12. 60-6A-37 (2) Liquor liability endorsement required of this section is in an amount of not less than five million dollars (\$5,000,000).

***To renew your delivery permit, submit a new application with the required documents prior to the expiration date and include a copy of your permit.**





ALCOHOLIC BEVERAGE DELIVERY PERMIT APPLICATION BY RESTAURANT

Annual Permit: 1 year term: November 1st – October 31st | \$300.00 application fee, non-refundable
ABC USE ONLY Master Liquor License No. _____ Application /Permit No. _____

Type of Permit: Check the box.

- Restaurant A | Beer & Wine only
- Restaurant A + New Mexico Produced Spirits (Beer, Wine & only NM Spirits)
- Restaurant B | Beer, Wine, and Spirits

I am a qualified Applicant, and have included the Application Fee of \$ _____

Licensee/Owner Name: _____

Doing Business As: _____

Current Restaurant License Number: _____ Expiration date: _____

Is food service the primary revenue and accounts for 60% or more of the total gross receipts at the licensed premises? Yes No

Current Food Service Permit? Yes, attached No

I have included a copy of the Liquor Liability endorsement in an amount of not less than five million dollars (\$5,000,000.00) Yes, attached No

Mailing Address: _____

Physical Address: _____

Contact Person: _____

Phone: _____ Cell: _____ E-Mail: _____

I, the undersigned, swear that I am authorized to obtain this permit and that the information on this application form is true and correct, to the best of my knowledge. **I also attest to understanding the following:**

- Sale and Delivery of alcoholic beverages will only be made if the minimum \$10.00 food purchase has been met.
- Under no circumstances shall delivery be more than 750 milliliters of wine; OR six (6) 12-ounce pre-packaged containers of wine or beer; OR one locally produced growler; OR one (1) howler of a cocktail containing no more than 4.5 ounces of spirituous liquors. A howler is a clean, refillable, resealable container, that has a liquid capacity not exceeding 32 fluid ounces. All howlers used for delivery must contain the DBA of the Licensee, etched onto it or be accompanied with the receipt secured to it.
- Delivery of alcoholic beverages shall only be made by an Employee who is at least twenty-one years of age, holds a valid server permit and holds a current/valid driver's license.
- An alcoholic beverage delivery permit is not transferable from person to person or from one location to another.
- Records for delivery purchases and age verification will be made available for inspection or audit, upon request.
- I understand that the Delivery Permit can be suspended or revoked if the Division finds that the establishment does not meet the eligibility requirements.



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You must sign before a Notary Public.

Print Name: _____ Title: _____

Authorized Signature: _____ Date: _____

NOTARY PUBLIC USE ONLY: (State of _____, County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20_____

By Affiant: _____

Notary Public: _____

My Commission Expires: _____

SEAL

ABC USE ONLY: Payment | \$ _____ Received on: _____ Receipt No. _____

APPROVED DISAPPROVED , _____

ASSIGNED PERMIT NO. _____ EXPIRES ON: _____

Renewal of Permit No. _____ Expires on: _____

Reviewed, with copy sent to Licensee via Email, Fax, 1st class mail by: _____

Done this _____ Day of _____, 20_____
Alcoholic Beverage Control Division | 2550 Cerrillos Road | P.O. Box 25101
Santa Fe, NM 87504 | (505) 476-4875 | rld.nm.gov/abc



Received 2/2024

ALCOHOL DELIVERY PERMIT FOR RESTAURANT CHECKLIST

Final: Assigned PERMIT No. _____

Filed on: _____ Assigned to Hearing Officer on: _____ Application/permit # _____

Applicant Name: _____

DBA Name: _____

Mailing Address: _____

Contact Person/Agent: _____ Phone: _____ Email: _____

Page 1 complete Yes No _____

\$300.00 Application fee submitted Yes No _____

Current Food Permit, in Applicant's name Yes No _____

Liquor liability endorsement required of this section is in an amount of not less than five million dollars (\$5,000,000) Yes No _____

Master License No.: _____ Expiration date: _____

HOLDS? Yes No Type / Reason: _____

***To renew your delivery permit, submit a new application with the required documents prior to the expiration date and include a copy of your permit.**

