

June 25, 2015

Mark Sindicich  
Victors of York LLC  
554 South Ogontz Street  
York, PA 17403  
**VIA E-MAIL:** [msindicich@comcast.net](mailto:msindicich@comcast.net)

**RE: Restaurant Licensee and Transporter-for-Hire Licensee**

Dear Mr. Sindicich:

ISSUE: This office is in receipt of your e-mail dated June 2, 2015, wherein you ask if a prohibition exists against involvement with a retail liquor license and a transporter-for-hire license. You indicate that you are a majority shareholder in an entity that holds a restaurant liquor license, and a minority shareholder in an entity that is considering applying for a transporter-for-hire license. You would like to know if your involvement with the restaurant liquor license would pose a conflict for the application for the transporter-for-hire license.

Pennsylvania Liquor Control Board (“Board”) records indicate that Victors of York LLC (“Victors”) holds Restaurant Liquor License No. R-18939 (LID 57470) for use by it at premises located at 554 South Ogontz Street, York, Pennsylvania. Board records further reflect that you are a Board-approved member of Victors.

OPINION: There is nothing in the Liquor Code that prohibits a restaurant licensee from applying for or holding a transporter-for-hire license. However, be advised that it is the Board’s Bureau of Licensing (“Licensing”) initially, and the three (3)-member Board ultimately, that decides whether to grant a particular license application.

Please note that recently published additional information concerning transporter-for-hire licenses as they relate to retail licensees can be found on the Board’s website, [www.lcb.state.pa.us](http://www.lcb.state.pa.us), by placing your cursor over the link for “Legal”

located at the top of the main page, selecting the link for “Advisory Notices” and then selecting “Advisory Notice No. 22 Transporter-for-Hire Licenses.”

Please do not hesitate to contact this office should you have additional questions.

THIS OPINION APPLIES ONLY TO THE FACTUAL SITUATION DESCRIBED HEREIN AND DOES NOT INSULATE THE LICENSEE OR OTHERS FROM CONSEQUENCES OF CONDUCT OCCURRING PRIOR TO ITS ISSUANCE. THE PROPRIETY OF THE PROPOSED CONDUCT HAS BEEN ADDRESSED ONLY UNDER THE LIQUOR CODE AND REGULATIONS. THE LAWS AND POLICIES ON WHICH THIS OPINION IS BASED ARE SUBJECT TO CHANGE BY THE LEGISLATURE OR THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Very truly yours,

FAITH S. DIEHL  
CHIEF COUNSEL

cc: Pennsylvania State Police, Bureau of Liquor Control Enforcement  
Jerry W. Waters, Director, Office of Regulatory Affairs  
Tisha Albert, Director, Bureau of Licensing  
Jeffrey Lawrence, Assistant Director, Bureau of Licensing

LCB Advisory Opinion No. 15-262