

Bureau of Alcoholic Beverages and Lottery Operations



MAINE LIQUOR LAWS

**Quick Reference Guide for Liquor Licensees,
Agents, and Employees**

Spring 2025

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LICENSE RENEWAL

Liquor licenses are issued for a period of one year and are not valid until you receive a copy of your new license via e-mail.

All applications must be submitted through the Bureau's new online system, BELLS, which launched in October 2024: <https://alcohol.maine.gov>

Please allow up to 30 days for processing. Be sure to answer all questions completely and include any required diagrams or documents.

On-premises licenses require annual municipal approval. Submit your application on BELLS 60-90 days before your license expires to allow time for local review. You may have additional steps to complete with your municipality before approval so make sure to contact them after submitting.



Scan above to access BELLS



Scan above for
BELLS tutorials

TERMINATION OF LICENSE

28-A M.R.S. §605

Please notify the Bureau if you are going out of business by e-mailing us at alcohol@maine.gov. Liquor Licenses are not transferrable. A new owner must create an account on BELLS, search for the license they are taking over, and select "Transfer" to initiate a new license application.

HOURS FOR THE SALE OF LIQUOR

28-A M.R.S. §4

- Liquor sales and service may begin at 5:00 a.m. and must end by 1:00 a.m. the following day.
- On New Year's Eve, service may continue until 2:00 a.m., with consumption allowed until 2:15 a.m.
- Licensees may not allow possession or consumption of liquor after 1:15 a.m. (2:15 a.m. on New Year's Eve).

To verify whether you can sell on Sundays, check your municipality's local option votes at:

<https://www.maine.gov/dafs/bablo/liquor-licensing/local-option-votes>

LEGAL AGE TO PURCHASE, POSSESS, OR CONSUME LIQUOR OR IMITATION LIQUOR

28-A M.R.S. §705

The legal age to purchase, possess, or consume liquor or imitation liquor in Maine is **21**.

Exceptions:

- When the minor is in a private home with their parent present
- When the minor is acting within the scope of employment permitted by law

AGE REQUIREMENT FOR IDENTIFICATION

28-A M.R.S. §706

Licensees and their employees may not sell, furnish, give, or deliver liquor or imitation liquor to any person under **27** years of age unless they verify that the individual is at least 21 using reliable photographic identification that includes the person's date of birth.

AGE OF EMPLOYEES

28-A M.R.S. §§704, 1202; Rules 102.3(A) and 103.4

21+ May serve and sell liquor without supervision.

17–20 Years Old May serve and sell liquor only in the presence of another employee who is at least 21 years old and acting in a supervisory capacity.

15–16 Years Old May indirectly handle liquor but may not make sales. Permitted duties include stocking coolers, bagging, bussing tables, carrying, and moving liquor.

14 Years Old May bus tables only.

MINORS

28-A M.R.S. §§1061, 1065, 1066-A, 705

A minor is any person **under the age of 21**.

The following types of licensed establishments may **not allow minors on the premises**, unless one of the listed exceptions applies:

- Class A Lounges
- Hotel Lounges
- Taverns

Exceptions:

- The minor is accompanied by a **parent or legal guardian**.
- The minor is **employed by the premises** and is actively working.
- The premises is **closed to the sale of liquor** for a specific time period.

PROHIBITED PRACTICES

28-A M.R.S. §709

It is unlawful to:

1. Offer or deliver any free liquor to any person or group of persons.
2. Deliver more than 4½ ounces of spirits over 15% ABV, or over 1 liter (33.8 ounces) of wine or beer to one person at one time.
3. Sell, offer to sell, or deliver an unlimited number of drinks for a fixed price, except at private functions not open to the public.
4. Encourage or permit any game or contest involving drinking or the awarding of drinks as prizes.
5. Engage in any other practice that is intended to encourage customers to drink to excess.

VISIBLY INTOXICATED PERSONS

28-A M.R.S. §§705, 2503

“Intoxication” means substantial impairment of a person’s mental or physical faculties due to liquor or drug use.

“Visibly intoxicated” means intoxication that is clearly demonstrated through observable acts, behaviors, or appearance.

It is unlawful to:

- Sell, serve, or furnish liquor to a visibly intoxicated person.
- Allow a visibly intoxicated person to possess or consume liquor.
- Allow a visibly intoxicated person to remain on the licensed premises.

DISCOUNTS & CREDIT

28-A M.R.S. §§7, 705, 708

It is unlawful to:

- Offer any free merchandise, rebate, or gift that is contingent on the purchase of liquor.
- Extend credit for the purchase of liquor. (*Tabs* may be used for the current day only.)
- Allow a person to buy liquor and pay for it later.
- Exchange anything of value other than money for liquor.

PERMITTED PRACTICES

28-A M.R.S. §§709, 1051, 1056

The following practices **are allowed** under Maine law:

- Offer free food or entertainment.
- Increase drink prices during entertainment.
- Include a drink as part of a meal or event package.
- Offer discounted drinks at a private function.
- Charge different drink prices in separate rooms.
- Hold happy hours; but advertising is limited (e.g., “2-for-1” is prohibited).
- Provide room service with liquor (for Hotels and Bed & Breakfasts).
- Sell mocktails containing no alcohol.
- Sell cocktails to go, with prior approval, only with a qualifying meal.
- Sell or deliver wine, malt beverages, or mixed drinks by the bottle, carafe, or pitcher when sold with a meal or to more than one person.
- Conduct taste testing events with a permit.
- Offer off-site catering with a permit.
- Charge a corkage fee for wine brought by a customer, up to \$100 per bottle.

FOOD SALE REQUIREMENTS

28-A M.R.S. §§1061–1063, 1065–1066, 1073, 1075–1077

Most licensed on-premises establishments are required to generate at least 10% of their gross annual income from the sale of food. Licensees with a food requirement must maintain a minimum food inventory equal to \$2.00 per seat.

The following license types are **exempt** from the food sales requirement:

- Auditorium
- Performing Arts Center
- Class A Lounge
- Club
- Curling Center
- Disc Golf Course
- Golf Course
- Hotel (Class 1A – Food Optional)
- Indoor Golf Center
- Outdoor Golf Center
- Pool Hall
- Indoor Skating Center
- Indoor Racquet Center
- Stadium
- Tavern
- Vessels

Establishments with 40 or more seats must have at least two restrooms.

IMITATION LIQUOR

28-A M.R.S. §705

“Imitation liquor” refers to any product containing less than 0.5% alcohol by volume that is designed to imitate liquor by appearance, taste, smell, or presentation, or that gives the impression it contains alcohol.

Examples include, but are not limited to:

- Budweiser Zero
- O’Doul’s
- Heineken 00
- Athletic Brewing Co. products

New brands of non-alcoholic or very low-alcohol beverages are introduced regularly. If the packaging or presentation could reasonably lead someone to believe it contains alcohol, you should treat it as imitation liquor.

MOCKTAILS

Mocktails (non-alcoholic beverages designed to resemble cocktails) may be legally prepared and sold at on-premises establishments.

Please keep in mind that some patrons ordering mocktails may be working to manage substance or alcohol use disorders. To avoid confusion, develop a consistent method for clearly distinguishing mocktails from alcoholic drinks.

Suggested techniques include:

- Serving in different styles of glassware
- Using a specific straw color designated for mocktails
- Adding a distinct garnish or other visual marker

AFFIDAVIT REQUIREMENT

28-A M.R.S. §703-A

Retail licensees must require all applicants for employment to complete and sign an affidavit stating:

- They have not been convicted within the past 2 years of a first offense for:
 - Selling liquor without a license, or
 - Selling liquor to a minor or allowing a minor to possess or consume liquor
- And they have not been convicted within the past 5 years of a second offense of either violation.



Scan above for a copy

A copy of the affidavit is available at: https://www.maine.gov/future/sites/maine.gov.dafs.bablo/files/pdfs/BABLO_PDFS/Section_6/Employee%20Affidavit.pdf

LICENSEE RESPONSIBILITIES

- The licensee must provide the affidavit to each applicant.
- The licensee must witness the signing of the affidavit.
- The signed affidavit must be kept on file and made available to a Liquor Inspector upon request.
- If an applicant refuses to sign or admits to a disqualifying conviction, they may not be hired in a role that involves serving, selling, or furnishing liquor.
- Business owners are exempt from this requirement.

MAINE LIQUOR LIABILITY ACT

28-A M.R.S. §2501

- The purpose of the Maine Liquor Liability Act is to:
- Help prevent intoxication-related deaths, injuries, and property damage;
 - Promote responsible alcohol service; and
 - Provide a way for injured parties to seek compensation.

If a person causes injury, death, or damage as a result of intoxication, the injured party may bring a civil lawsuit against those who served or provided the alcohol that caused the intoxication.

- The suit must be filed within two years.
- There is a \$350,000 limit on damages, not including medical expenses, per responsible party.
- The owner, manager, bartender, or server may all be held liable.

To read the full statute visit: <https://legislature.maine.gov/statutes/28-A/title28-Ach100.pdf>

OTHER LICENSES AND PERMITS

Rule 101.1

All liquor licensees must maintain current licenses and permits required by the State of Maine and their municipality. Because liquor is a consumable product, a Health or Agriculture license is also required to sell alcohol.

Below are common additional license requirements and contacts:

- Eating Place License (Health Inspection Program)207-287-5671
- Food and Fuel License (DACF)207-287-3841
- Resale Certificate (Maine Revenue Services)207-624-9693
- Corporate Registration (Secretary of State)207-624-7752
- Tobacco Retail License (Health Inspection Program)207-287-5671
- Dance License (State Fire Marshal)207-626-3880
- Federal Employer ID Number/EIN (IRS)800-937-8864
- Seafood License (Department of Marine Resources)207-624-6550

IDENTIFICATION CARDS

28-A M.R.S. §706

A licensee may refuse to serve liquor to any person who does not present acceptable identification upon request. Acceptable forms of ID include:

- A current driver's license or state-issued ID (with photo)
- A U.S. or foreign passport
- A passport card
- A military ID
- A tribal ID issued by a federally recognized tribe in Maine

Unacceptable forms of ID include:

- School ID
- Car registration
- Utility bills
- Birth certificate

ID VERIFICATION REQUIREMENTS

It is the licensee's legal responsibility to verify the age of anyone attempting to purchase or consume alcohol.

- You must check ID if the person appears to be under 27 years old.
- Approximately 80% of fake or misused IDs are legitimate cards being used by someone other than the rightful owner.
- Train staff to recognize signs of false or borrowed IDs and check closely for mismatched details.

RETAINING FALSE OR FRAUDULENT IDS

28-A M.R.S. §2516

Licensees may retain an ID card temporarily if they believe it may be false or used fraudulently, for the purpose of verifying the person's age.

- You must inform the individual why the ID is being retained.
- Once retained, the ID must be turned over to local law enforcement or a Liquor Inspector.

To report or submit a retained ID contact the Division at 207-624-7220 or email alcohol@maine.gov

COCKTAILS TO GO

28-A M.R.S. §1056

On-premises licensees may sell malt liquor, wine, and spirits-based cocktails for off-premises consumption if:

- The licensee has been approved by applying for a secondary license on BELLS. From the licensing dashboard, click your license number and select add/remove secondary license.
- Each sale includes a qualifying food order (e.g., sandwich, pizza, salad).
Snack foods alone do not qualify.

COCKTAIL REQUIREMENTS

- Must be prepared on the day of sale by an employee age 21+ (or 17–20 under supervision).
- May contain no more than 4.5 oz. of spirits.
- Must be sealed in a tamper-evident, rigid container with:
 - Licensee's name and license number
 - Date and time of preparation
 - Ingredients

SALES & DELIVERY

A receipt with timestamp must be included. Delivery is allowed if the recipient is age-verified and not visibly intoxicated.

OFF-SITE CATERING

28-A M.R.S. §1052

Licensed on-premises establishments may serve alcohol at off-site events with a Catering Event Permit and municipal approval. Eligible license types include:

- Restaurant
- Class A Restaurant
- Class A Restaurant/Lounge
- Class A Lounge
- Hotel
- Bed and Breakfast
- Golf Course
- Auditorium
- Civic Auditorium
- Performing Arts Center

These licensees may cater for **private events** or for **non-profit** or civic organizations, such as towns. All other liquor licenses are restricted to the premises approved during licensing. No licensee may serve or transport liquor off-site without a permit.

PERMIT REQUIREMENTS

- A Catering Event Permit must be obtained through BELLS.
- Each event requires approval from the municipality where it will take place. BELLS forwards applications to the municipality but you may have additional steps to complete with the municipality before approval so make sure to contact them after submitting.

QUALIFIED CATERERS

Qualified Catering Services may cater any type of event, but must still obtain permit approval for each one.

LIQUOR PURCHASES

28-A M.R.S. §606; Rule 101.15

All licensees must purchase beer, cider, wine, and low-alcohol spirits from either a licensed Maine Wholesaler or a licensed self-distributing Small Maine Brewery or Winery. Liquor may not be purchased at a retail store for resale.

On-premises licensees with spirits privileges must purchase spirits through an Agency Liquor Store holding a Reselling Agent license. To find a list of active wholesalers, manufacturers, and reselling agents use the advanced search function on BELLS and filter by license type:

<https://alcohol.maine.gov/prod/webui/#/search/1752120>

All liquor must be paid for at or before delivery.

ADVERTISING

28-A M.R.S. §710; Rules 107 & 115

Licensees may display up to five exterior signs advertising liquor for sale. Signs may not be lighted during prohibited sales hours, except for wholesalers. All liquor advertising in newspapers, flyers, radio, TV, or billboards requires prior approval from the Bureau.

WHOLESALE INCENTIVES

28-A M.R.S. §707

Wholesalers and suppliers can give retailers items of value, including promotional materials, as long as the total value doesn't exceed \$300 per licensee each calendar year. Cash and gift cards are prohibited. This amount will be raised to \$750 on January 1, 2026.

Wholesalers and suppliers may not offer gifts, discounts, or other incentives to influence a retailer's purchasing decisions. Similarly, retailers may not accept anything of value in return for promoting or excluding specific brands or products.

RECORDS

28-A M.R.S. §751

All licensees must keep liquor purchase records from all sources for at least two years from the date of purchase.

- These records must be kept separate from other business transactions.
- Licensees must also keep sales records for the same period.

RIGHT TO INSPECT

28-A M.R.S. §§12, 754

Inspectors from BABLO have the legal right to:

- Inspect all books and records
- Enter and inspect the entire licensed premises without notice

IMPROPER OR ILLEGAL CONDUCT

Rule 101.13

Licensees and their staff must not allow the following on the licensed premises:

- Disorderly conduct, illegal activity, or disturbances
- Lewd, immoral, profane, or obscene behavior, language, music, literature, images, or advertisements
- Distribution of any such materials in print or digital form

FRATERNAL/SOCIAL CLUB LICENSES

Rule 102; 28-A M.R.S. §1072

Maine has two types of club licenses:

- Clubs with Catering Privileges
- Clubs without Catering

A “club” is a group of individuals that is incorporated and operates for social, recreational, patriotic, or fraternal purposes, not for profit.

MEMBERSHIP REGISTER

Every club must keep a register with the name, identity, and address of each member. This register must be available for inspection by BABLO or law enforcement at any reasonable time.

SALES RESTRICTIONS

- Clubs may only sell liquor to club members and their accompanied guests.
- Liquor may not be sold during events that are not exclusive to the club, unless an exception applies.
- Nonmembers may only be served if they are accompanied at all times by the member who brought them in.

Exceptions:

Clubs with Catering Privileges may serve nonmembers at prearranged events.

- Tickets must be sold in advance
- Tickets cannot be sold at the door.
- The event may be advertised publicly, but access must be limited to pre-sold ticket holders.
- Arrangements are made at least 24 hours before the function.
- Time limits are set for liquor service during the event.
- A written record is kept including: The time the event was booked, the name of the person or organization booking the event, and the approximate number of attendees.

BREWERIES, WINERIES, & DISTILLERIES

28-A M.R.S. §§708, 1052, 1355-A

TASTING ROOMS

Breweries may have one attached tasting room. Wineries and distilleries may have one attached and two detached tasting rooms. Tasting rooms may serve only products produced at the facility they are associated with. Samples may be free or sold, and full pours are allowed.

DISTRIBUTION

Small Maine Breweries or Wineries may sell directly to retailers (self-distribution) or sell their products to a Maine Wholesaler

CHAPTER 43 ON-PREMISES LICENSES

In-state manufacturers can hold up to three on-premises retail licenses. If they hold two or more manufacturing licenses and collectively produce over 1,000 barrels of liquor per year, they may hold up to six. These retail licenses allow additional privileges, such as selling products from other suppliers and obtaining catering event permits.

BEER FESTIVALS / SPECIAL TASTINGS

Manufacturers may participate in up to 10 special taste-testing events per year, such as beer or wine festivals, with Bureau approval.

DONATIONS TO CHARITABLE EVENTS

28-A M.R.S. §708

Manufacturers and suppliers may donate or discount alcohol for on-premises charitable events that benefit a municipality, an incorporated civic organization, or a recognized 501(c)(3) nonprofit

- Spirits must be listed for sale in Maine and labeled as donations.
- Donors and event hosts must keep records of all products given or received, including values, dates, and the organization benefitted.
- Excise taxes must be paid.
- After the event any leftover product must be returned to the donor.
- Donated containers must be recycled and not redeemed for deposit.

This guide is intended to help licensees and their employees find answers to some of the most common questions about liquor laws and responsible service.

Please note: This guide does not cover all applicable laws and rules. To view the complete list of Maine's liquor statutes and regulations, visit:

<https://www.maine.gov/dafs/bablo/liquor-lottery-rules-statutes>



If you have questions about your license or the legal sale of alcohol, please contact your local liquor inspector for guidance.

Phone: 207-624-7220

E-mail alcohol@maine.gov

Bureau of Alcoholic Beverages & Lottery Operations

Division of Liquor Licensing & Enforcement

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