

October 3, 2016

Cynthia Bloomfield
Bowser Regal, Inc.
dba Regal Service Co.
6202 Shortman Road
Ripley, NY 14775
VIA E-MAIL

RE: Transporting Alcohol

Dear Ms. Bloomfield:

ISSUE: This is in response to your e-mail of July 19, 2016, wherein you provide your licensing information and the privileges of your transporter-for-hire license. You inquire if a special hauling permit is required to pick up liquor outside of Pennsylvania and travel through the state.

Records of the Pennsylvania Liquor Control Board (“PLCB”) indicate that Bowser Regal, Inc., holds Transporter-for-Hire, Class B License No. IB-4308 (LID 68635).

OPINION: As per the PLCB’s Regulations, the transportation of liquor, malt or brewed beverages, or alcohol through this Commonwealth commercially and not for delivery therein must comply with the following:

- (i) The operator of the vehicle shall have in his possession at all times while in this Commonwealth, an invoice and a bill of lading or waybill (showing the brand name, size and number of containers of liquor, malt or brewed beverages or alcohol so transported), which shall be produced for inspection upon the request of an authorized police or enforcement officer of this Commonwealth.

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- (ii) The cargo must remain intact and upon the same vehicle or conveyance while in this Commonwealth, unless prevented by an accident or other similarly uncontrollable circumstance.

40 Pa. Code § 9.11(b)(5).

In regard to the transportation of alcohol within other states, it is advisable to contact the appropriate authorities to ascertain any applicable regulations.

Should you have any other questions and/or issues related to the Liquor Code or the PLCB's Regulations, please feel free to once again contact this office.

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.

Sincerely,



RODRIGO J. DIAZ
CHIEF COUNSEL

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

LCB Advisory Opinion No. 16-395