



## COLORADO

### Department of Revenue

Enforcement Division – Liquor & Tobacco

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## BULLETIN 20-12

### **REFERENCE: Clarification on Executive Order D 2020-142 and Prohibition of Service and Consumption of Alcohol Beverages in Motor Vehicles.**

DATE: JULY 22, 2020

#### **Executive Order No. D 2020-142**

While the Liquor industry has been diligently working towards slowing the spread of COVID-19, the recent spike in confirmed cases has precipitated new restrictions from Governor Polis through Executive Order D [2020-142](#).

The Liquor Enforcement Division (LED) is releasing this bulletin to clarify the requirements of Governor Polis' Executive Order D 2020-142. Pursuant to this Executive Order, all alcohol sales to end consumers must cease by 10:00 p.m., nightly.

This Executive Order applies to *all* licensees who are licensed under Article(s) 3, 4, and/or 5 of Title 44. However, it is important to note that the prohibition on sales after 10:00 p.m. applies to retail sales to consumers for consumption on or off the licensed premises (i.e. retail licensees cannot sell drinks for consumption—even through take-out or delivery— past 10:00 p.m.). This prohibition also includes alcohol beverage sales to consumers at permitted special events.

Manufacturers and wholesalers are *not* prohibited from conducting sales to their business licensees at this time, but they may not sell alcohol beverages to end consumers at an approved sales room past the 10:00 p.m. cut-off. For example, a manufacturer of vinous liquor, licensed under 44-3-402, may sell alcohol beverage product to a wholesale licensee after 10 p.m., but may *not* sell its product to a consumer in its licensed sales room for on or off premises consumption.

The Division reserves the right to amend or withdraw industry bulletins at any time, but will try to give as much forewarning as possible prior to such amendment or withdrawal.

#### **Service to and Consumption in Motor Vehicles Prohibited**

LED would also like to clarify that possession of open containers and/or consumption of alcohol beverages in motor vehicles, even if stationary, is prohibited under Colorado law (42-4-1305, C.R.S.). Therefore, service of open containers to motor vehicles, even if the vehicle is parked on the licensed premises, is not allowed.

Please do not hesitate to reach out to LED at: [dor\\_led@state.co.us](mailto:dor_led@state.co.us), if you have any questions regarding this bulletin and we thank you for your continued diligence and partnership as we all work together to keep ourselves and our neighbors safe.