

**Virginia Alcoholic Beverage Control Authority**

**Chief Executive Officer**  
Dale F. Farino



**Chair**  
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**Board of Directors**  
William D. Euille  
Gregory F. Holland  
Lisa N. Jennings

October 29, 2024

The Honorable Barbara A. Favola  
General Assembly Building, Room 509  
201 North 9th Street  
Richmond, Virginia 23219

The Honorable David L. Bulova  
General Assembly Building, Room 909  
201 North 9th Street  
Richmond, Virginia 23219

Dear Committee Chairs:

Pursuant to Enactment Clause 5 of Chapters 105 and 159 of the 2024 Virginia Acts of Assembly, Virginia ABC is pleased to present this report on our recommendations regarding the continuation of the third-party delivery license in the Commonwealth. Virginia ABC was pleased to include approximately 40 stakeholders in this endeavor, and we are most appreciative of the earnest and candid input from that group.

The stakeholder group diligently studied Virginia's third-party delivery license with diverse participation from third-party delivery licensees, restaurant and grocery industries, and alcohol industry experts. The group considered current safeguards in place at third-party delivery licenses and the effectiveness of the Virginia ABC-led training efforts. Virginia ABC's Bureau of Law Enforcement completed over 200 underage buyer checks, and the ongoing efforts of stakeholders and Virginia ABC led to underage buyer compliance rates for third-party delivery licensees increasing to approximately 90%.

The stakeholders reached a consensus to make the third-party delivery license permanent and to retain the requirement for the completion of a Board-approved public safety course to build on the improved underage buyer compliance rates the third-party delivery providers and Virginia ABC have achieved. After discussing the report, Virginia ABC's Board recommends that, instead of making the third-party delivery license permanent, the expiration of the third-party delivery license be extended by two years.

Virginia ABC trusts this report satisfactorily addresses the issues that the General Assembly requested be addressed, and we would be pleased to present our findings and recommendations to the full Committees at a time of your choosing.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale F. Farino", with a horizontal line extending to the right.

Dale F. Farino



**VIRGINIA ABC REPORT ON “THIRD-PARTY DELIVERY LICENSES”**  
**PURSUANT TO CHAPTERS 105 AND 159 OF THE 2024 ACTS OF ASSEMBLY**

**I. Introduction**

During the COVID-19 pandemic response, Virginia alcohol delivery laws allowed expanded opportunities for the delivery of wine, beer, and mixed beverages, frequently described as “cocktails to go,” by Virginia ABC-licensed retailers. As part of these expanded opportunities for delivery, retailers could either self-deliver the alcoholic beverages to consumers or use third-party delivery providers to deliver the alcoholic beverages to consumers. Similar developments occurred in many states.

When the General Assembly addressed the expansion of alcohol delivery options, the General Assembly created a new license, the third-party delivery license, to regulate this new economic activity. The creation of the license ensured the third-party delivery providers would be subject to appropriate regulatory oversight, similar to Virginia ABC’s regulation of self-delivery by retail licensees, with a licensing and license fee structure to accommodate the unique nature of the third-party delivery business. Third-party delivery licenses are issued to an entity to cover the entire state, and the license fee for the third-party delivery license is commensurately higher in recognition of the scope of the license privileges and the expenses necessary to monitor compliance by third-party delivery licensees. The newly created third-party delivery license, along with the rest of the new cocktails to go legislative authorization, was set to sunset, after one intermediate extension, on July 1, 2024.

In 2023, Virginia ABC conducted underage buyer operations to assess alcohol delivery compliance by third-party delivery licensees. The 2023 underage buyer operations, of which only thirty-one were completed, found only a 58% compliance rate by third-party delivery licenses. During the 2024 General Assembly Session, HB 688, patroned by Delegate Leftwich, and SB 635, patroned by Senator Rouse, generally removed the sunset on the cocktails to go legislative authorization. However, in



response to the unacceptable 58% underage buyer compliance rate found for third-party delivery licensees, HB 688 and SB 635 repealed the third-party delivery license, effective July 1, 2026, and directed Virginia ABC to convene the present work group to study the third-party delivery license. The work group’s stakeholder list may be found in Appendix 1.

## **II. Work Group Meetings**

Virginia ABC conducted three work group meetings, on June 12, 2024, August 12, 2024, and September 11, 2024. The study outline for these meetings may be found in Appendix 2. During these meetings, stakeholders described their experience with the third-party delivery license, asked questions to Virginia ABC about relevant prior and ongoing enforcement actions, and provided detailed information about their strategies to prevent unlawful deliveries to those younger than twenty-one years of age. The work group heard the following presentations, which are attached as appendices, from stakeholders regarding their best practices to prevent deliveries to underage individuals:

- “Delivery and Courier Education” by Michelle Blackwell from Uber Eats (Appendix 3)
- “Alcohol Delivery: Safety and Compliance Protocols Overview” by Chad Horrell from DoorDash (Appendix 4)
- “Third Party Delivery Best Practices” by Maria Jackson from Instacart (Appendix 5)

All these presentations included delivery personnel training as a key component of their plans. To ensure that delivery personnel received adequate training, current law requires delivery personnel to complete a Virginia ABC-approved public safety training course. Virginia ABC has created and made available a free public safety training course for delivery personnel, Responsible Alcohol Delivery Driver (“RADD”) Training, and has also certified effective third-party training programs. Katie Crumble, director of Virginia ABC’s Community Health and Engagement Division, presented to the stakeholder group on these topics, and her presentation is attached as Appendix 6.



The work group, as directed by the General Assembly, also reviewed and compared the laws of other states regarding third-party delivery licenses. Tom Kerr, on behalf of the Adult Beverage Alliance, presented “Alcohol Delivery Requirements in Other Jurisdictions.” This presentation, attached as Appendix 7, outlined the ongoing developments in this evolving marketplace in which most states now allow alcohol delivery. Third parties, as in Virginia, may delivery alcohol in about thirty states, and such third parties must hold a permit or a license in about eighteen of the thirty states.

Virginia ABC also provided information to the stakeholder group to further the goals and requirements for the work group. In response to stakeholder questions, Virginia ABC’s Chief Operations Officer and Director of Law Enforcement Operations, Tom Kirby, presented on Virginia ABC’s 2023 operations. The results of the 2023 operations were previously reported to the General Assembly. In addition, after completing more than the 200 required third-party delivery underage buyer operations required by the 2024 General Assembly, Chief Kirby also reported the findings from these operations to the stakeholder group. Both of the above presentations are included as Appendices 8 and 9, respectively. Virginia ABC’s 2024 operations found that the underage buyer compliance rate for third-party delivery licensees improved from 58% in 2023 to approximately 90% in 2024.

### **III. Recommendations**

Virginia ABC and the third-party delivery licensees have demonstrated that they can achieve acceptable rates of underage buyer compliance, and it would be appropriate to allow third-party delivery licensees to continue responsible alcohol delivery in Virginia. The vastly improved results for the 2024 underage buyer operations show that the current system, with its requirements for age verification and the completion of a Virginia ABC-approved public safety training course, is working. These features of the third-party delivery licensing system have now enabled third-party delivery providers to reach a level of underage buyer compliance, 90%, at least comparable to rates found during underage buyer operations at brick-and-mortar retailers, at which Virginia ABC has found an 87% year-



to-date compliance rate. Therefore, the work group recommends that the third-party delivery license not be repealed and instead be made permanent. Continued requirement of a Virginia ABC-approved public safety training course and ongoing, routine enforcement would provide the necessary regulatory structure to protect public safety and allow this marketplace to develop. A legislative draft reflecting the group's consensus is attached as Appendix 10.

On October 29, 2024, the ABC Board reviewed the report. Following discussion, the Board voted to recommend extension of the sunset for an additional two years.





**VIRGINIA ABC REPORT ON “THIRD-PARTY DELIVERY LICENSES”  
PURSUANT TO CHAPTERS 105 AND 159 OF THE 2024 ACTS OF ASSEMBLY**

**LIST OF APPENDICES**

- **App 1 - Stakeholder List 08.15.2024**
- **App 2 - Study Outline for Third Party Delivery Final**
- **App 3 - 2024.08.07 Uber Eats Presentation before VA ABC**
- **App 4 - 2024.08.07 VA ABC Presentation – Doordash**
- **App 5 - 2024.08.07 Instacart VA Delivery Best Practices Presentation**
- **App 6 - 2024.08.07 Cocktails to Go Workgroup - RADD Training Update Corrected**
- **App 7 - 2024.08.07 Adult Beverage Alliance Virginia Third Party Delivery Presentation**
- **App 8 - 2024.08.07 BLE 2023 Operations Presentation (Tom Kirby)**
- **App 9 - 2024.08.07 3rd Party Delivery Summary 2024 Industry Copy**
- **App 10 - Alcohol Delivery Legislation - 2026 Sunset Repeal. 2025 Session.**
- **App 11 - VA 3PD Recommendations - Comments (FINAL)**

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3. Jeff Palmore, Amazon; jeff@capsquarestrategies.com
4. Lindsay Winter, Amazon; lindswin@amazon.com
5. Clay Byrd, Amazon; claytoby@amazon.com
6. Tom Kerr, The Adult Beverage Alliance; tom@alcohol.law
7. Tommy Herbert on behalf of Virginia Restaurant, Lodging, and Travel Association; tommy@vrlta.org
8. Travis Smiley on behalf of Virginia Food Industry Association; traviss@vafoodindustry.org
9. Robert T. Bohannon; lobbyist for Food Lion; rbohannon@hunton.com
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## **STUDY OUTLINE FOR CHAPTERS 105 AND 159 OF THE 2024 ACTS OF ASSEMBLY THIRD-PARTY DELIVERY LICENSES**

### **June 12 @2pm – 4pm** – Initial Stakeholder Meeting

- Present Work Plan
- Meeting dates
- Scope and goals of study
- Initial thoughts and/or concerns of stakeholder group

### **August 7 @2pm – 4pm** – Working Towards Compliance

- Alcohol Delivery Requirements in Other Jurisdictions—Michelle Blackwell (Uber) and Tom Kerr (Adult Beverage Alliance)
- Industry presentation on best practices—Maria Jackson (Instacart) and Chad Horrell (Doordash)
- Overview of Virginia ABC's Responsible Alcohol Delivery Driver (RADD) training—Virginia ABC Community Health and Engagement
- Experiences of retailers and delivery providers in current alcohol delivery system
- Thoughts on training—Licensee provided and Virginia ABC provided

### **September 11 @2pm – 4pm** – BLE Presentation and Stakeholder Discussion

- Presentation from BLE regarding decoy operations (Thomas Kirby)
- Should third-party delivery license continue beyond current July 1, 2026 sunset?
- Review any suggested statutory modifications necessary
- Thoughts by stakeholders of important elements to be included in a final report to the General Assembly
- Discuss plan for email, concurrence, or dissent by stakeholders
- Closing issues to be discussed and/or agreed upon

### **By Email** – Group Review

- Circulation of draft report and opportunity for review and comment by stakeholders
- Concurrence or dissent with the report by stakeholders

### **By November 15, 2024** – Final Report

- ABC submits Final Report to individuals designated in Chapters 105 and 159





# Presentation to VA Cocktails - to-Go Working Group: Delivery and Courier Education

Wednesday, August 7, 2024

## Topics we'll cover

- 01 Alcohol delivery for Eats accounts
- 02 Alcohol delivery & education in Virginia
- 03 Alcohol delivery & education in other jurisdictions
- 04 Uber for Teens: Helping Keep Teens safe
- 05 Questions?

# How orders **with alcohol** work on Uber Eats



1

Customer creates app profile (name, email, phone #, payment card)

2

Customer selects merchant and items to purchase, reviewing details including pricing, fees, taxes and **confirming they are legal age if purchasing alcohol** before hitting "Place Order"

3

App transmits order request to merchant for them to accept or reject

4

App transmits delivery request to nearby courier **who is qualified to deliver in VA**

Courier decides whether to accept or decline the request

5

Courier picks up the order. Customer can then track courier's progress in the app

**Before the order can be delivered, the courier is prompted to use their Uber app to conduct sobriety and ID checks**

**If the customer does not pass the checks, the courier is prompted to return alcohol to the merchant and is paid for the return trip**

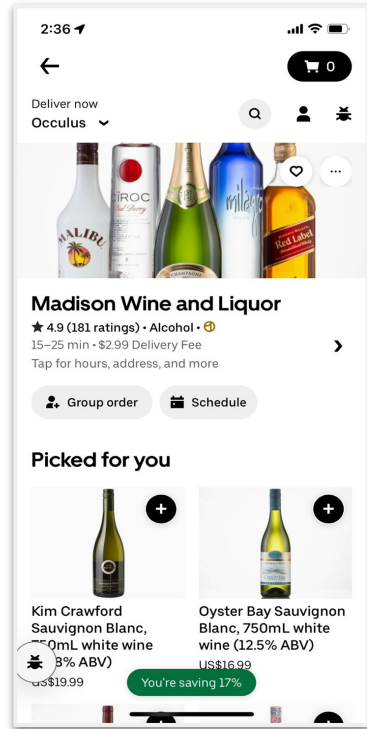
6

After drop off, payment for the item & delivery is completed electronically

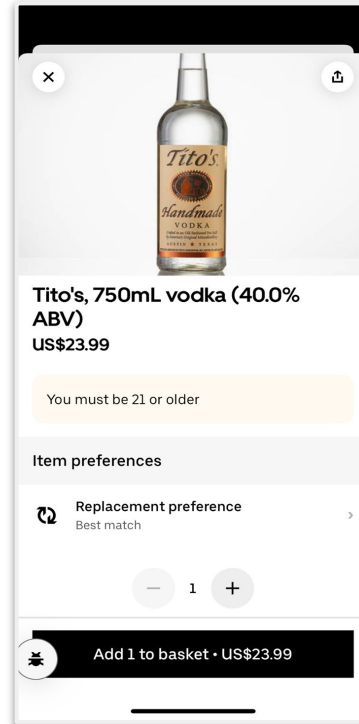
# Supporting customer safety



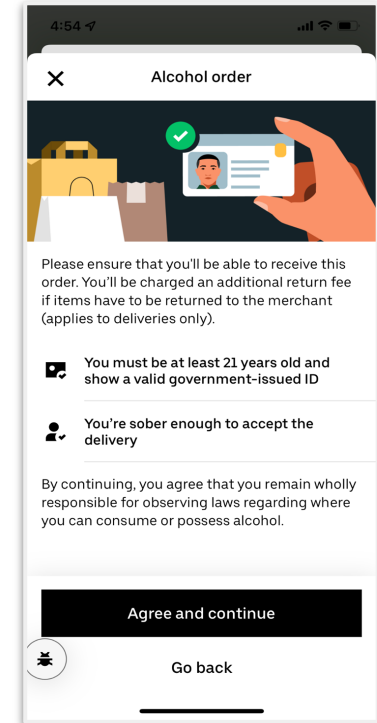
# Prioritizing customer safety



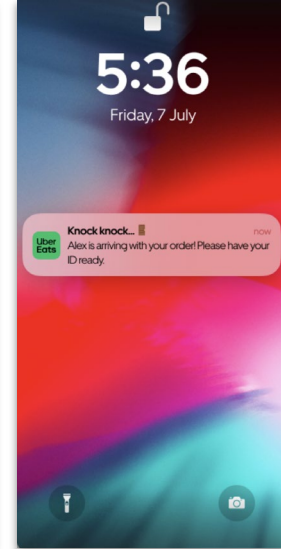
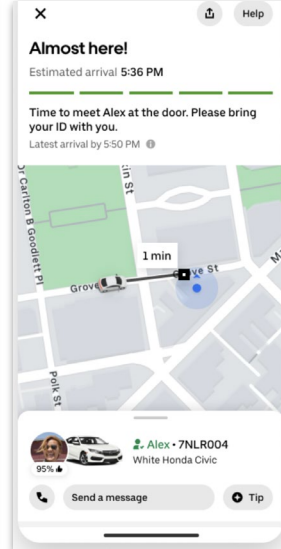
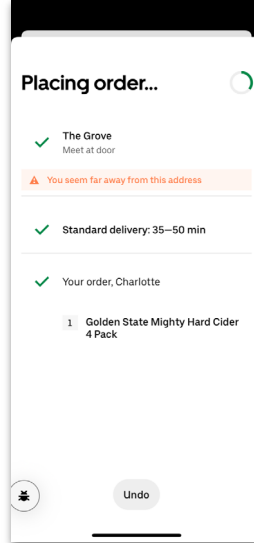
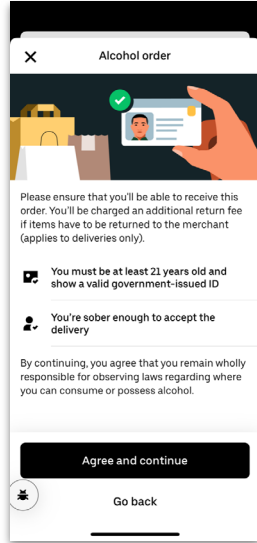
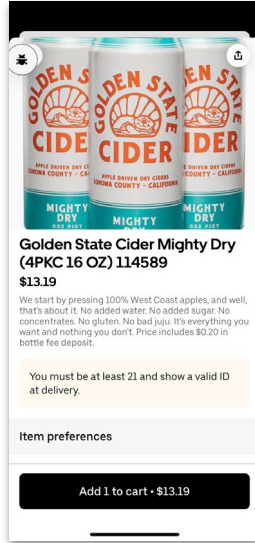
Customers are alerted to age restrictions when browsing various alcoholic items on the menu



Before the order can be placed, customers agree to being 21+ and needing to show the courier a valid ID



# Notifying customers of age and ID verification requirements



Before customers can place an order, they are notified that they must be 21+ and and required to show a valid ID in order to receive an order that contains alcohol

Once the order has been placed, customers are reminded to show proof of a valid ID to the courier when the order arrives

# Alcohol items are hidden from customers located in dry zones, such as college dorms



In accordance with Virginia State requirements, Uber leverages geofences to set up specific zones where all alcoholic items will be blocked from being purchased if an eater is located inside one of those zones

# Removing underage or intoxicated customers

## Underage customers

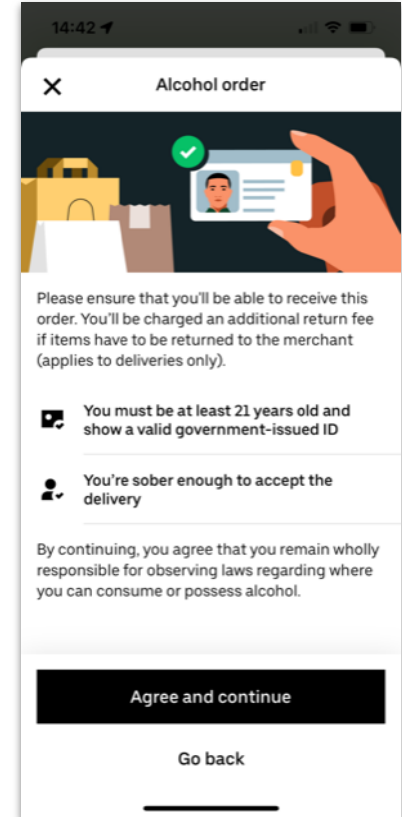
Alcoholic items are removed from their marketplace view after a customer below 21yrs attempts to order alcohol a second time.

## Intoxicated customers

Recipients who are reported by couriers as being intoxicated when the delivery was attempted will have alcohol removed from their marketplace after reaching a third cancellation for intoxication.

## Customers can opt -out at any point

To support those who are sober, customers can opt out of seeing alcohol altogether via Support.





# Courier safety education + compliance



# Couriers opt into alcohol delivery

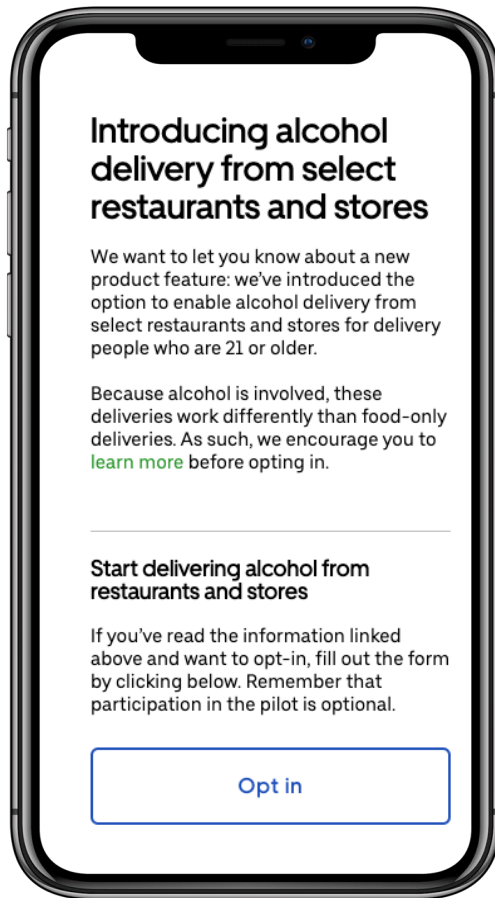
Delivery people must be 21+  
to participate in alcohol trips



Delivery people opt-in to  
receiving alcohol trips

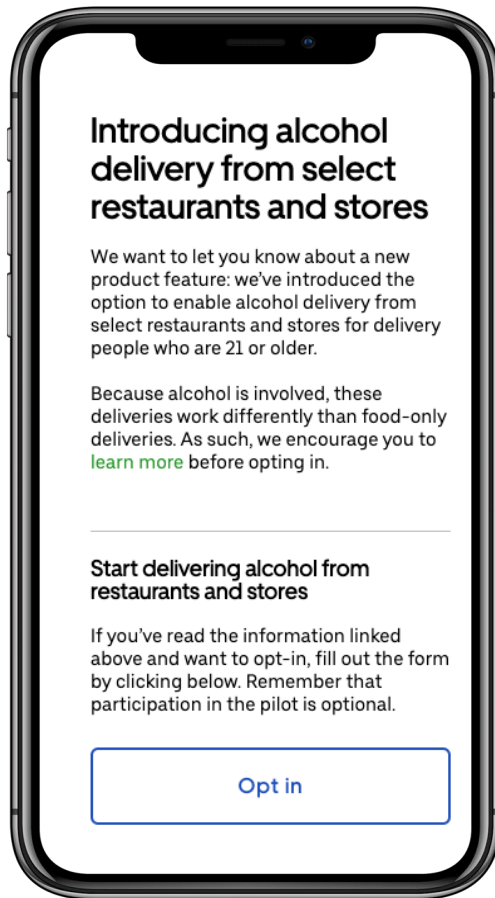


Continued compliance is key



# Alcohol Delivery in Virginia

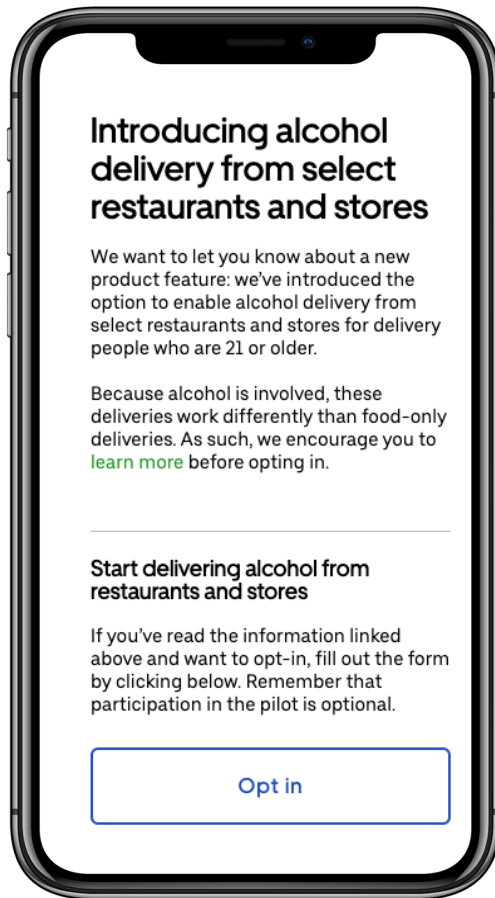
- ✓ Must be 21+ to participate in alcohol trips.
- Must have a valid driver's license, vehicle inspection and vehicle registration.
- Must, prior to delivering alcoholic beverages, complete and pass, with a score no less than 80%, a Board-approved public safety course.



- Has not been convicted, within the last 7 years, of driving under the influence.
- Has not been convicted, within the last 3 years of more than three moving violations.
- Are not required to register as a sex offender.

# Alcohol Delivery Education in Virginia

- ✓ Training components must provide educational objectives and at least 60 minutes of learning time to participants.
- Courier must take a test after the training.



# Content on safe alcohol delivery



FOUNDATION FOR  
ADVANCING ALCOHOL  
RESPONSIBILITY.ORG



IARD  
INTERNATIONAL ALLIANCE FOR  
RESPONSIBLE DRINKING

## Step 1: Check sobriety

State law requires that the customer be sober. *Common signs of intoxication include impaired reactions and coordination, stumbling, fumbling for their ID, and slurred speech*

## Step 2: Request the ID

State law requires that the customer present a valid, government-issued photo ID from the customer. *This identification can be a US driver's license, passport (US or international), US state ID or US military ID. The only acceptable non-US IDs are passports. IDs such as library cards, school IDs, or identification without a photo are not acceptable*

## Step 3: Checking Identity

Please check the person to whom you're handing the alcohol matches the photo of the person on the ID

## Step 4: Confirming Age (21+) and Scanning the ID

Using your Driver App, follow the prompts to scan the barcode on the back of the to confirm the customer is over 21. This step must be completed for all customers, no matter what age they appear. It is illegal to deliver alcohol to anyone under 21

## Step 5: Complete the trip

Hand the customer their order and complete the trip. If the customer can't provide a valid government issued ID, you can cancel the trip. You'll be paid to return the order to the store



# Content on safe alcohol delivery

Uber | RESPONSIBILITY.ORG

Let's get started!

These safety tips were reviewed by **Responsibility.org** to help ensure they encompass effective and best practices.

Let's go! →



**Introduction to Alcohol Safety** 🍷

To safely perform alcohol deliveries, it's important to understand that delivering alcohol to anyone who is **not 21 or older**, or who **appears intoxicated**, is against the law and Uber's Community Guidelines. ❌

What will I learn? 🧐 →




**Step 1: Check Sobriety**

Before you hand off the alcohol, make sure it's safe to hand off to the customer. How do you know if someone is **intoxicated**? Common signs include:

- ⚠️ Impaired reactions and coordination
- ⚠️ Stumbling
- ⚠️ Fumbling for their ID
- 🗣️ Slurred speech

OK →




**Step 2: Request ID**

Please request a **valid government-issued photo ID** from the customer.

What's a valid ID? The app can accept:

- A US driver's license,
- Passport (US or international),
- US state ID, or
- US military ID.

What if... →

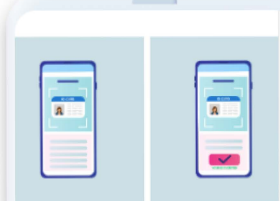


**What if the customer does not have an ID?** 📱

If the customer does not produce a valid ID, please tap the **"Customer doesn't have valid ID"** from the customer. You can let the customer know that **you can't deliver the alcohol without a valid ID**. ❌

This will *not* impact your driver or courier rating.

What's next? →



**Step 4: Confirming Age**

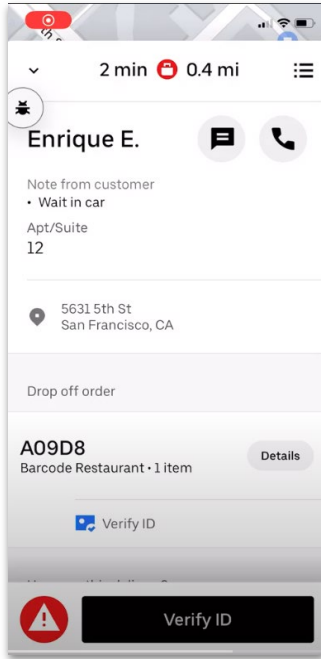
Using your Driver App, follow the prompts to **scan** 📱 the backside of the customer's ID to confirm the customer is 21 or older.

- Place the barcode in the frame and make sure it fills the screen 📱
- Avoid glares or shadows in the photo ☀️

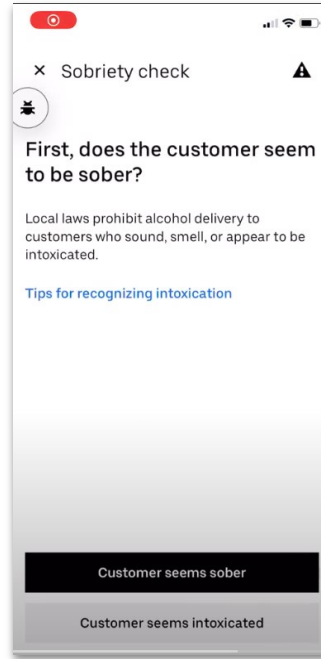
After submitting the photo...

But what if... →

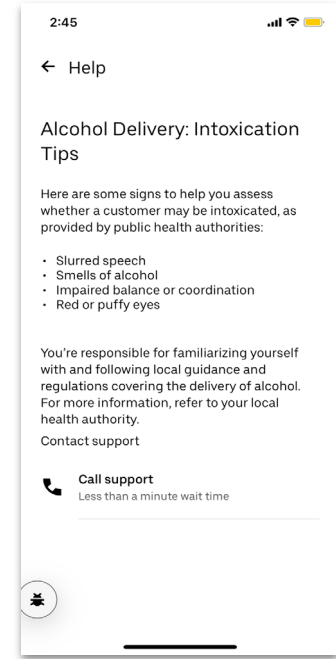
# Sobriety check



The app guides couriers through a recipient sobriety check before the alcohol can be delivered.

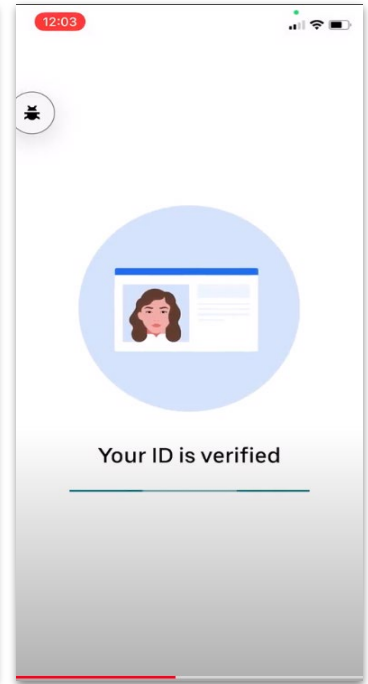
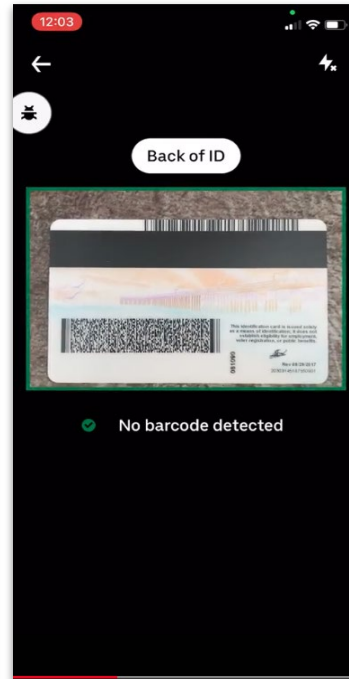
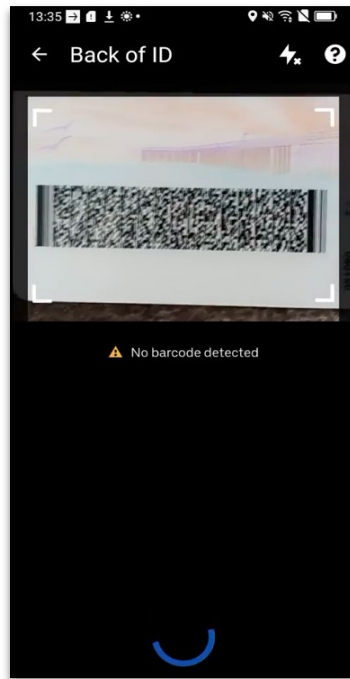
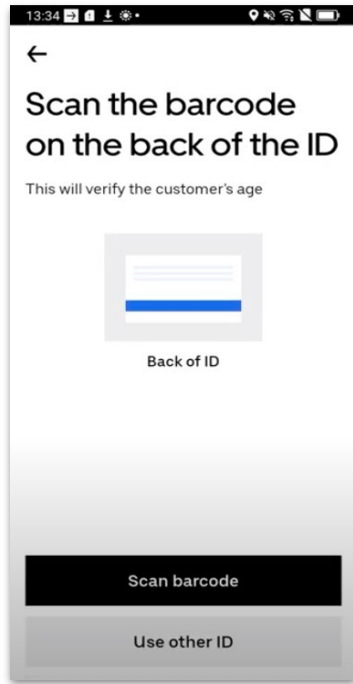
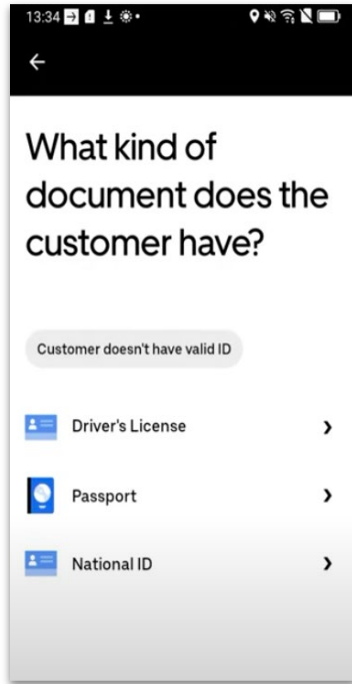


Uber Eats shows a list of common signs of intoxication to help couriers ensure the customer is sober.



If the courier indicates that the customer appears sober, the app prompts the courier to continue with the delivery process.

# Age verification process



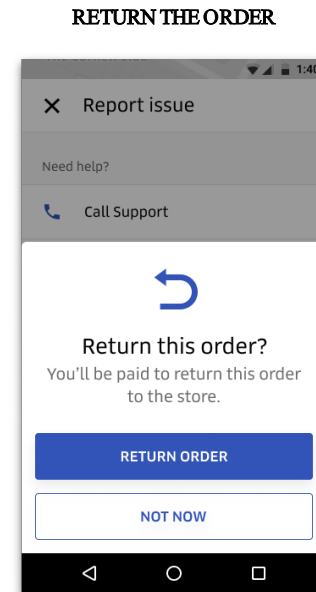
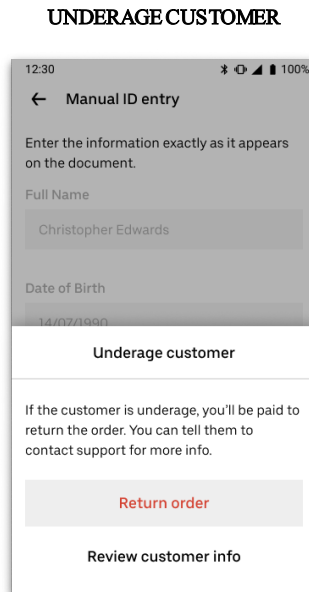
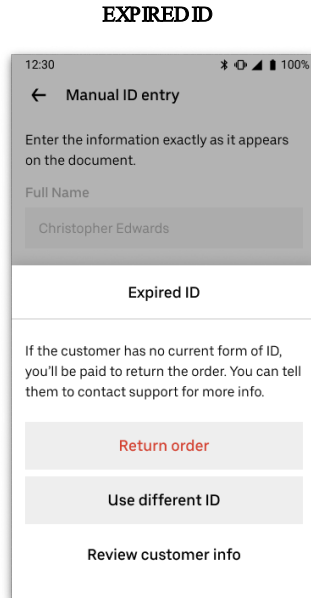
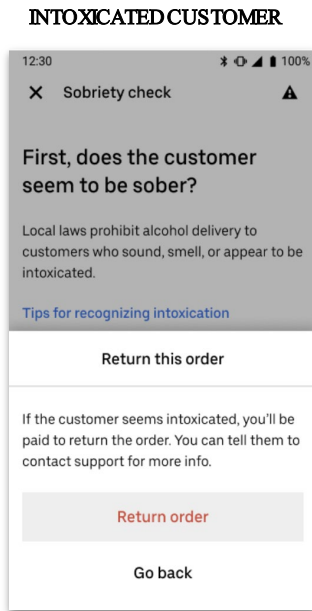
App prompts the courier to verify the recipient's ID with inapp technology → confirms whether the ID is unexpired and the recipient is at least 21.

This ID scan process involves both a review of the recipient's ID, as well as a scan of the DOB and ID expiration date.

The app won't allow the courier to proceed with the delivery until the courier completes the age verification process.



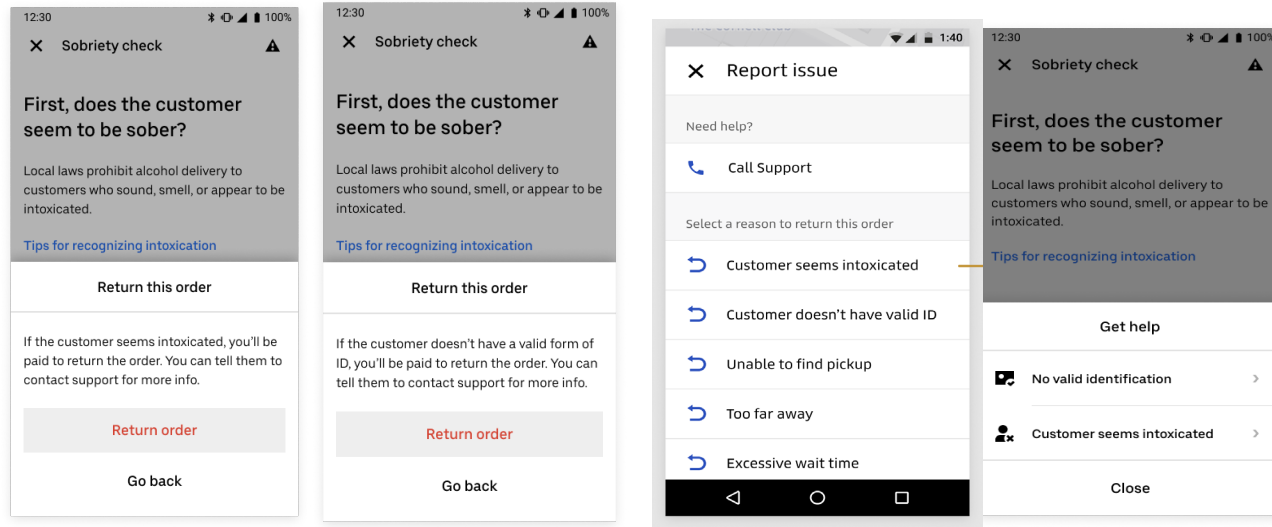
# Order returns (if needed)



The app helps couriers follow state laws by prompting a return trip when the recipient is underage, intoxicated, or not home.

The app changes the courier's destination back to the retailer, and the courier is paid for the return trip.

# In-app support for couriers



Trips with alcohol also have customized app support options to show additional, contextual information to help the courier in the case of an underage or intoxicated customer.

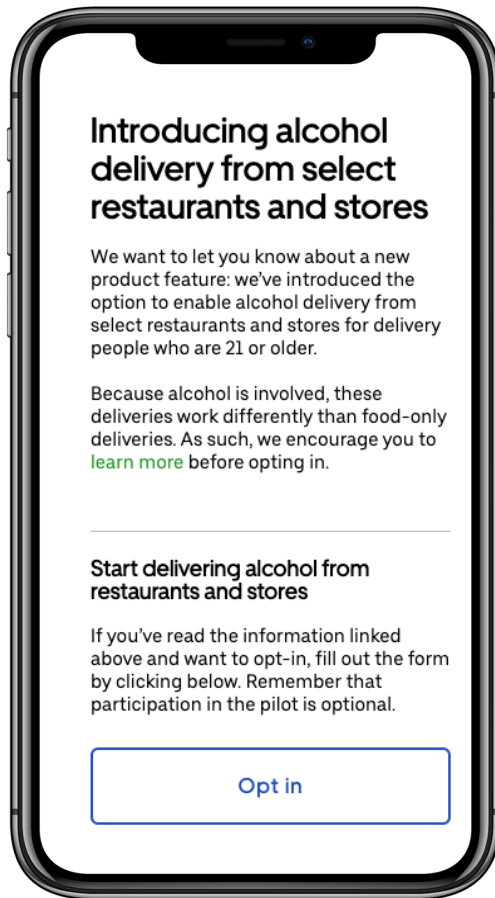
If at any point they feel unsafe, the courier can call 911 from inside the app

Alcohol  
delivery and  
education in  
other states



# Alcohol Delivery in Alabama

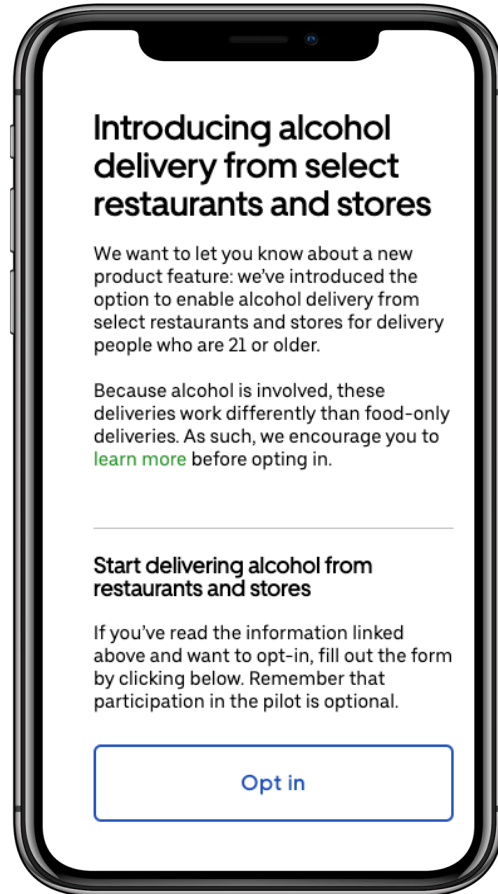
- ✓ 3PD apps must submit their alcohol delivery education for approval by the Alabama Alcoholic Beverage Control Board.
- Couriers must successfully complete the education.



- Every 24 months, each courier must complete a current education.

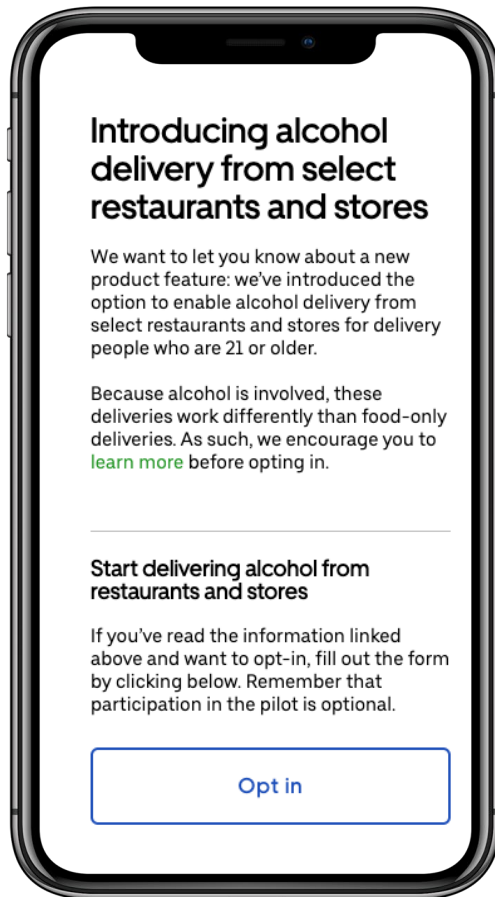
# Alcohol Delivery in Mississippi

- ✓ Must be 21+ to participate in alcohol trips.
- Must complete education submitted to the state.
- The education must address topics such as identifying underage persons, intoxicated persons, and fake or altered identification.



# Alcohol Delivery in Oregon

- ✓ 3PD apps must submit their alcohol delivery education.
- Prior to delivery, a courier must complete the education.





6 Pack  
**Corona**  
Extra  
BEBIDA  
LA  
CANTERA  
PURA  
1 BEBIDA DE 355 ML  
CANTERA PURA

Uber  
Eats

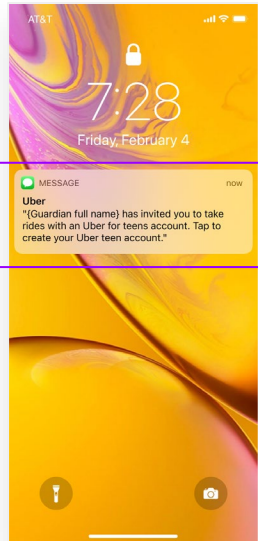
# Eats for Teens

*Keeping Teens safe  
through risk mitigation  
for age-restricted items*

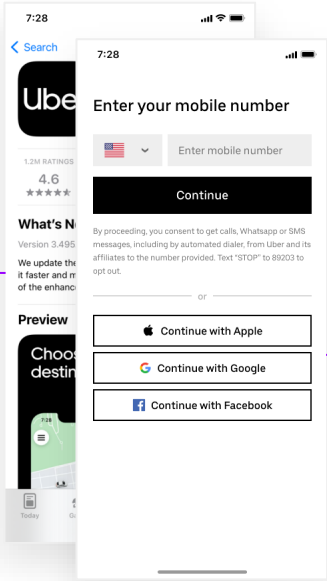




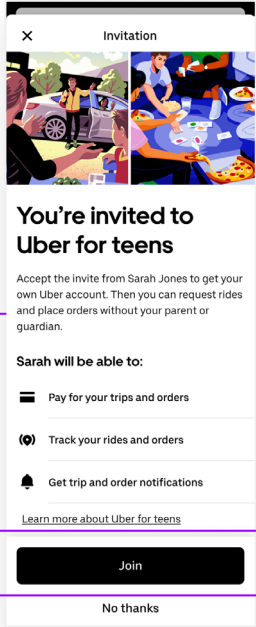
# Overview of Uber for Teens



Parent/Guardian enables SMS and Email invitation for their Teen

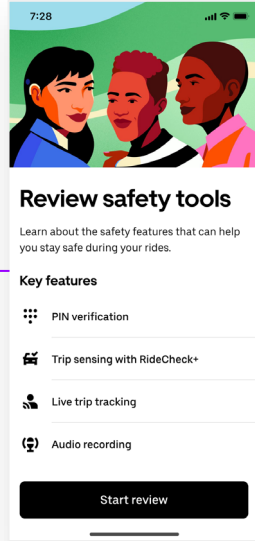


Downloads the Uber app and goes through regular onboarding process

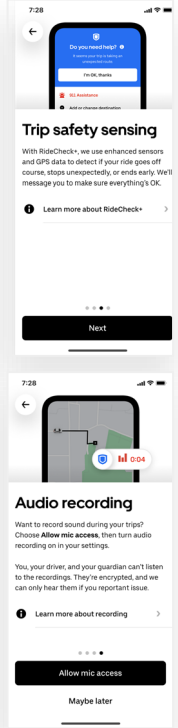
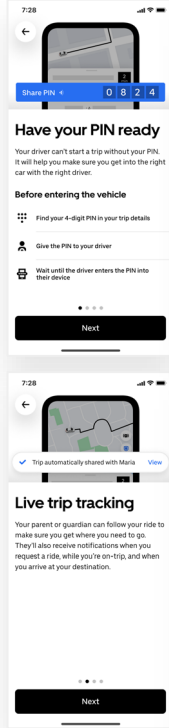


Accepts to Join Parent/Guardian's Family Profile as Teen

## Teens' Safety Tools Onboarding (mandatory)



Teen goes through Safety Tools onboarding:  
 Pin verification  
 Enhanced Ride Check  
 Auto-share with Guardians  
 Auto-audio recording



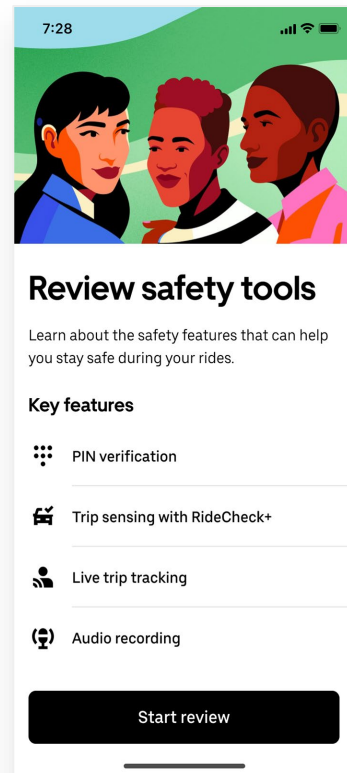
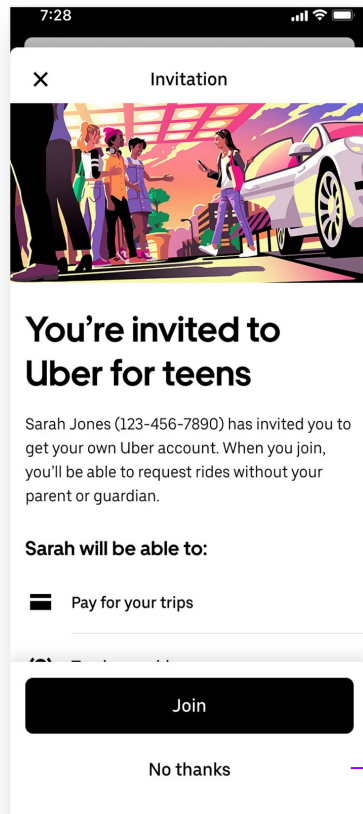
# Helping Keep Teens Safe

## Priorities

Keep teens safe when using the Uber platform, including when ordering food, through a teen friendly view on the Uber Eats app

## Mitigation measures

- Limiting the merchants (only allowing restaurants, not allowing for grocers or other retailers) and types of products teens can view/order
- Courier standards
- Frequent audits and order notifications for parents
- Blocking Teen accounts from viewing ads for age restricted items (alcohol)



# Helping ensure couriers meet safety standards

## 1. Parent/ Guardian starts Teen onboarding



## 2. Teen has their own Uber Teen account





## 3. Selected Couriers only





## 4. Safety Protections




 Guardian invites Teen to create an account and join Family Profile (in the Rides app)

 Teen creates independent Teen account (linked to parent/guardian's Family profile) in the Mobility app

 Delivery people with high ratings, high tenure and no Safety History are eligible for Teens.

 Teen **is only be able to see Restaurants** and no Age Restricted items ((e.g. alcohol)

 Restricted items (e.g. alcohol) communications and advertising will be disabled in-app and via CRM to comply with legal and ethical guidelines.

# Safety features overview

**Teen-friendly view:** Age-restricted items that teens are not old enough to buy, such as alcohol and some medications, will be filtered out.

**Restaurant-only orders:** To reduce the risk of teens viewing other merchants

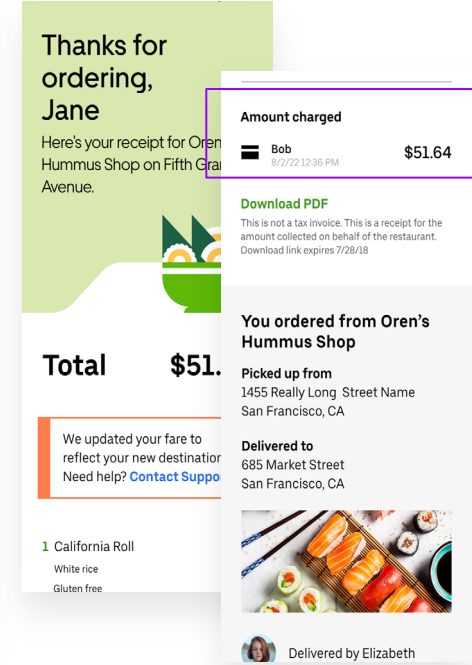
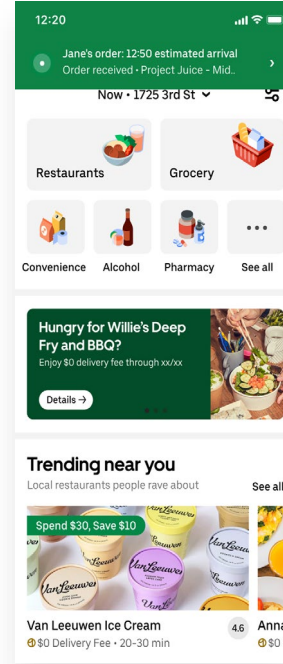
**Order notifications to parents/guardians:** Parents and guardians are notified every time their teen orders food, and they are able to see which items are in the delivery. We encourage parents and guardians to speak with their child regarding any personal rules or boundaries around ordering food.

**Highly-rated delivery people:** Only couriers who have passed local screening and background check requirements and are highly rated and experienced will be able to receive delivery requests from teen account holders. Couriers can choose to opt-out of receiving teen trips at any time.

**Limiting deliveries to Uber Eats Couriers:** Only merchants who leverage Uber Eats couriers (rather than their own delivery people) are available in the Teens friendly view in order to ensure additional oversight of courier practices

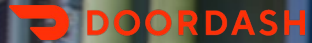
**Teen exclusion from ads:** Exclude teens from marketing comms / ads entirely

**Daily and weekly audits:** To help ensure items that Teens are ordering age appropriate



Uber  
Eats

Thank you!



# Alcohol Delivery

Safety and Compliance Protocols Overview

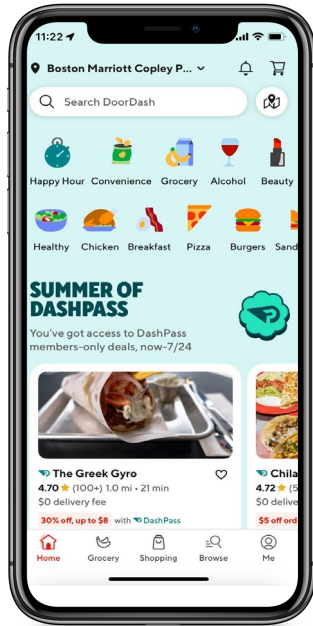
Chad Horrell  
Senior Manager, DoorDash Government Relations



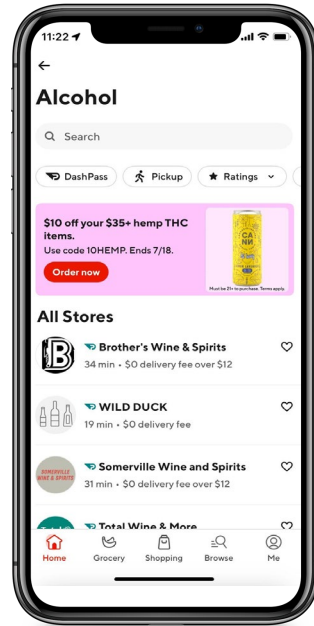
# Consumers Order Alcohol from Merchant -Retailers



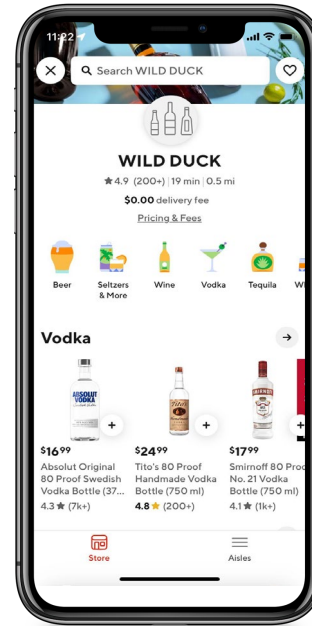
# Consumer searches for alcohol merchant/retailer and adds item to cart



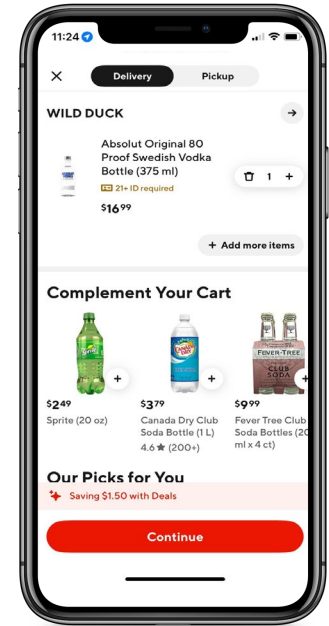
Opens DoorDash app



Clicks on Alcohol page



Selects Merchant

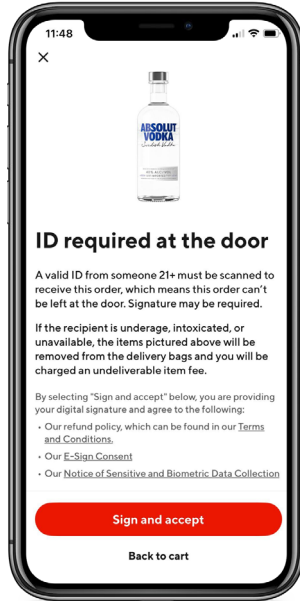


Adds Alcohol to Cart

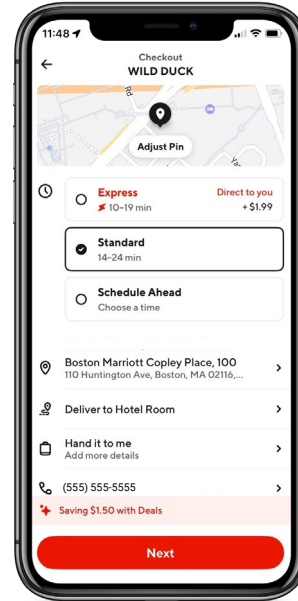




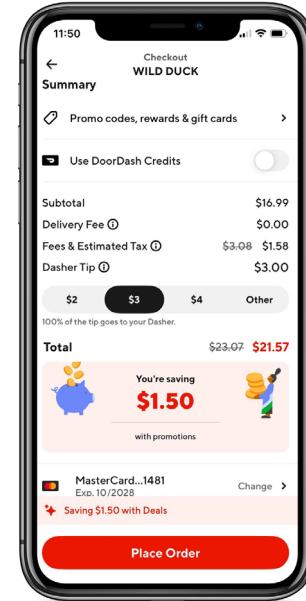
## Consumer places order with selected Mx



Consumer accepts the conditions for alcohol delivery



Consumer verifies their delivery and payment information



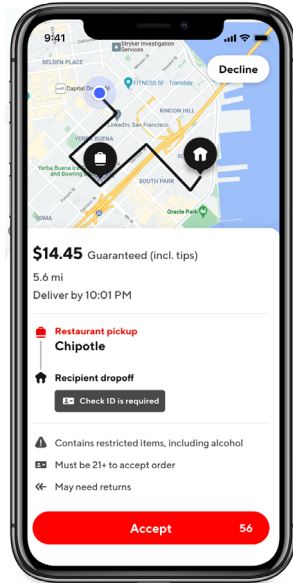


# Dasher Delivery Flow

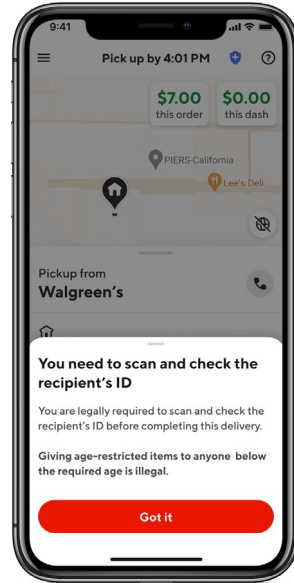
In the Dasher App, DoorDash flags orders that contain alcohol and then an alcohol specific delivery flow is triggered



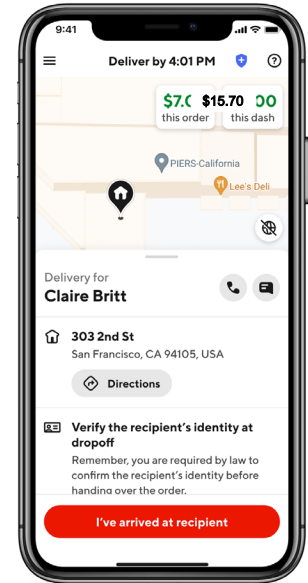
# Inform Dasher order contains age-gated products **before** acceptance



Dasher (21+) is informed the order contains **alcohol** before acceptance



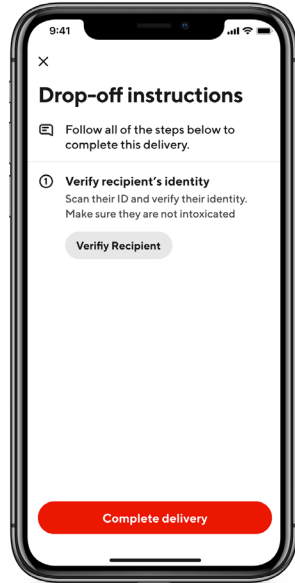
Dasher is **reminded** about the alcohol delivery process



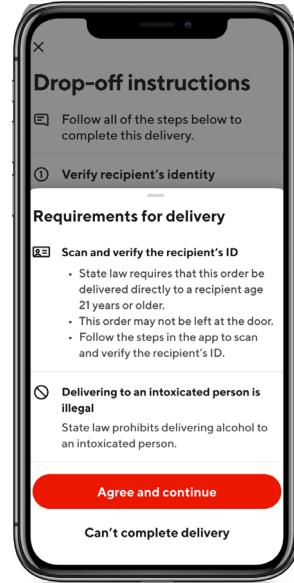
Dasher **commences** the delivery trip



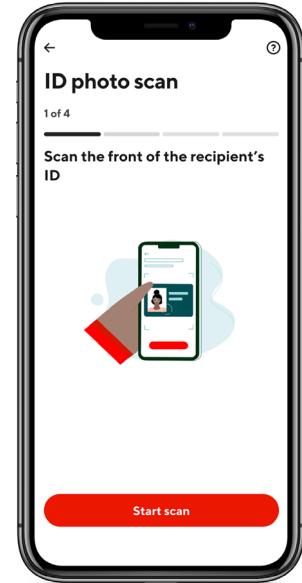
# Upon arrival, the Dasher is reminded to scan the consumer's ID



Dasher **arrives** at consumer address



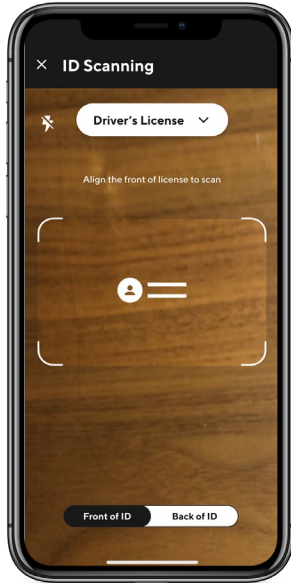
Dasher is reminded of the requirements



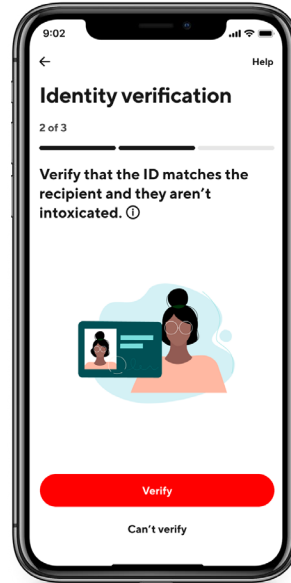
Dasher is **reminded** to scan the consumer's ID



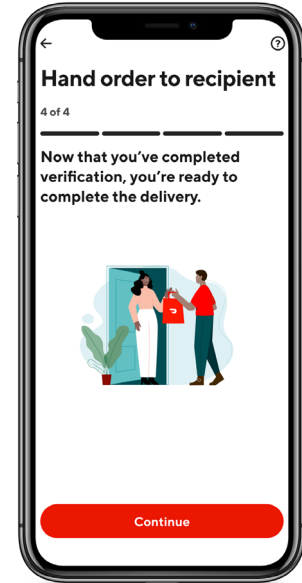
## 2 ID checks at the door and Dasher receives compliance prompts



Dasher scans the consumer's ID (reads barcode to ensure **validity**, **not fraudulent**, and **not expired**).



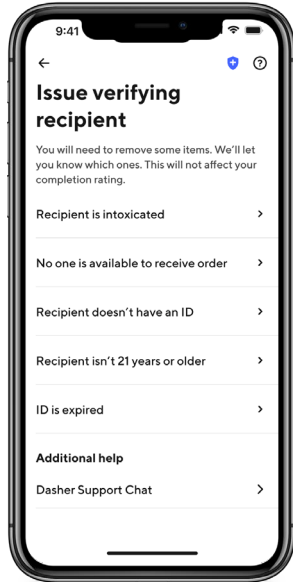
Dasher then does another ID Check to help ensure the ID is valid and also confirms the recipient **matches** their ID



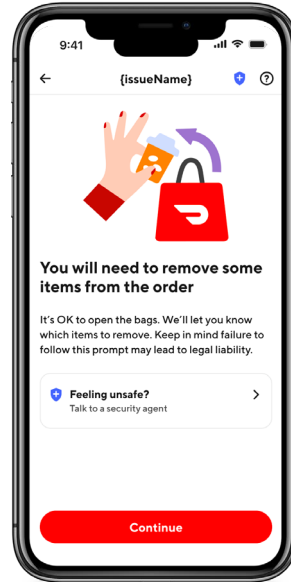
Dasher then **completes** the delivery



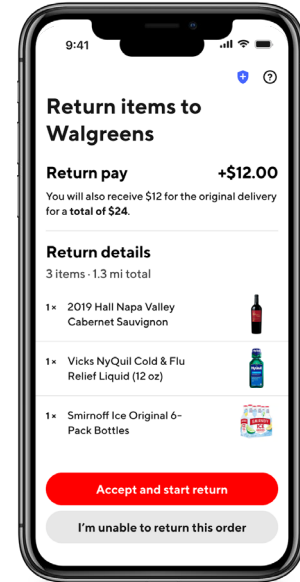
If there is any issue, the app notifies the Dasher to **not** hand over the order, and then the Dasher is prompted to return the alcohol



Dasher chooses return reason



Provided with follow-up instructions



Return pay outlined and return starts



---

# Dashers 21+ are contractually obligated to comply with the Delivering Alcohol Guidelines

## Age and ID Verification

- Check every consumer's ID
- A valid ID must include a photograph, date of birth, and also not be expired

## Check for Intoxication

- Do not deliver alcohol if the consumer is visibly intoxicated
- Signs of intoxication: glassy eyes, smells of alcohol, impaired motor function, slurred speech, etc.

## Restricted Locations

- Do **NOT** deliver to a public or private school, college campus, prison, locker, or business that sells alcohol

## Refuse Delivery

- If any doubts about the circumstances, do not complete the delivery and contact support
- **Dasher still gets paid**

**Goal: Ensure Dashers are aware of the steps for safe and legal alcohol delivery.**



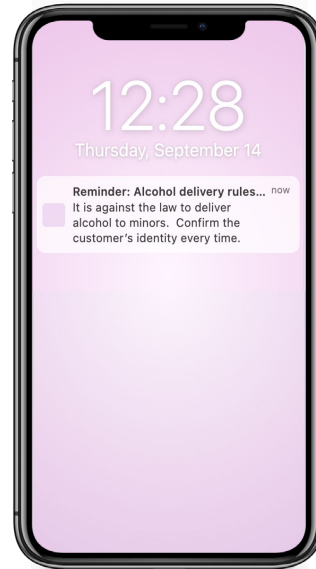
# Dashers receive strategic reminders about compliance principles

## Messaging Strategy

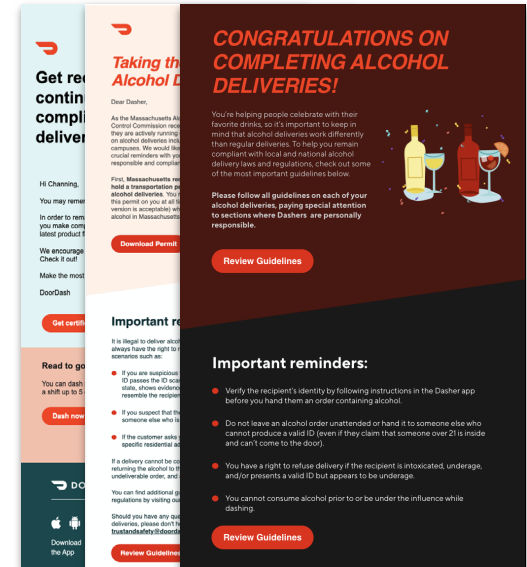
*Encourage Dashers' confidence in the requirements, which include checking a consumer's ID, assessing intoxication and avoiding restricted areas, like colleges.*

Dashers routinely receive **compliance reminders** to help ensure they are meeting regulatory requirements

## Text Message Reminders



## Email Reminders



**Goal: Ensure Dashers are aware of the steps for safe and legal alcohol delivery.**



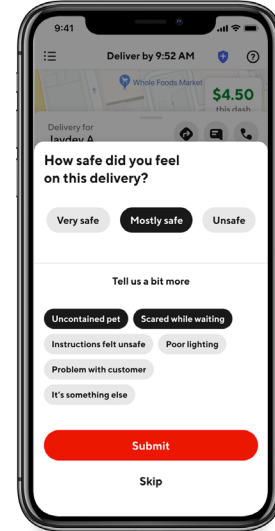
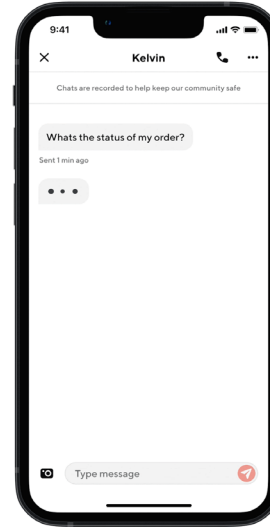
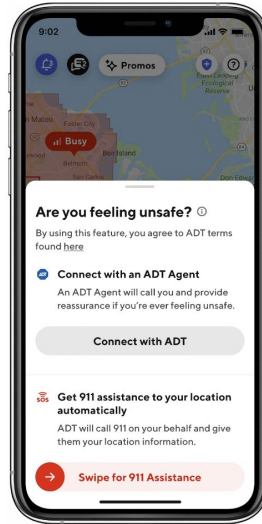


# Our Trust and Safety teams work every day to help ensure the safety of Merchants, Dashers, and Consumers

## Trust and Safety

**Reactive:** Helps investigate and remediate situations to remove high-risk and malicious consumers or Dashers, stop fraudulent activities, and enforce safety policies

**Proactive:** Work with legal and compliance to implement updated or new policies to protect Dashers, Merchants, and consumers



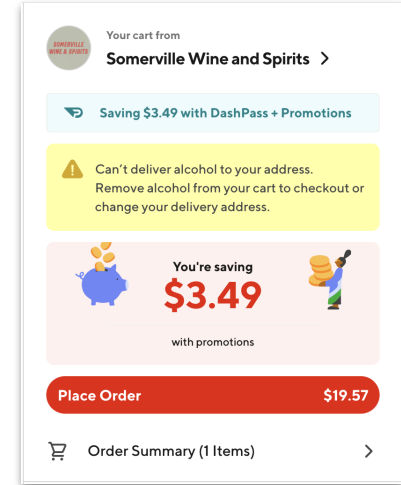
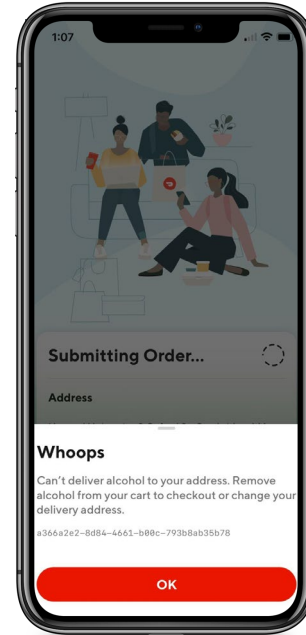
For example, DoorDash has industry-leading safety tools which help Dashers feel and be safe



# Robust Alcohol Geofencing Tech Blocks Deliveries to College Addresses



We've implemented technology to block alcohol deliveries to college campuses across VA



Consumers in a blocked radius cannot checkout with alcohol

**Goal: Prevent the delivery of alcohol to college campuses.**



# Third Party Delivery Best Practices

August 7, 2024

Presented by Instacart

# Agenda

**01** Third Party Delivery Overview

**02** Driver Training and Reminders

**03** Age Verification

**04** Undeliverable Alcohol and Returns

**05** Alcohol Payment

**06** Curbside

**07** Instacart's Carrot Commitment

# Third Party Delivery Overview

- Third party platforms are generally run by non-licensed entities that do not own the products offered for sale on the platform (which differ from retailer platforms).
- Third parties act as a conduit between the seller and the purchaser, providing a space for businesses and customers to find one another and facilitate the purchasing process between the customer and the business.



# Third Party Delivery Overview (cont.)

- Generally, retailers offering alcohol beverages for sale via a third party platform not only own the product, but are solely responsible for controlling and managing all aspects of such sales.
- For example, the retailer is responsible for:
  - Selecting the alcohol beverages to include on the platform;
  - Pricing such alcohol beverages;
  - Accepting or rejecting all orders for alcohol beverages; and
  - Confirming the ability of the consumer to purchase alcohol beverages.

# Driver Training

Most third party platforms require delivery drivers to undergo specific alcohol delivery training.



- The specific format differs among companies, but there is strong consensus regarding the importance of training in the industry covering topics including:
  - Compliance with the law
  - How to identify and refuse delivery to an intoxicated customer
  - Recognizing valid forms of government issued and false or altered forms of ID
  - Refusing delivery for suspicion of purchase for a minor.
- Allowing third parties to offer internal training specifically focused on alcohol delivery is preferred to requiring drivers to complete a more general responsible beverage service (RBS) training course which is typically more geared to on-sale consumption, and less instructive for delivery drivers.

# Compliance Reminders

In addition to training, many third parties also provide frequent compliance reminders to drivers.

- Instacart, for example, sends regular reminders to all delivery shoppers regarding the significance of complying with all laws, especially ensuring no delivery to minors.
- Instacart also issues monthly newsletters that include updates and tips regarding shopper obligations when delivering alcohol.





# Age Verification



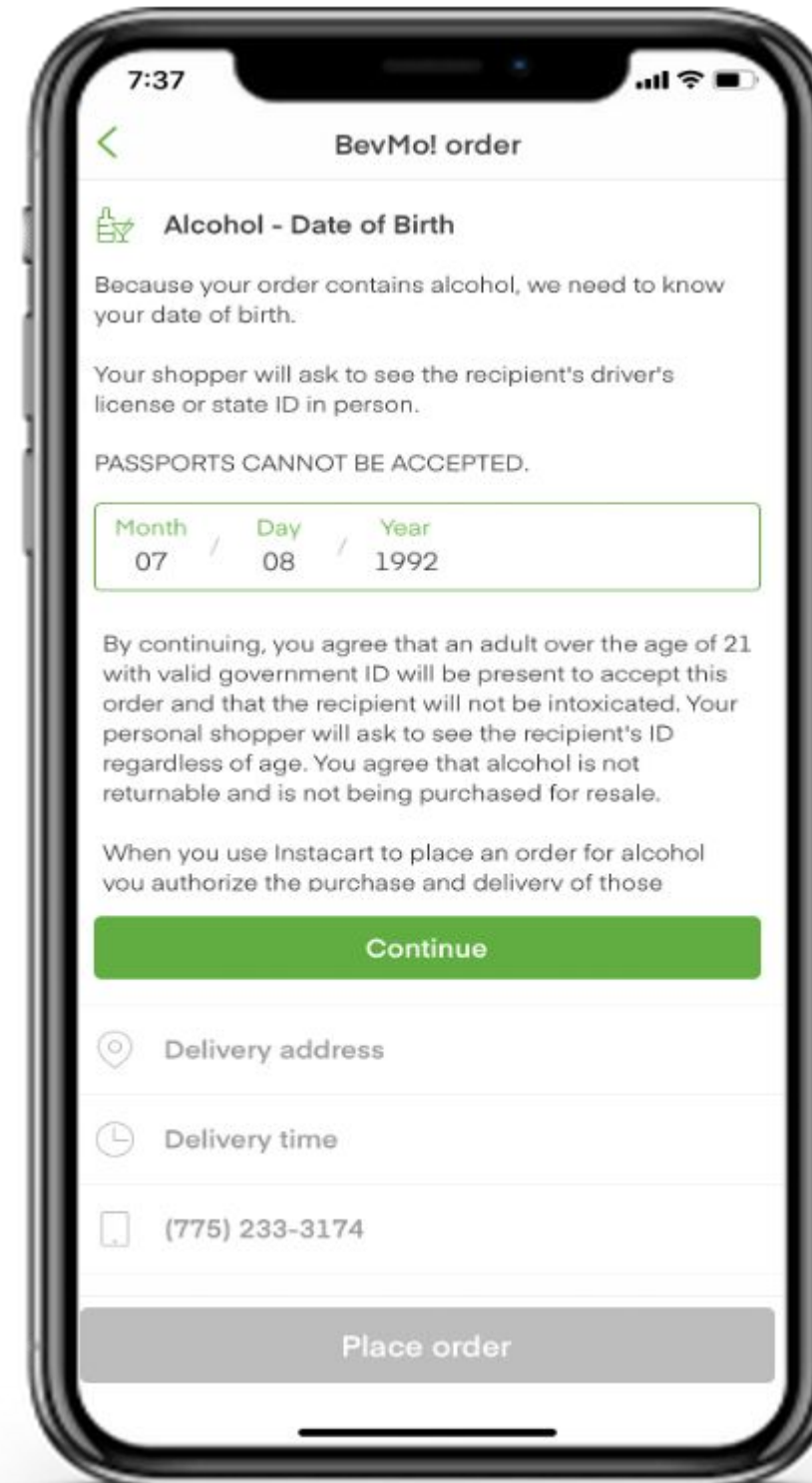
Age verification is a standard practice for all third party companies offering alcohol delivery though the specific requirements vary from company to company.

- The following slides outline Instacart's specific age verification process.

# Instacart Age Verification

## Customer Representations

To continue with an alcohol purchase, the customer must accept a click-through Alcohol Agreement and enter his or her birthday into the app to certify that her or she is of legal purchase age.



## Key Provisions of Agreement

- An adult over 21 will be available to accept the order
- The recipient will not be visibly intoxicated at the time of delivery
- The purchase is being made from the retail store (not from Instacart)
- Any returns must be made directly to the retail store

# Instacart Age Verification

## At the Retail Store



- When the delivery driver (internally referred to as a "Shopper" at instacart) checks out with the order at a store, a retail store employee MUST review the "Consumer Age Verification" screen and acknowledge that it was reviewed.

# Instacart Age Verification

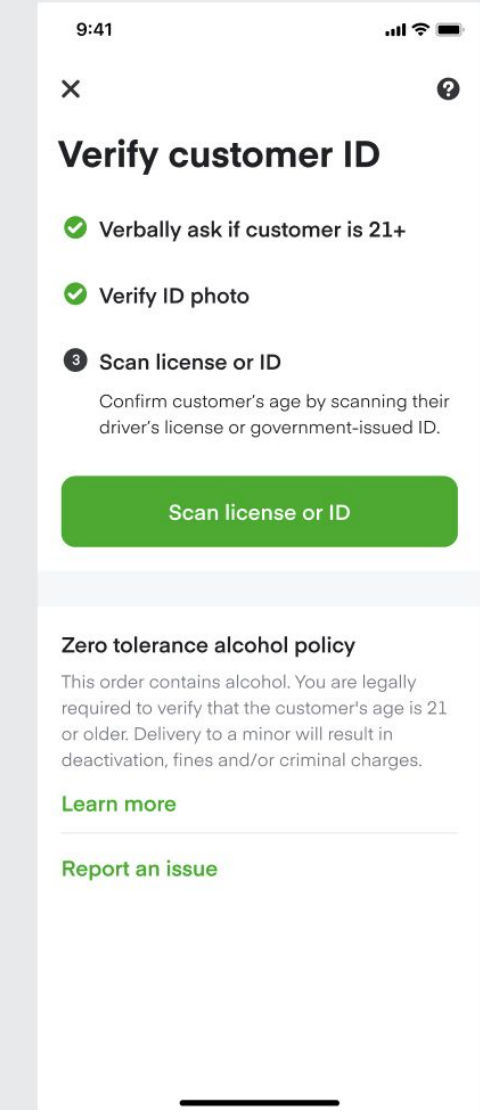
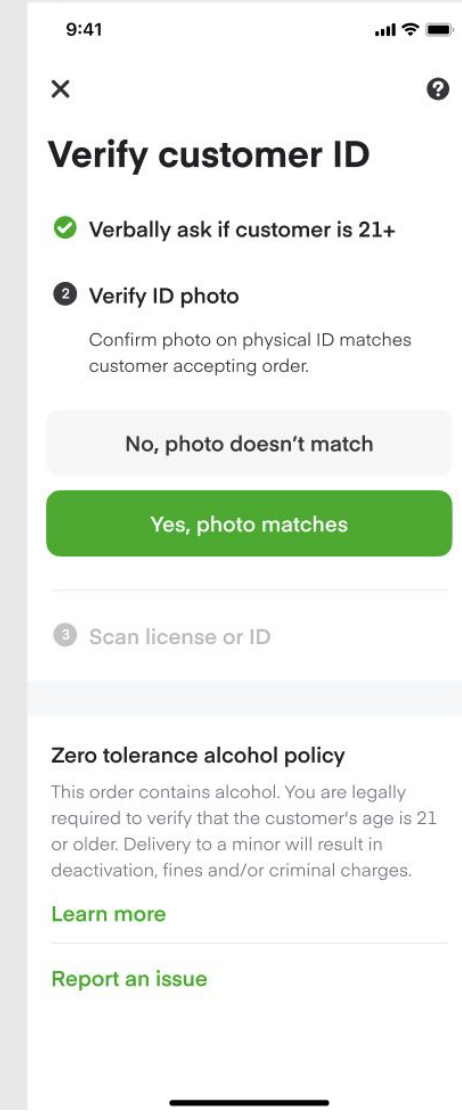
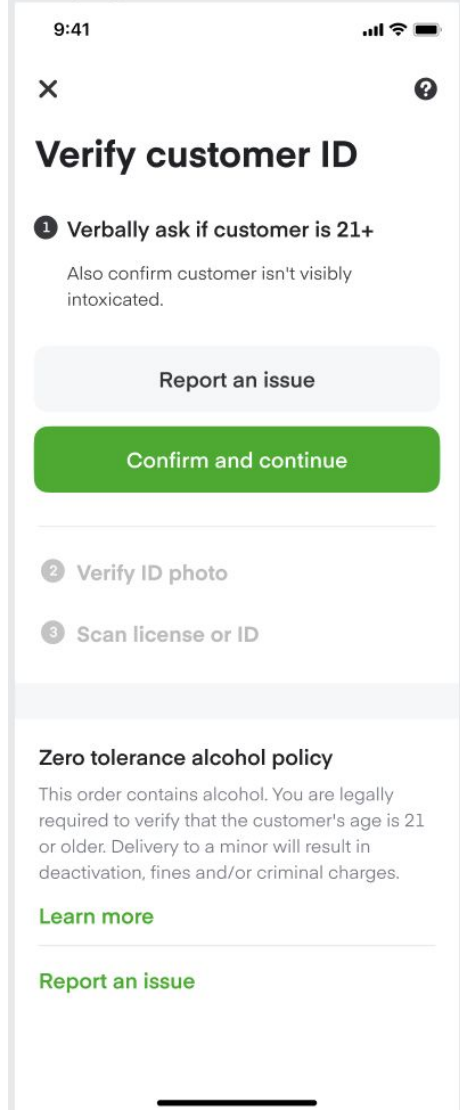
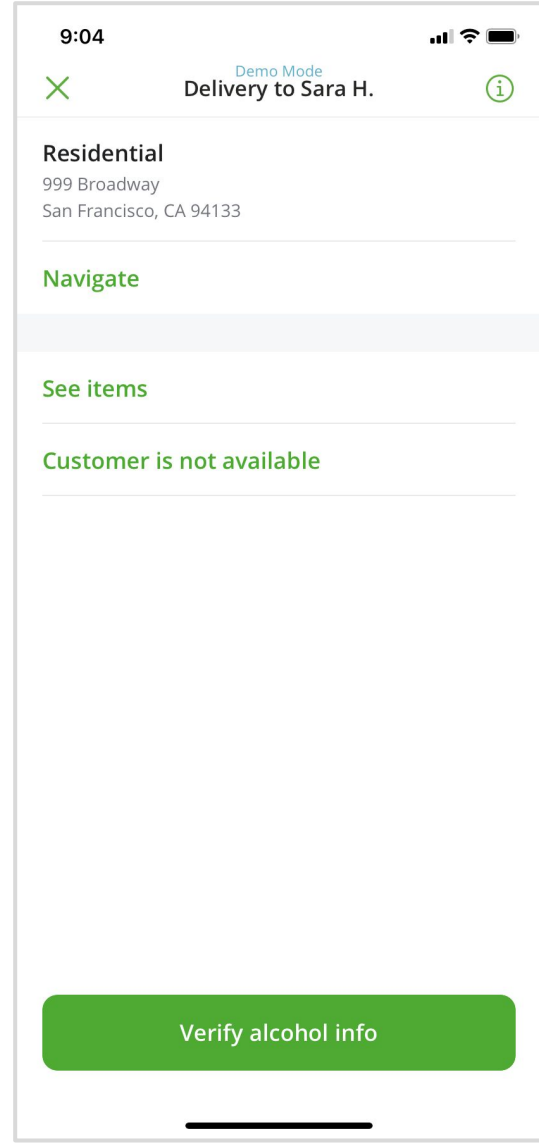
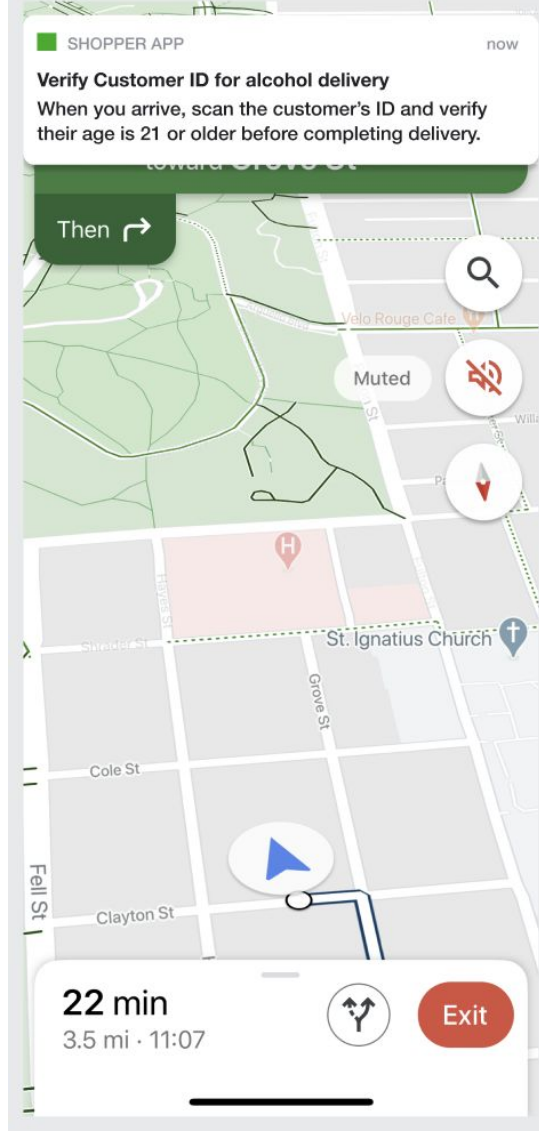
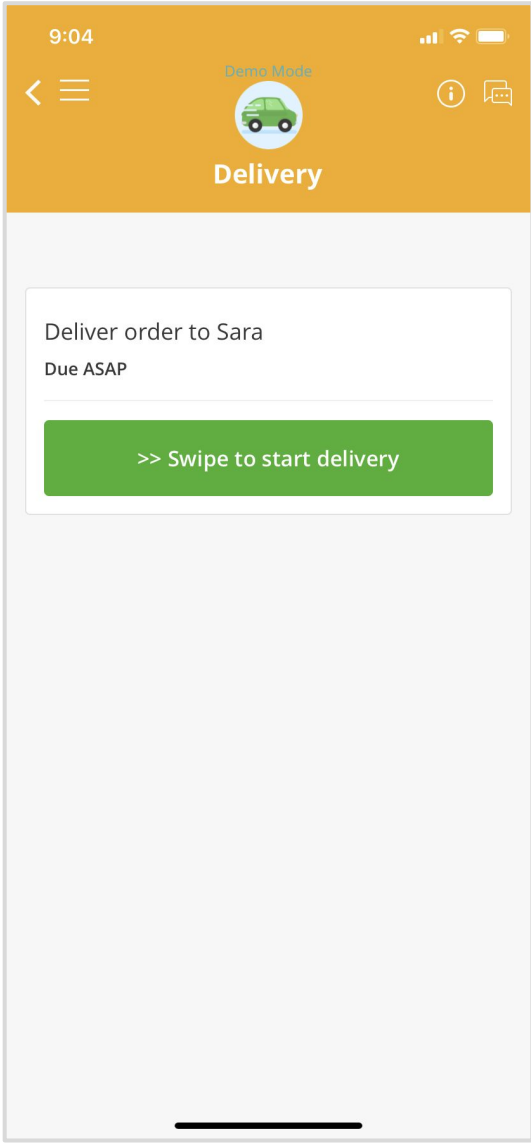
## At the Time of Delivery:

- At the delivery location, the Shopper will request and examine the recipient's ID to ensure that it belongs to the recipient and that the recipient is over 21 years old.
- The Shopper will assess the recipient for signs of intoxication.
- Assuming the recipient is not visibly intoxicated, the Shopper will scan the recipient's ID.
- If the customer is under 21, visibly intoxicated, or not at home-or, if the shopper suspects the alcohol has been purchased by someone who is of age with the intent to provide the alcohol to a minor-the Shopper will politely refuse delivery and return the undeliverable alcohol to the retailer.

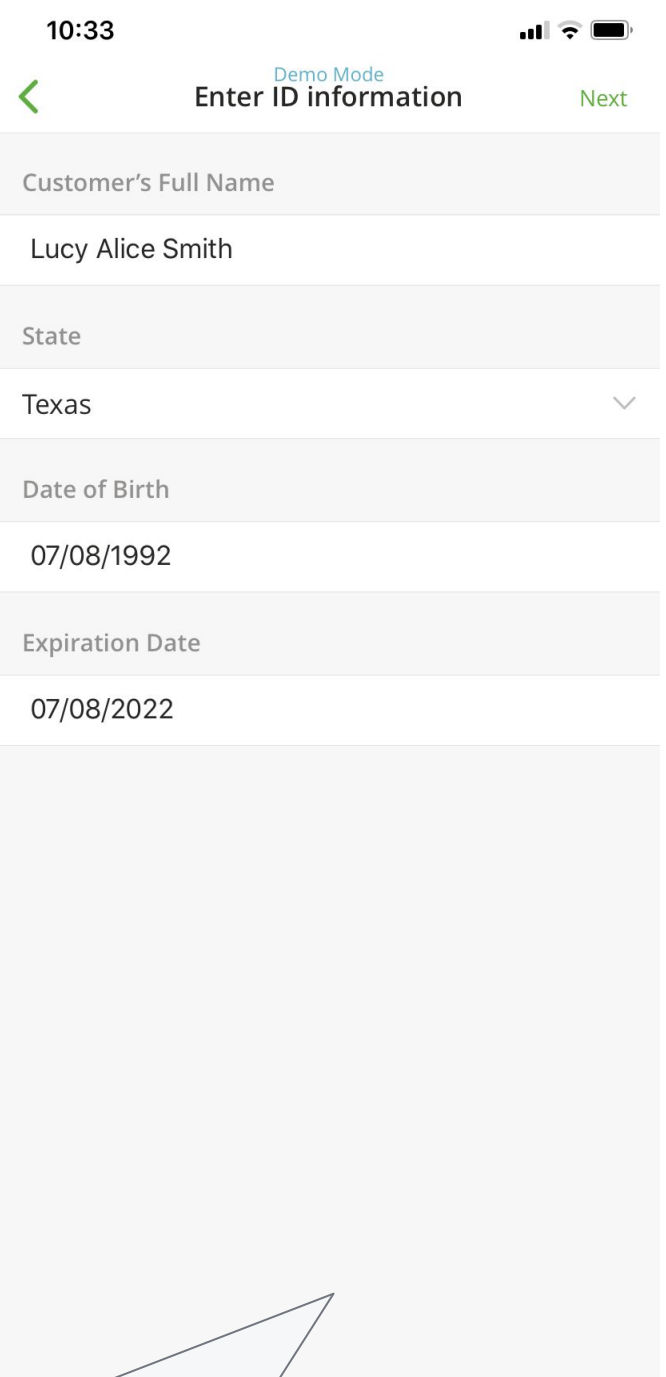
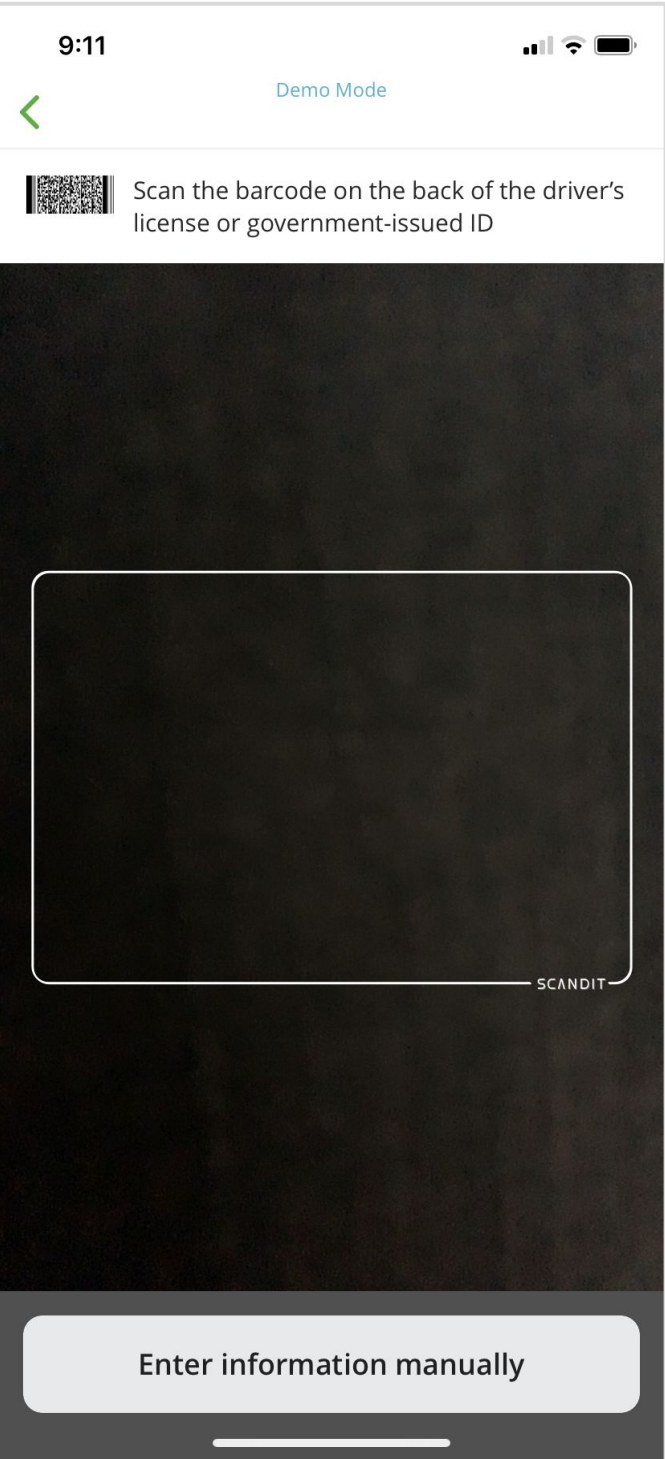


# Shopper Alcohol Flow: Begin Delivery through begin scan

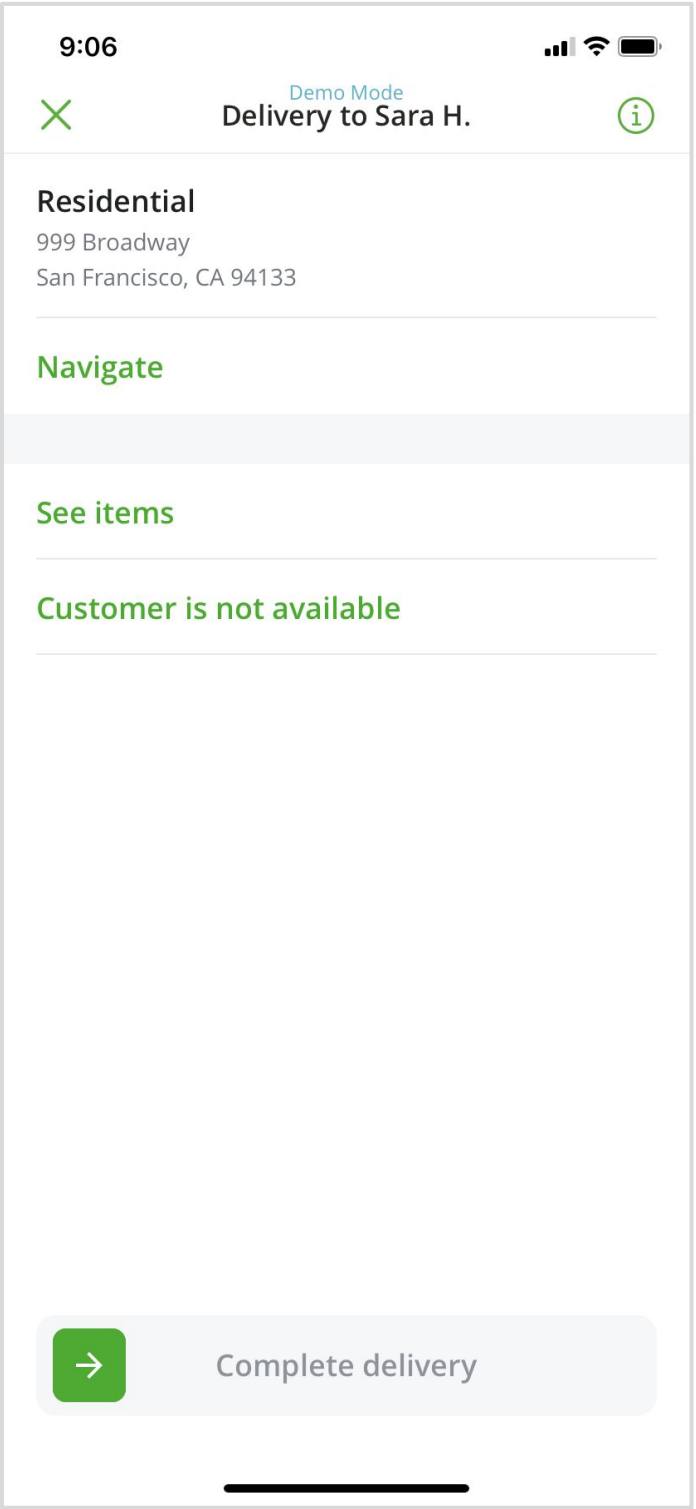
There is a 10 second delay until option to enter manually



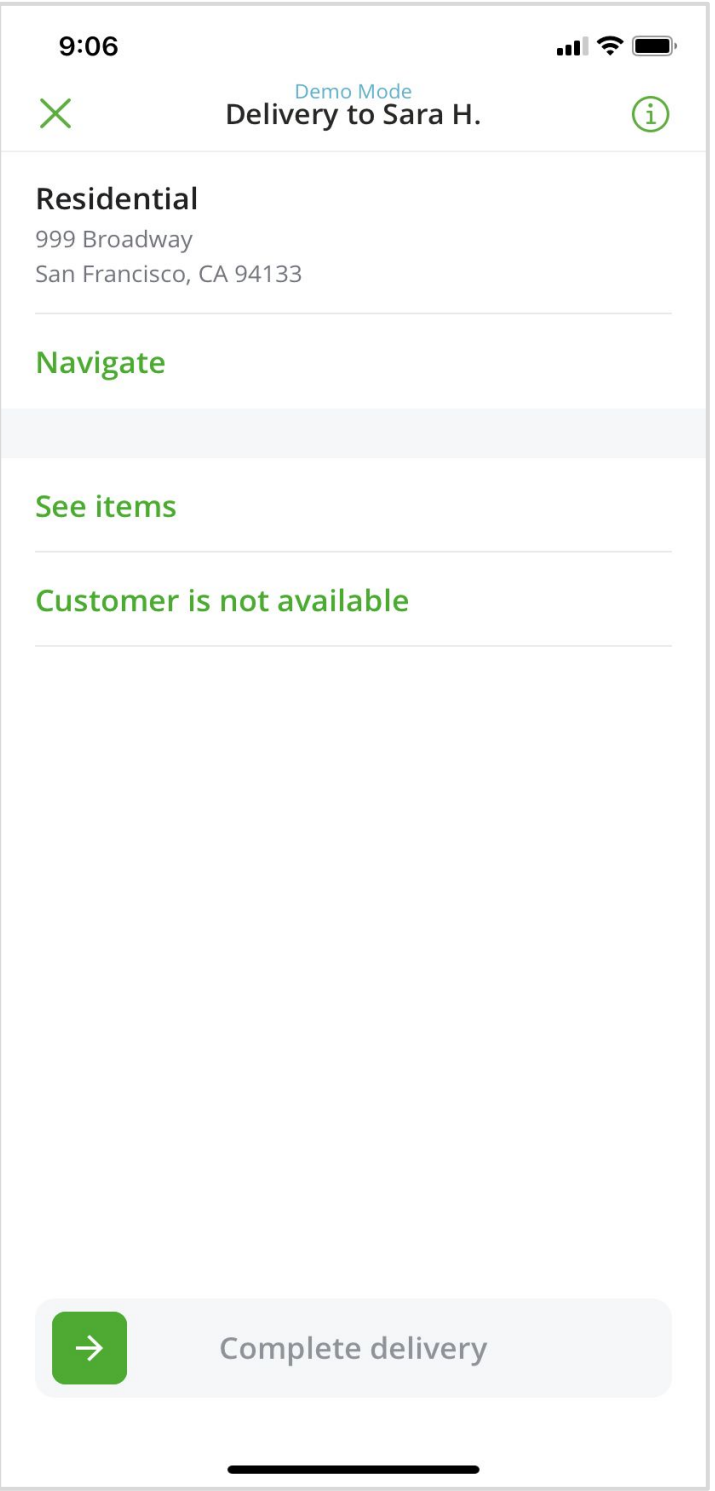
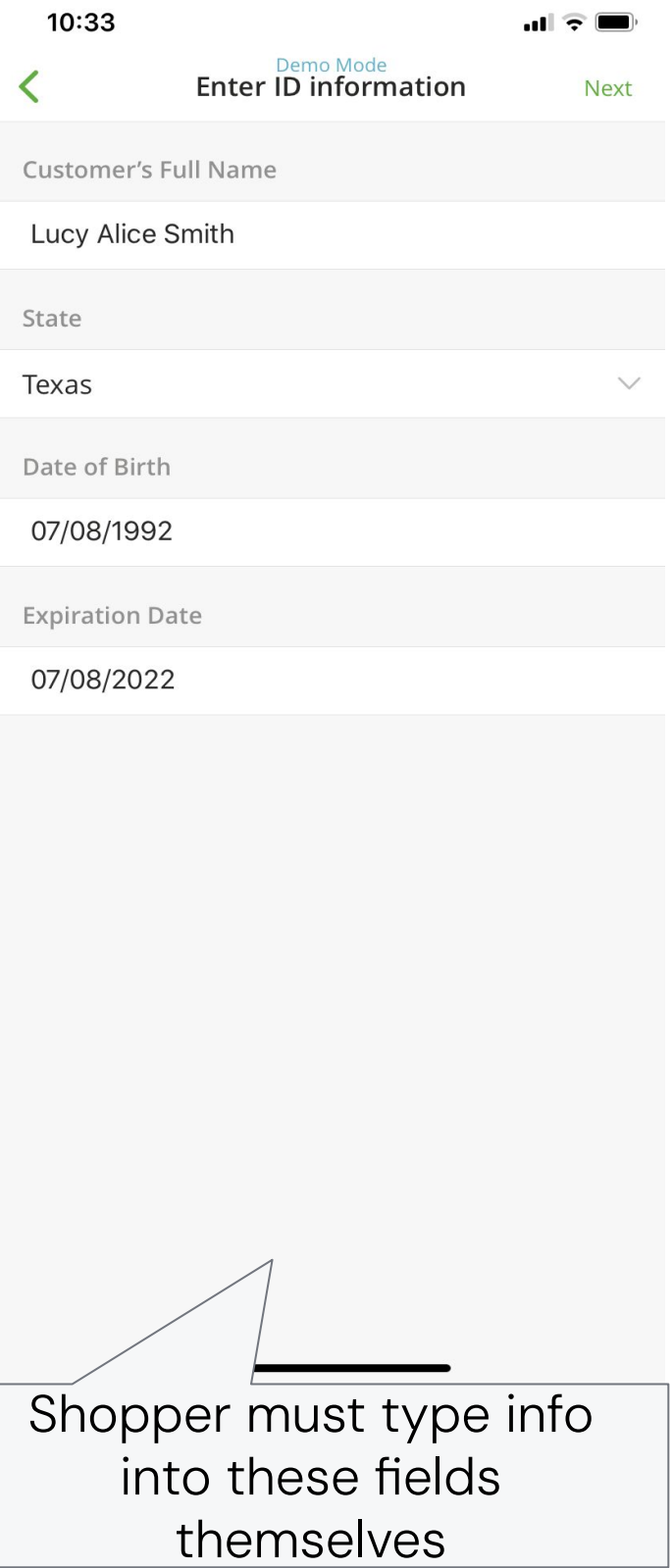
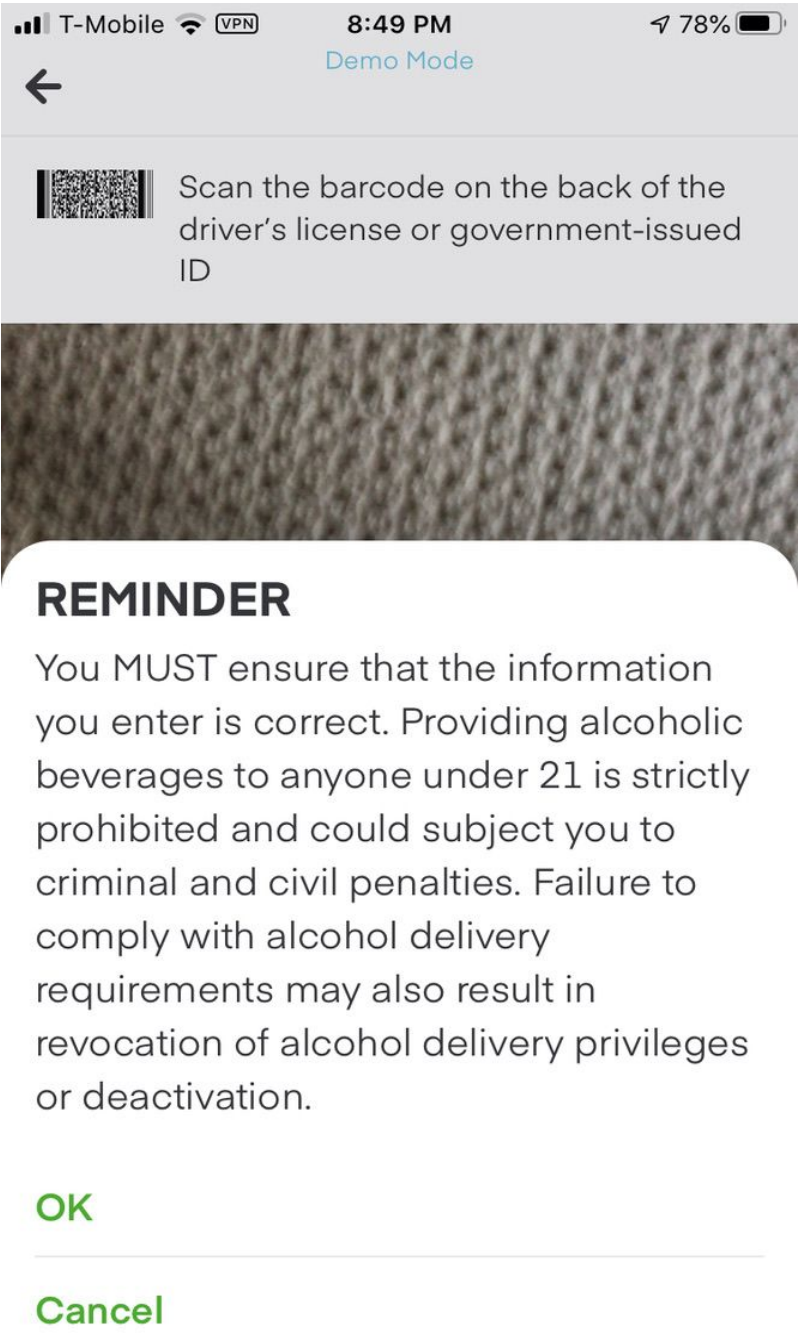
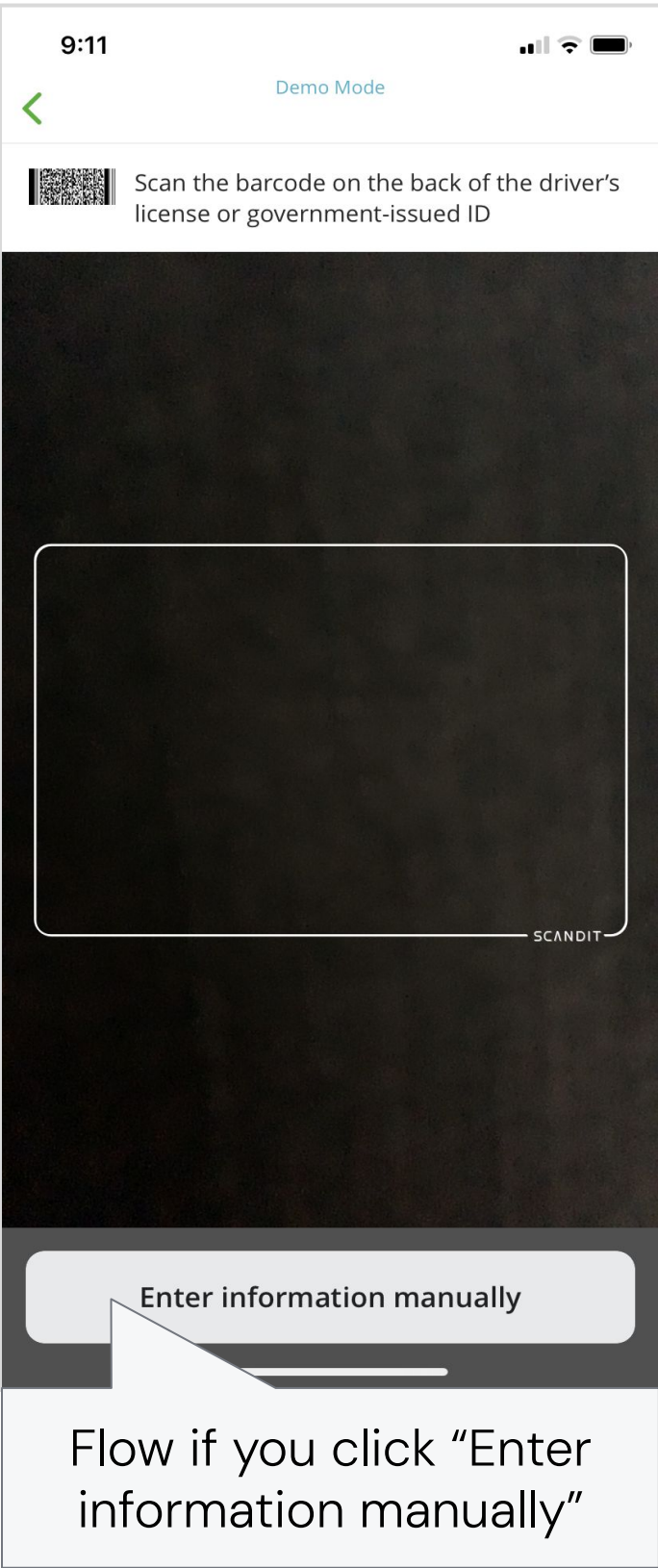
# Shopper Alcohol Flow: valid scan



Information auto-populates post-scan



# Shopper Alcohol Flow: Happy path – valid manual entry



# Instacart Age Verification

## Additional Restrictions for Alcohol Orders

Alcohol orders may ONLY be requested by the consumer through the standard ordering flow on the Instacart website or App.

- Shoppers may not accept special requests for alcohol received from the consumer through the App's messaging function or through a text or phone call.
  - Shoppers who attempt to fill a request for alcohol through the messaging feature of the App will lose their ability to deliver alcohol on the Instacart platform.
- Shoppers are required to verify the recipient's age at the time of delivery before handing over an order.
  - Shoppers must scan the ID, or if there are technical difficulties, must manually enter the information.
  - Shoppers who fail to perform this step may lose their ability to deliver alcohol orders, and in some cases, may result in deactivation of the Shopper's account.



# Age Verification

## Privacy Considerations

Instacart has been safely delivering alcohol consistent with the afore referenced age verification requirements for over seven years in numerous jurisdictions.

- Instacart does not require customers to upload a copy of their physical ID at the time of order, consistent with the requirements for wine direct to consumer shipping.
  - Requiring customers to upload a copy of their ID presents numerous privacy concerns including other risks, data breaches which have been a ripe issue in recent years.
  - The privacy risk associated with collecting personally identifying information (PII) at the time or order, significantly outweighs any responsible delivery benefits.

# Undeliverable Alcohol and Returns

Most third party delivery companies have policies addressing undeliverable alcohol. Alcohol may be undeliverable for a variety of reasons, including but not limited to:

- Recipient is a minor;
- Recipient is obviously intoxicated;
- Recipient refuses to provide ID;
- No one is home to receive the order; or
- Product is damaged in transit.



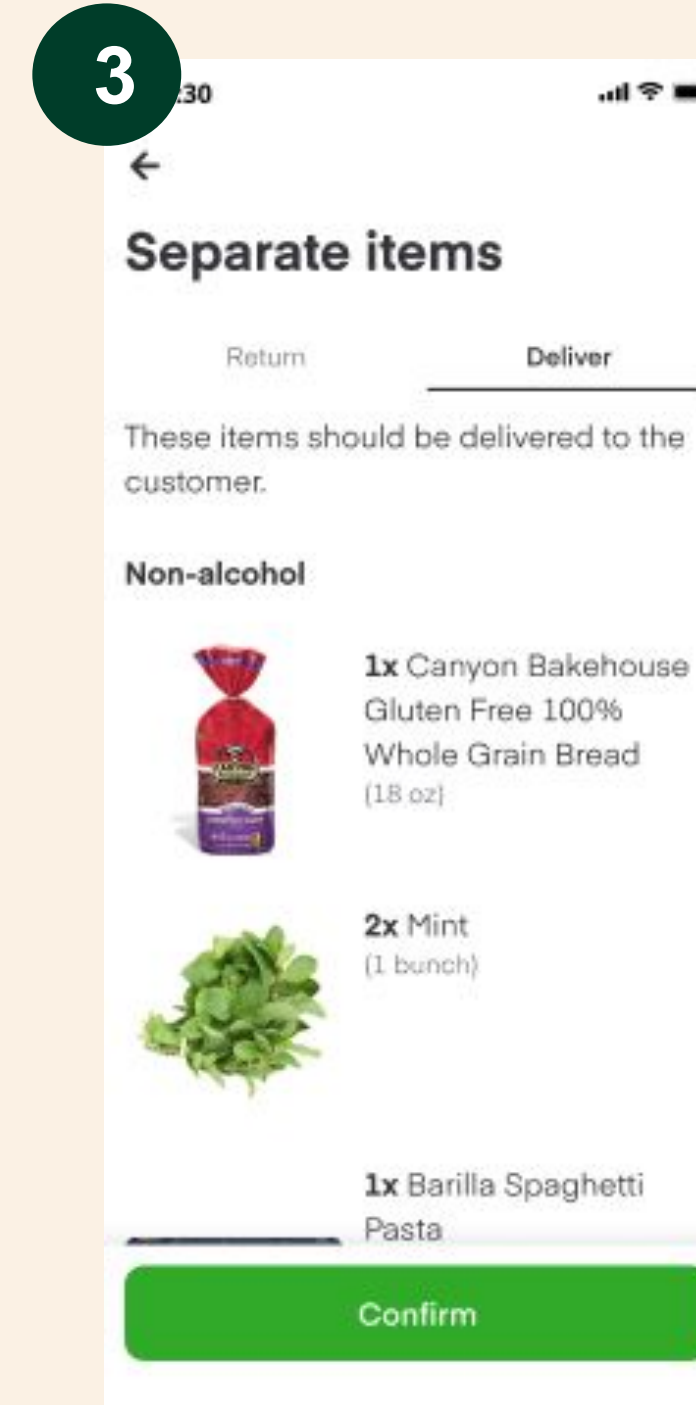
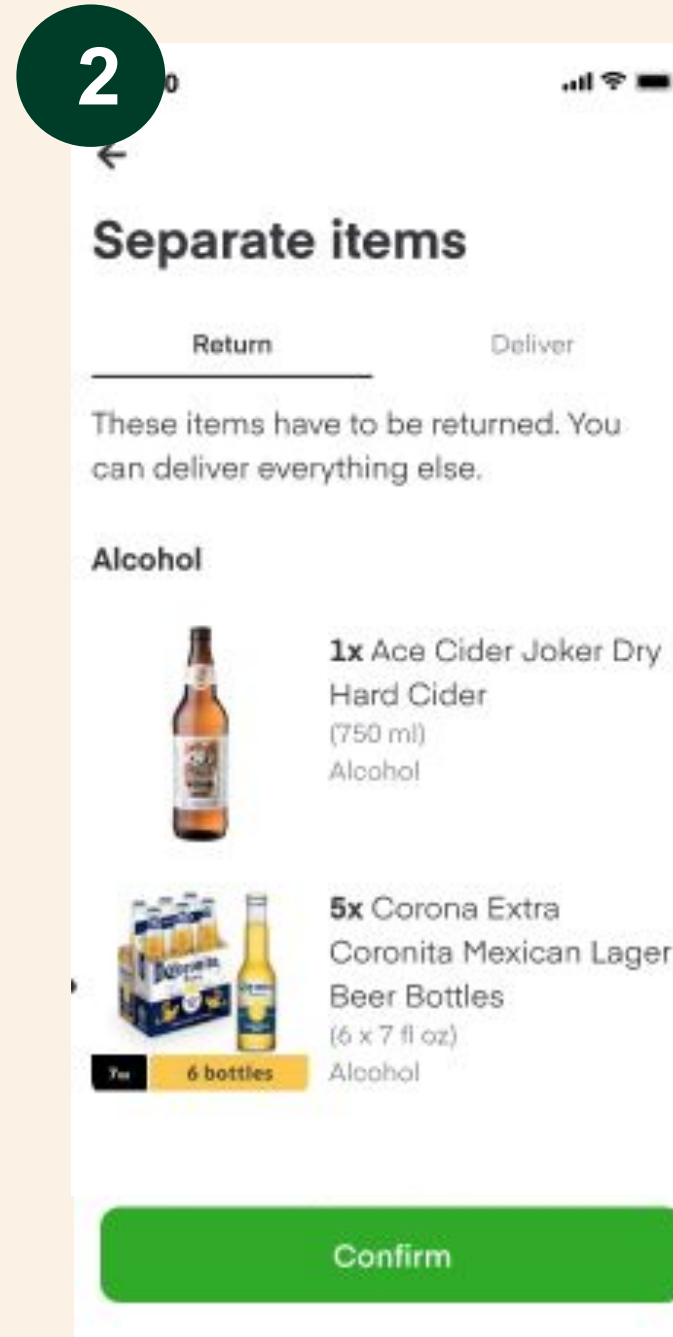
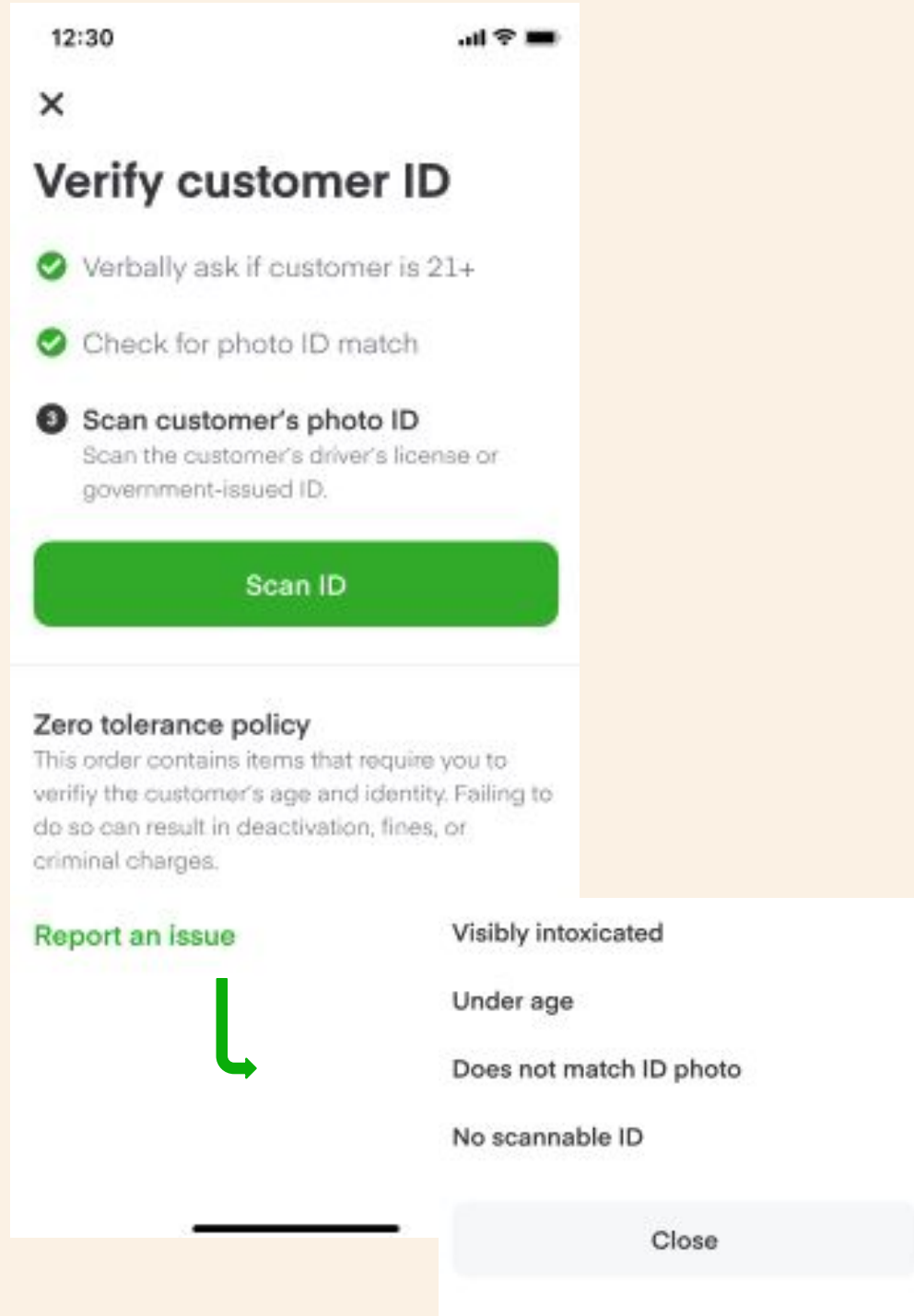
# Returns – Instacart’s Policy



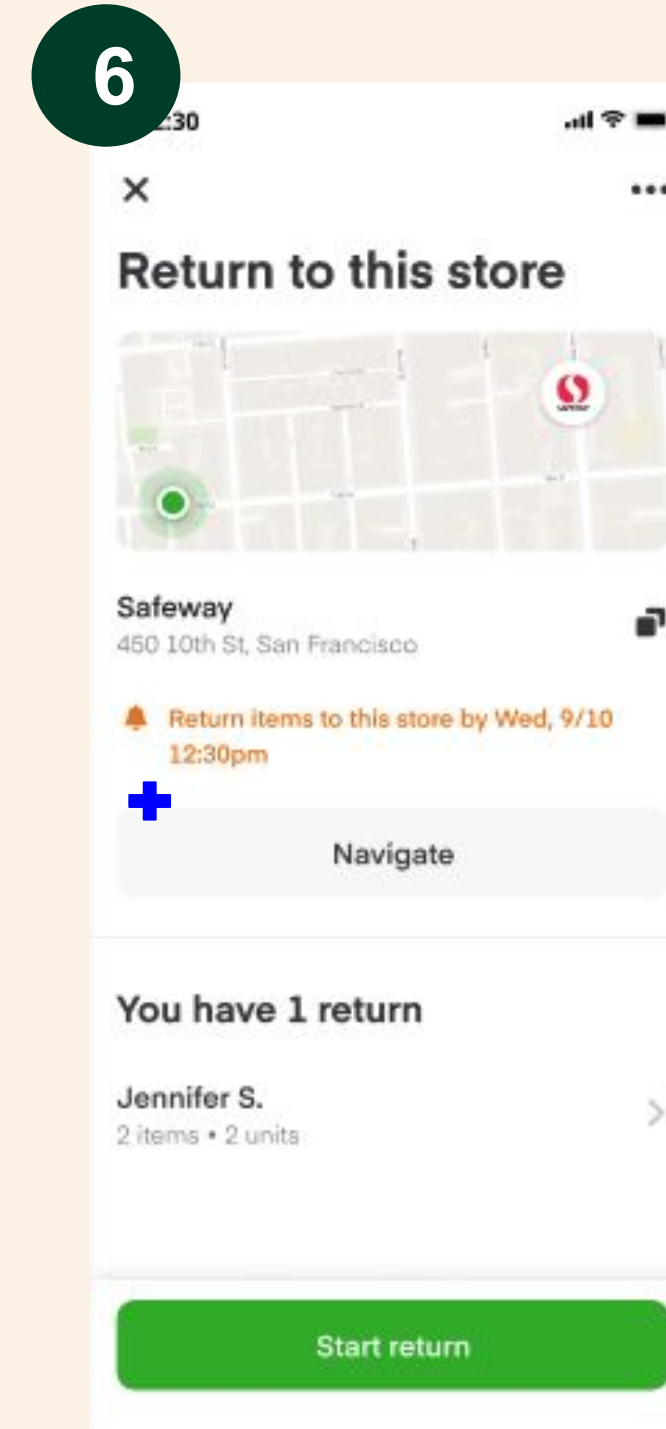
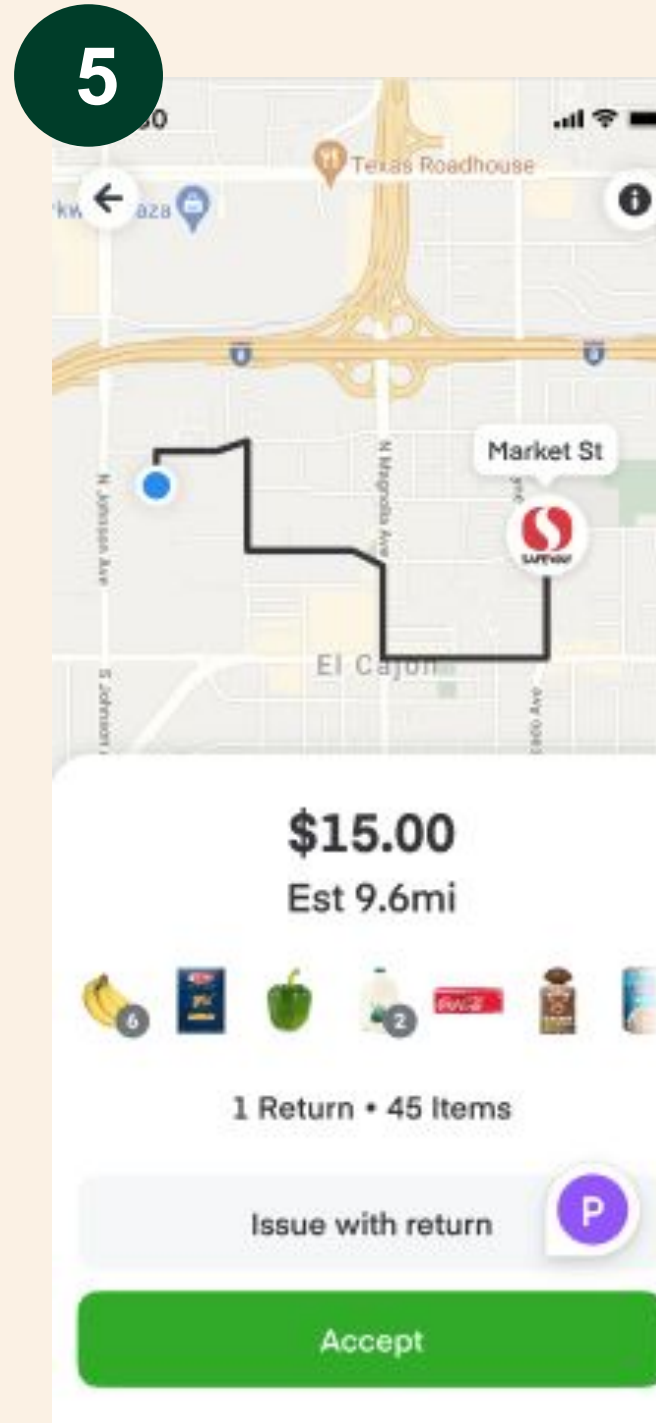
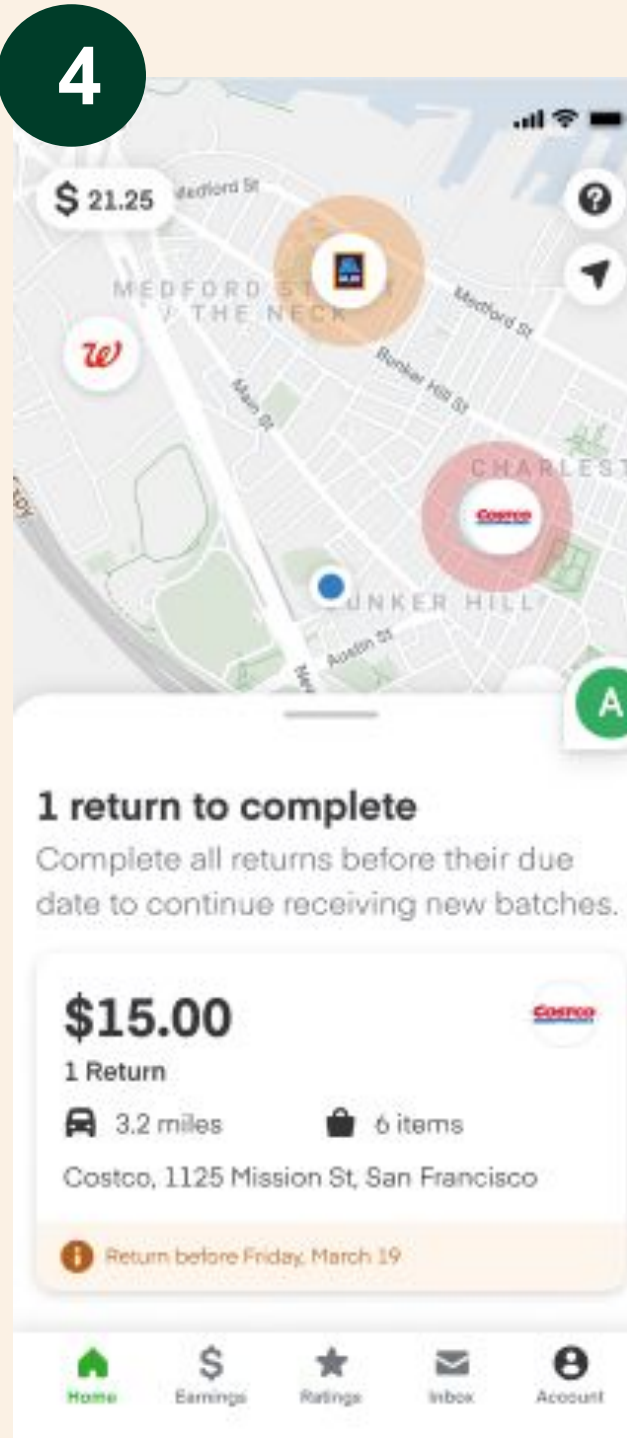
- If a product is undeliverable, Shoppers must return the product to the retailer from which the sale is made.
  - Instacart Shoppers are incentivized to return undeliverable alcohol. Currently, Shoppers are paid \$15.00 to return undeliverable alcohol.
- The consumer does not pay for undeliverable product, regardless of the reason the product was undeliverable.
- Instacart does not charge consumers for alcohol sales; refunds are made by the retailer.

# Verify Customer ID, Item Separation (Source: Figma)

1



# Return Batch Details



# Driver Support

- Many third party delivery companies offer real-time support to drivers to address questions that arise during delivery including:
  - ID related questions
  - Returning undeliverable product
  - Belligerent customers
  - Technology challenges, etc.
- For example, Instacart has the Care Team, Doordash has Dasher Support, and Shipt has Shipt Support.

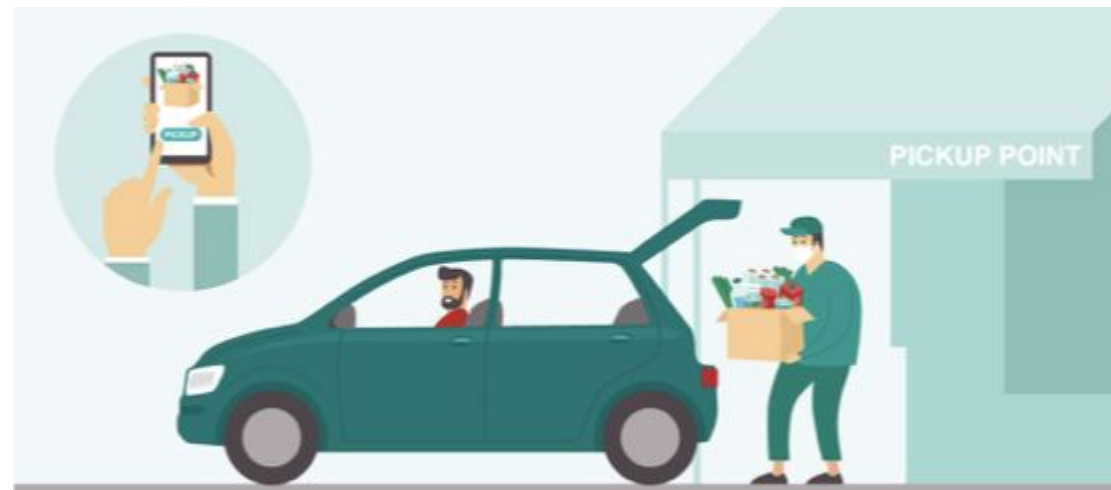


# Alcohol Payment

Generally, when a consumer checks out from a third-party platform with alcohol beverages, the retailer receives the full amount the consumer paid for the alcohol beverage via a payment processing system such as “Stripe” or “Square.”

- The retailer’s name typically appears on the consumer’s credit card receipt and the third party does not receive or retain any portion of the amount paid for the alcohol beverage. All funds go directly from the consumer to the retailer.
- Once the retailer receives the consumer’s payment, the retailer and/or the customer pays the third-party platform a fee for its facilitation services.

# Curbside/Pickup



In response to consumer and retailer demand, as well as differing state regulations, many third party companies offer alternative delivery models that allow consumers to pick up the product in-store or curbside. Regardless of the delivery model, the same safety protocols and age verification requirements are followed.



# Instacart's Carrot Commitment

Instacart is strongly committed to ensuring compliant deliveries. Instacart's Carrot Commitment outlines the core principles Instacart follows to ensure safe delivery:



## 1. ID

Shoppers are required to verify and scan ID for alcohol orders.

## 2. TRAIN

Shoppers are trained on state and local laws and regulations relating to alcohol beverage deliveries as well as intervention techniques to prevent the service or sale of alcohol beverages to underage persons or intoxicated persons.

## 3. CHECK

Instacart conducts internal audits to confirm driver compliance and identify areas for improvement and additional training.

## 4. SUPPORT

Instacart offers 24/7 on demand support to drivers to address real time questions and also sends frequent reminders with useful delivery tips.

Thank you!



# Third-Party Delivery License Study

**Virginia ABC**


Community Health & Engagement Division


*Responsible Alcohol Delivery Driver (RADD) Training*





# Virginia ABC's Licensee Training Programs

## Training

- 

**RSVP**  
Responsible Sellers & Servers: Virginia's Program
- 

**MART**  
Managers' Alcohol Responsibility Training
- 

**CIRT**  
Compliance Industry Responsibility Training
- 

**RADD**  
Responsible Alcohol Delivery Driver

## Seller/Server Training Approval Program (STAP)

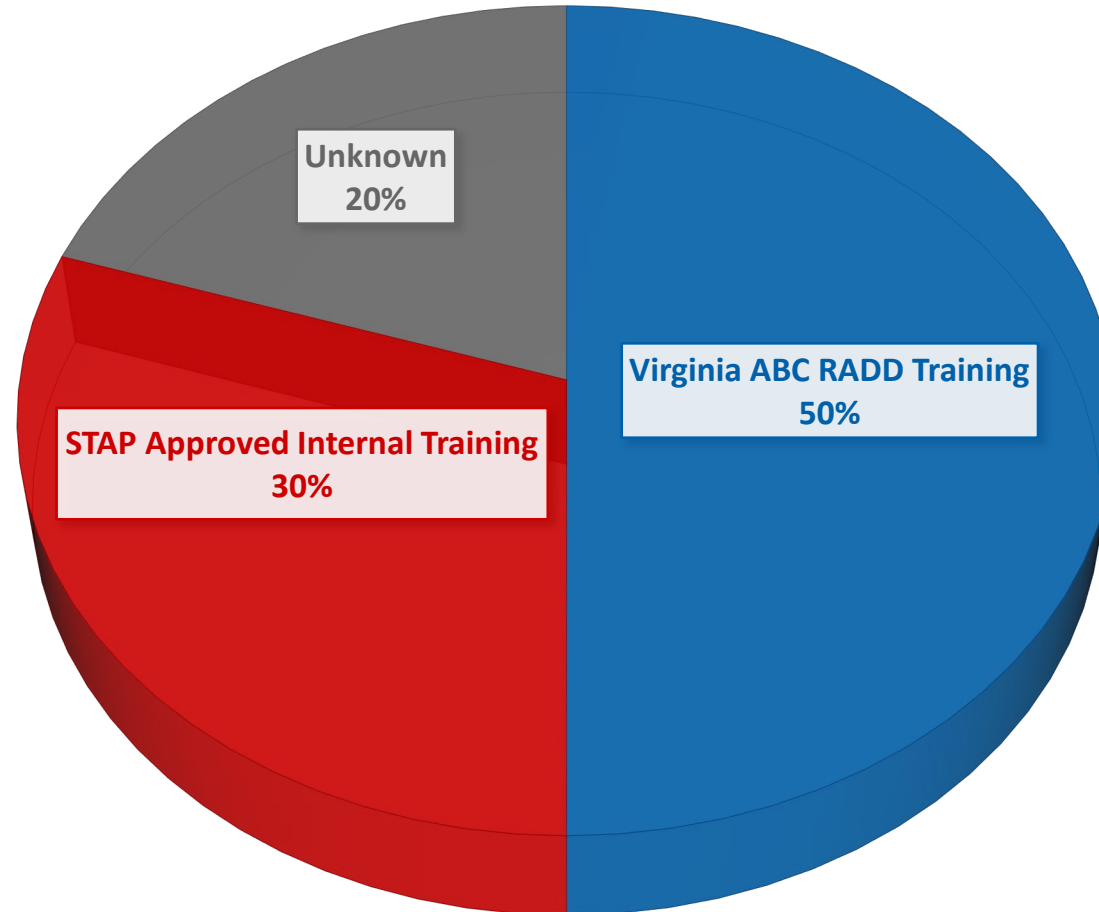
- 

Seller/Server Trainings
- 

Delivery Driver Trainings

## Resources

# Training Utilization



# RADD Training



# RADD Overview

## Format

- Online
- Pre and Post tests
- Must receive 80%+ on post-test to receive certificate of completion

## RADD Training Goals

<b>Goal 1:</b>	Increase alcohol licensee and delivery driver knowledge and understanding of delivery laws and regulations.
<b>Goal 2:</b>	Encourage licensees and drivers to stay informed of alcoholic beverage delivery laws and regulations in Virginia.
<b>Goal 3:</b>	Increase alcohol delivery compliance.

## RADD Training Modules

<b>Module 1:</b>	Virginia ABC Laws and Regulations
<b>Module 2:</b>	Checking IDs
<b>Module 3:</b>	Delivery Compliance
<b>Module 4:</b>	Overview of Virginia ABC resources

## RADD Training Learning Objectives

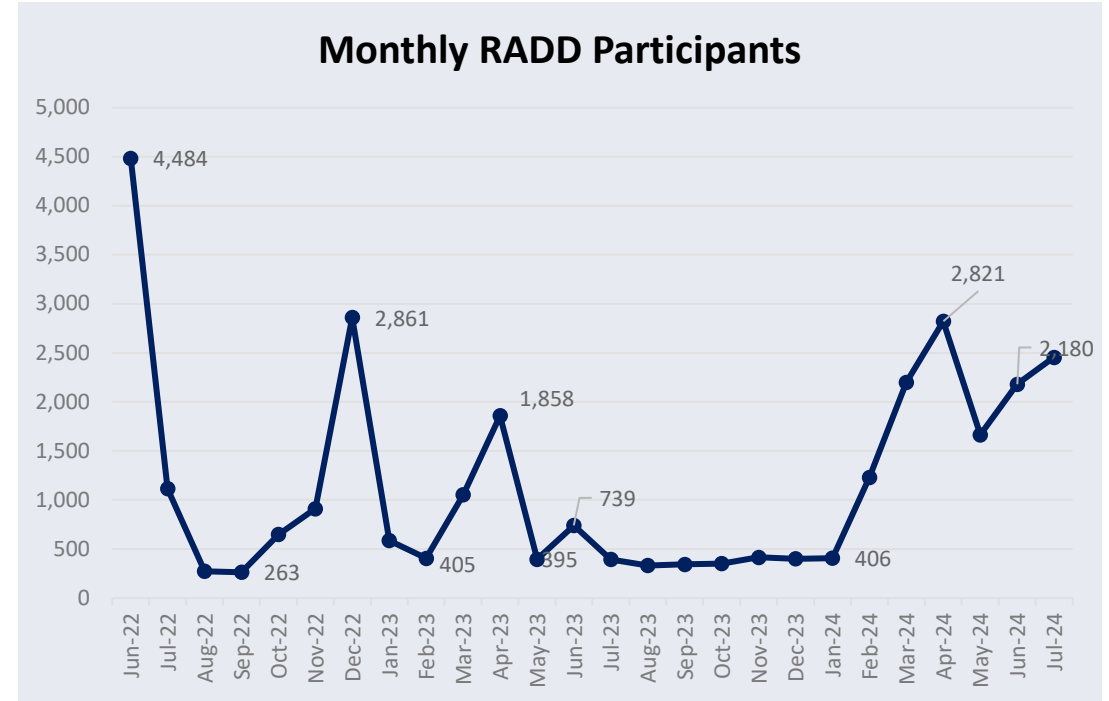
<b>Learning Objective 1:</b>	Demonstrate an understanding of alcoholic beverage related laws and regulations.
<b>Learning Objective 2:</b>	Examine identification types in an effort to prevent fake ID use and sales of alcoholic beverages to underage customers.
<b>Learning Objective 3:</b>	Proactively prevent intoxication and underage sales.
<b>Learning Objective 4:</b>	Understand and locate available Virginia ABC programs and resources.

# RADD Performance Indicators

Statistic	Total
*Total Trainings since launch	30,773
**Total Trained in FY22	4,484
Total Trained in FY23	11,105
Total Trained in FY24	12,730
Total Trained in FY25 YTD	2,454
Monthly Average Trained	1,184
Evaluation Completion Rate	58.12%
Average Assessment Score	89.92%

\* This number includes training renewals

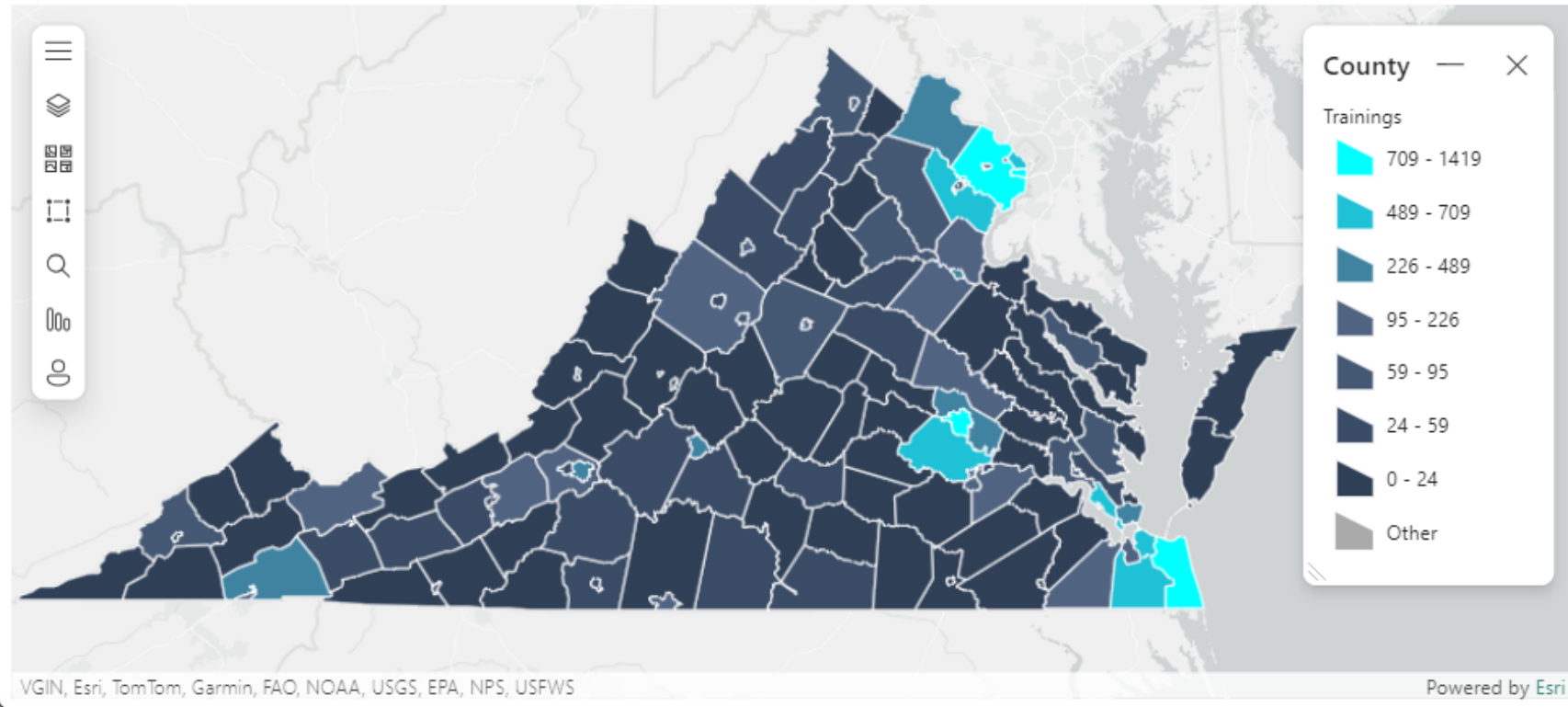
\*\* RADD Training launched June 2022 therefore it was only available for one month in FY22





# RADD Participation Map

## Trainings by 'Localities Most Often Served' from RADD Evaluation



Locality	Trainings
Virginia Beach, VA	1,419
Fairfax County, VA	1,113
Richmond City, VA	960
Alexandria, VA	945
Arlington, VA	709
Chesapeake, VA	707
Norfolk, VA	703
Chesterfield, VA	640
Prince William, VA	597
Newport News, VA	583
Hampton, VA	489
Henrico, VA	475
Washington, VA	457
Loudoun, VA	444
Fredericksburg, VA	351
Lynchburg, VA	337
Roanoke City, VA	333

# RADD Evaluation

Please indicate your level of agreement with the following statements:

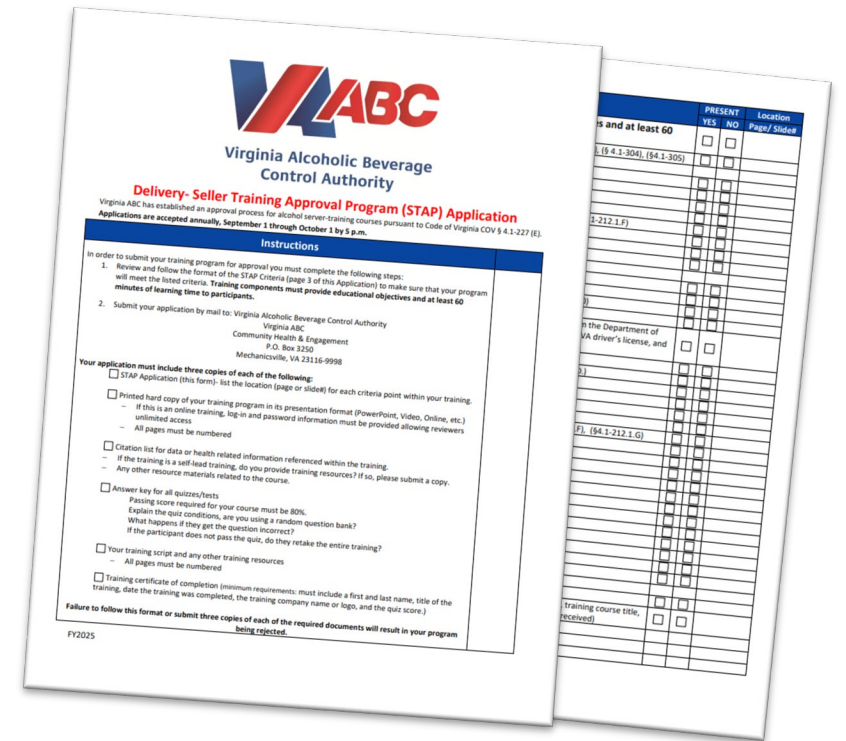
	STRONGLY DISAGREE	DISAGREE	NEITHER AGREE NOR DISAGREE	AGREE	STRONGLY AGREE	TOTAL
▼ The training covered topics that are relevant to my job.	8.44% 1,461	0.36% 63	2.65% 459	22.38% 3,876	66.17% 11,459	17,318
▼ I gained new knowledge from this training.	7.82% 1,354	0.57% 98	3.15% 546	24.02% 4,160	64.44% 11,160	17,318
▼ I feel more confident in my ability to make responsible deliveries after taking this training.	7.70% 1,334	0.38% 65	3.80% 658	22.12% 3,830	66.01% 11,431	17,318
▼ I know how to locate additional resources on delivery, if needed.	7.44% 1,288	0.26% 45	2.76% 478	25.42% 4,402	64.12% 11,105	17,318
▼ The training was an appropriate amount of time.	8.30% 1,437	2.73% 473	6.49% 1,124	25.26% 4,374	57.22% 9,910	17,318

# STAP Program



# STAP Requirements

- STAP certification for delivery driver trainings developed by entities other than the Authority.
- Virginia ABC has established STAP as an approval process for alcohol server training courses pursuant to COV 4.1-227.E.
- Applications are accepted **September 1-October 1.**



# STAP Performance Indicators

## FY23

STAP Delivery Training Approved Provider	Type
Gopuff	Internal
Instacart	Internal
Point Pickup Technology	Internal
<b>STAP FY Total</b>	<b>6,196</b>

## FY24

STAP Delivery Training Approved Provider	Type
Gopuff	Internal
Instacart	Internal
Point Pickup Technology	Internal
Rservng	External
<b>STAP FY Total</b>	<b>6,393</b>



# Contact Information

## **Katie Crumble**

Director of Community Health & Engagement  
Katie.Crumble@VirginiaABC.com

## **Kristina Yager**

Licensee Education & Prevention Coordinator  
Kristina.Yager@VirginiaABC.com

# Alcohol Delivery Requirements in Other Jurisdictions

Virginia ABC  
Third Party Delivery Working  
Group

August 7, 2024



**Adult  
Beverage**  
*Alliance*

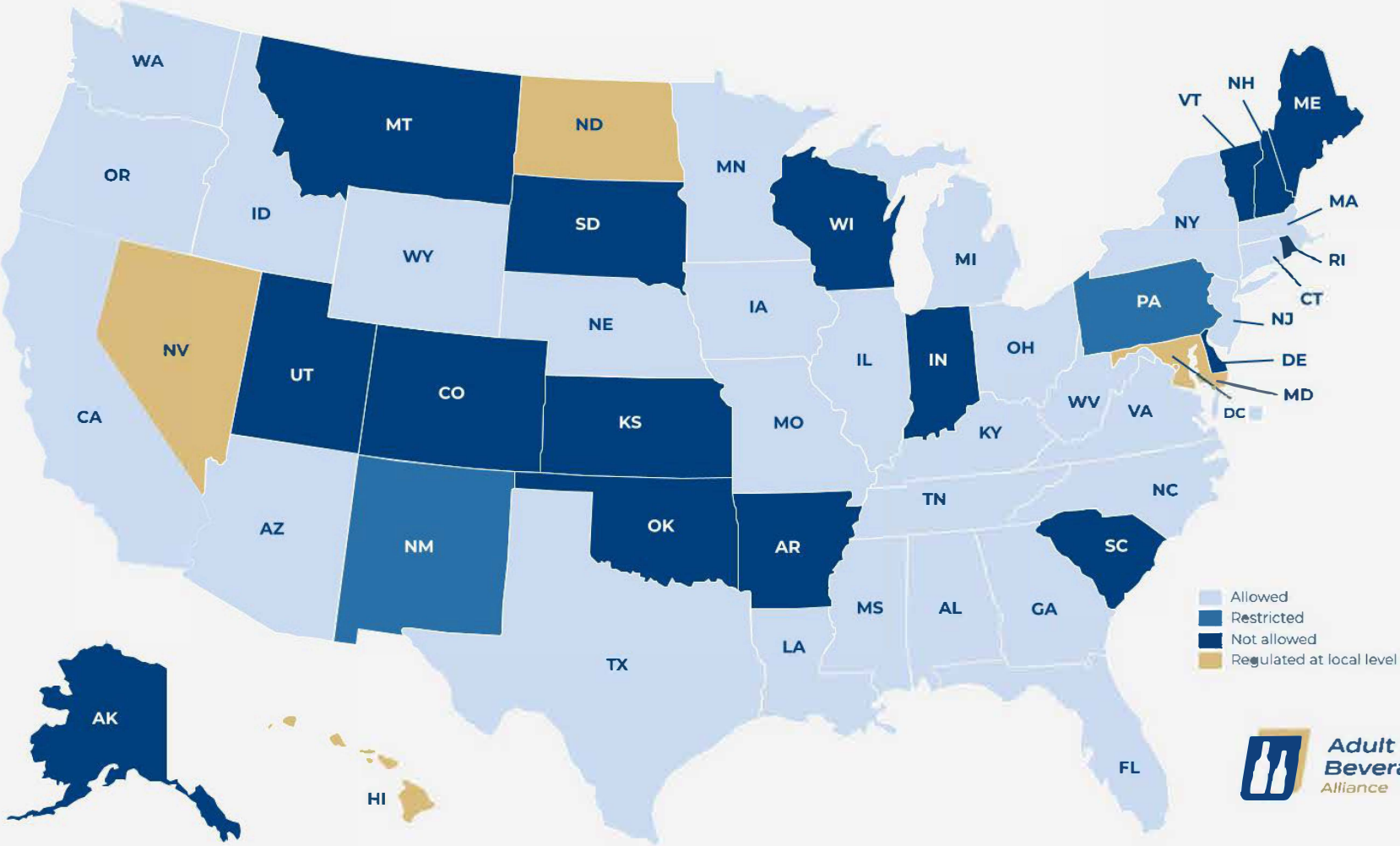
# Alcoholic Beverage Delivery: Overview

- Retailers can currently deliver alcoholic beverages in 40 states.
- Retailers can use third parties to deliver alcoholic beverages in about 30 states.
- Third parties must hold a permit to deliver alcoholic beverages in 18 states.





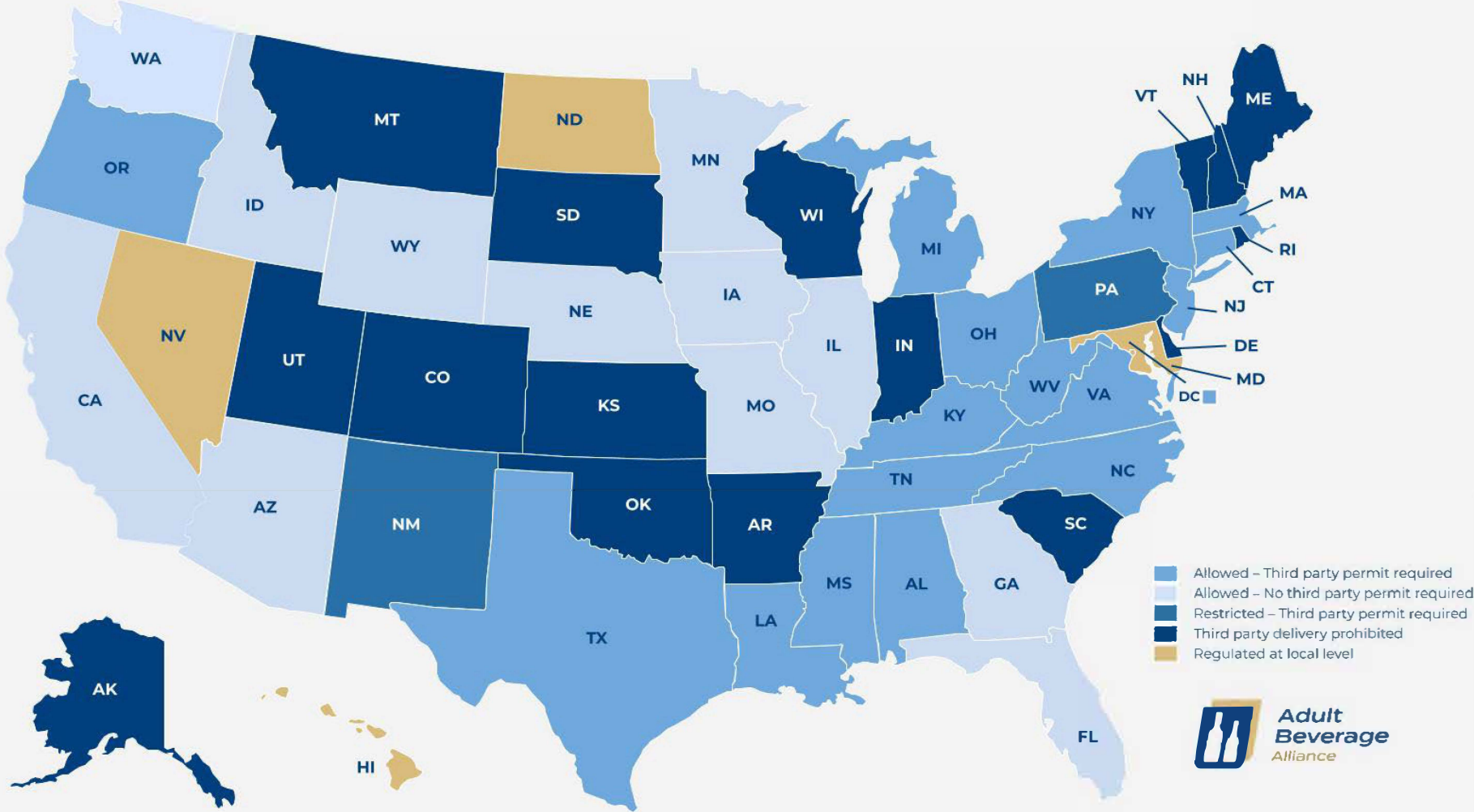
### Off-Premises Retailer Alcohol Delivery by Third Parties



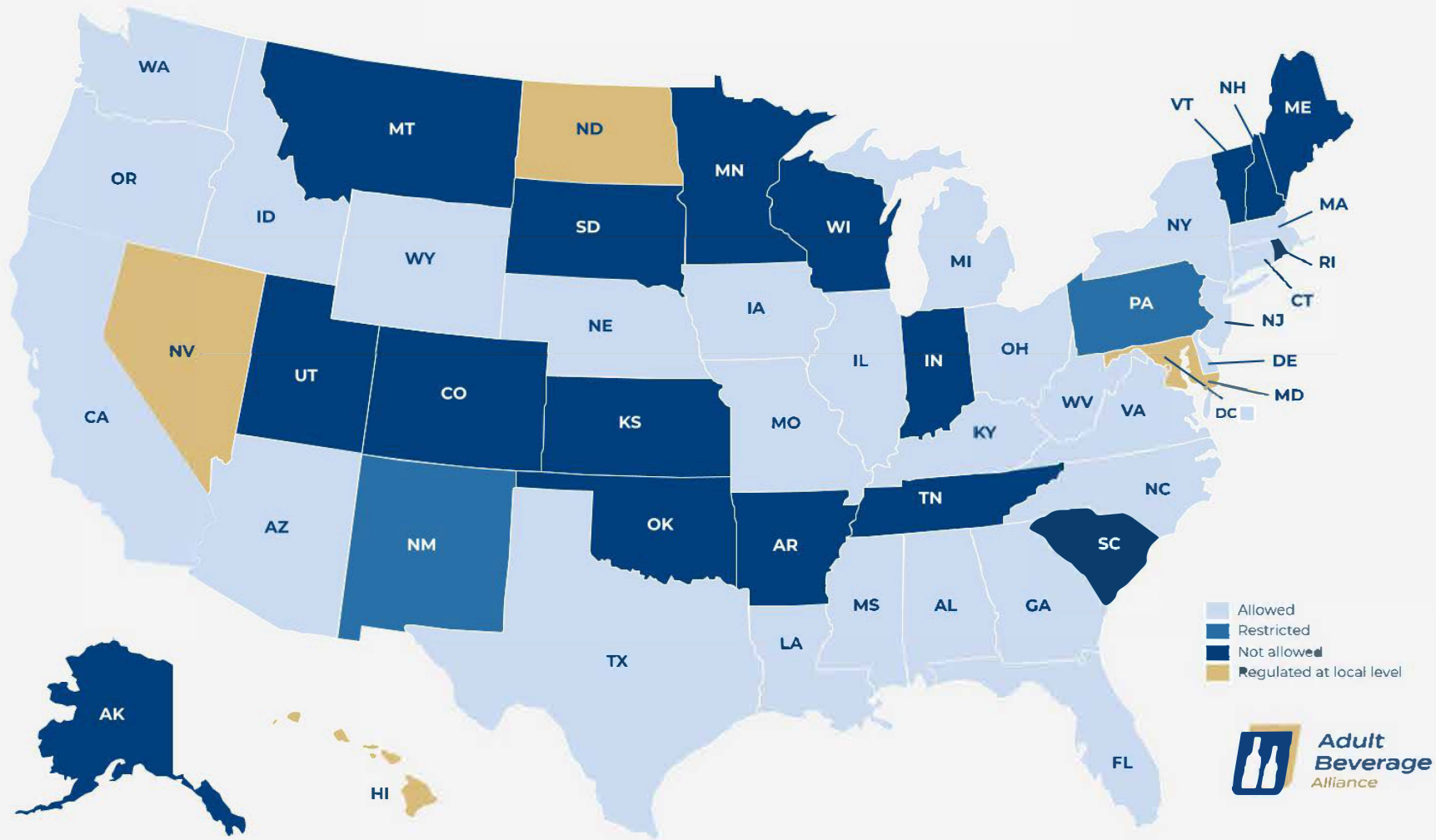
Allowed  
Restricted  
Not allowed  
Regulated at local level



### Off-Premises Retailer Alcohol Delivery by Third Parties (Third Party Permit Required)



### On-Premises Alcohol Retailer: Third Party Delivery



# Alcoholic Beverage Delivery: Key considerations in different jurisdictions

- *Commodities:* delivery can vary between beer, wine, and spirits.
- *License types:* delivery rules often vary by retail license type. Off-premises v. on-premises, and sometimes within each category.
- *On-premises retailers and cocktails-to-go:* e.g., manufacturer-sealed v. mixed drinks; food requirements.
- *Local considerations.*

# Alcoholic Beverage Delivery: Third Parties

## Third party delivery considerations

- *Who can deliver?* Independent contractors
- *Third party permits.*
- *Driver education.*
- *Background checks.*
- *Age verification rules.*
- *Packaging/labeling rules.*
- *Quantity limits.*

# Alcoholic Beverage Delivery: Third party delivery considerations

- *Geographical limits.*
- *Ecommerce functions.*
- *Hours of sale.*
- *Undeliverable orders.*
- *Liability-shifting.*
- *Recordkeeping, reporting, and data retention.*

# Virginia ABC E-Commerce Public Safety Operations

December 1, 2023





The Virginia Alcoholic Beverage Control's Bureau of Law Enforcement conducted several e-commerce Public Safety Operations with Regions 1, 5 and 6 in the following localities of the state to ensure compliance with Virginia Title 4.1-304 and 4.1-212 regarding the sale and service of cocktails for off premises consumption.

## Localities:

### Region 1

- Montgomery County
- Radford City
- Roanoke City
- Roanoke County

### Region 5

- Fredericksburg City
- Hanover County
- Spotsylvania County
- Stafford County

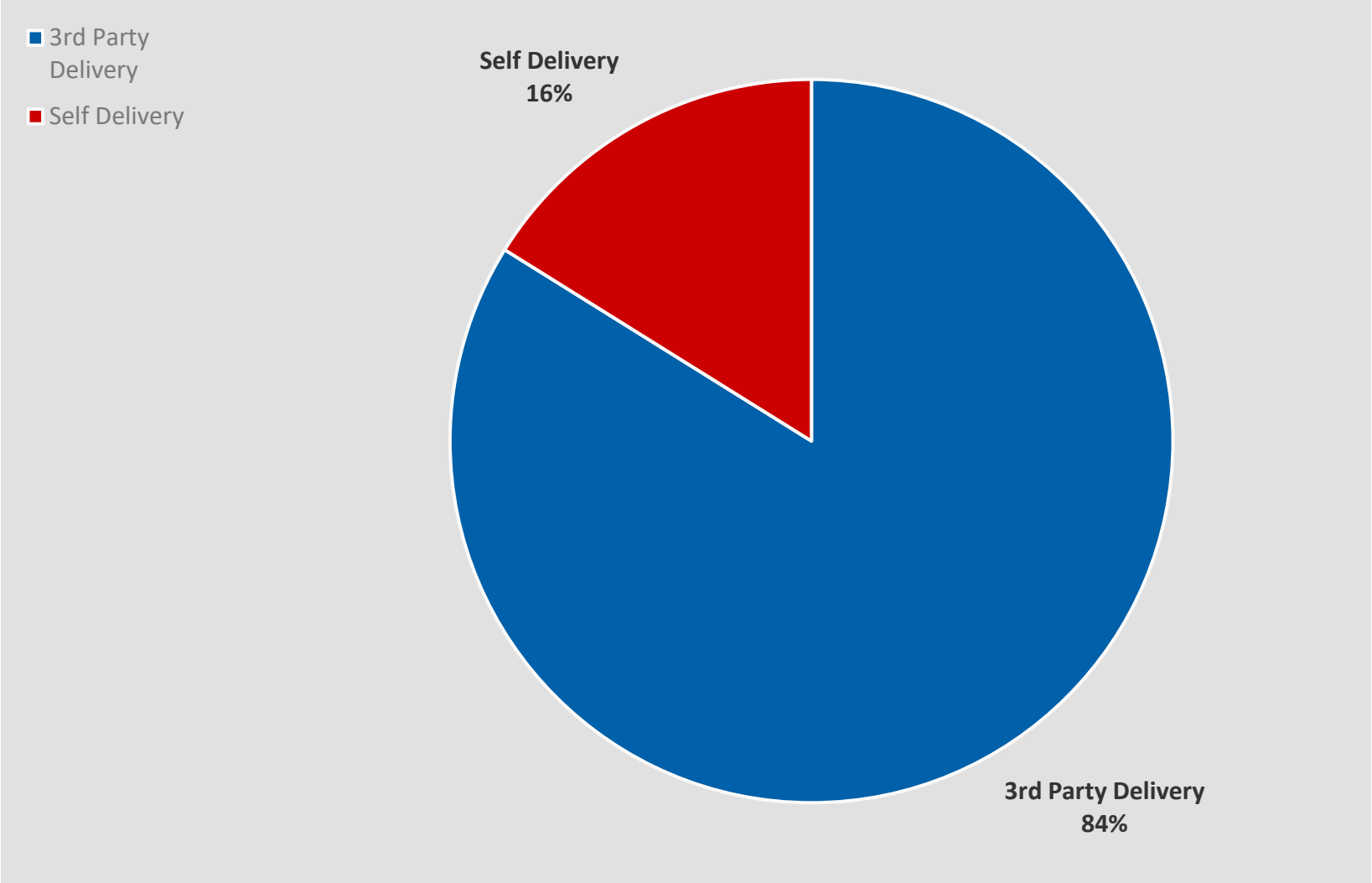
### Region 6

- Chesterfield County
- Henrico County
- Richmond City

- Agents identified licensed establishments utilizing third party delivery services such as DoorDash and Uber Eats
- Agents also found several licensees that made “self” deliveries where the alcohol could be ordered online
- Agents ordered the alcohol that was delivered to an approved underage buyer in a safe location under close Agent supervision
- Upon delivery the underage buyer would approach the delivery driver to receive the alcoholic beverage(s)



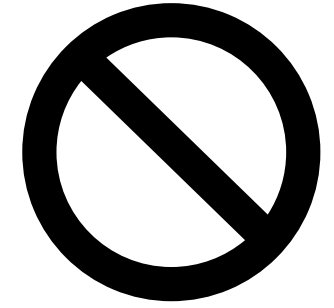
# Delivery Services Used



- During the operation, Agents placed online orders for alcohol to ensure compliance with the appropriate guidelines as well as the Code of Virginia. The operational objectives are listed below:
  - Order two cocktails with no meal
  - Order more than four cocktails
  - Have the underage buyer accept the alcohol
  - Check for a secure lid or cap on the alcohol delivered
  - Observe (if visible) where the mixed beverages for delivery were stored for transport in the vehicle



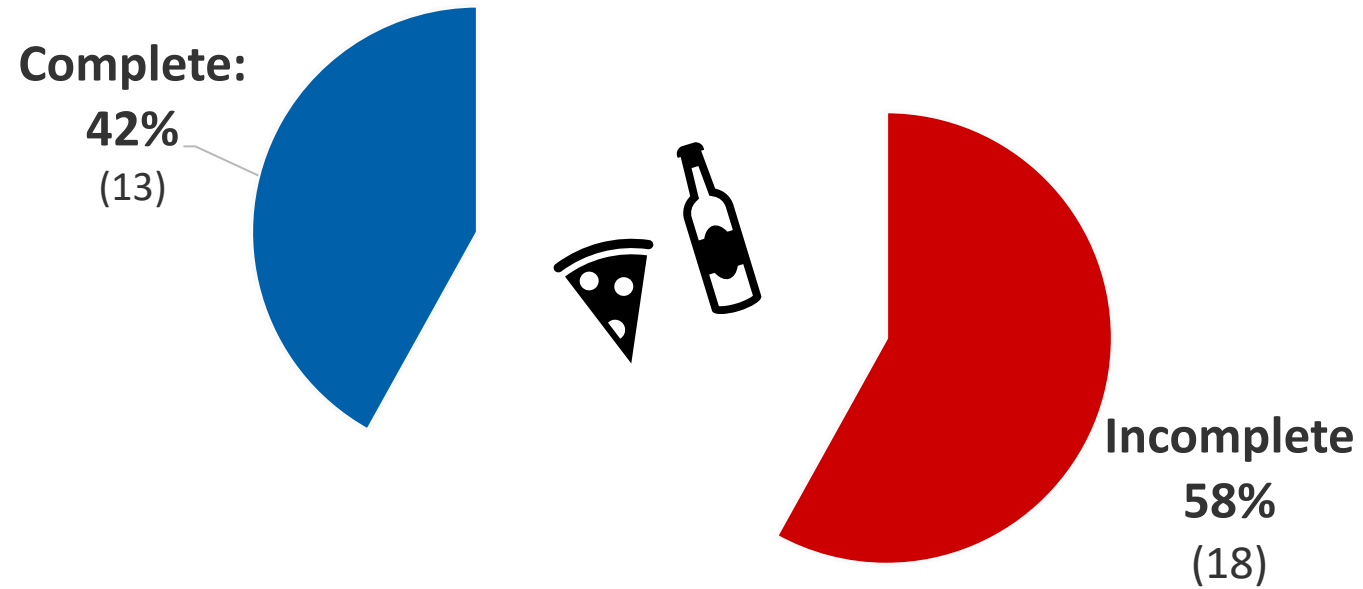
# Orders Denied Up Front or Cancelled



56 establishments were contacted to place orders

- 1 order was not picked up after 1.5 hours and was cancelled
- 24 orders were not accepted for various reasons:
  - Not delivering alcohol at this time
  - No driver available
  - DoorDash website not working
  - Establishment too busy to deliver
  - Credit card blocked by DoorDash

# Delivery Orders Attempted by UABs (31)



# Noted Violations

- Alcohol transported in the front seat of the vehicle
- Failed to check for proper ID
- Driver delivering alcohol after the sale was denied
- Driver asking UAB if they have a friend with a valid ID
- Food requirement not met
- Container not properly secured or sealed



# 3<sup>rd</sup> Party Delivery Underage Buyer Public Safety Operations

VA ABC BUREAU OF LAW ENFORCEMENT

September 11, 2024



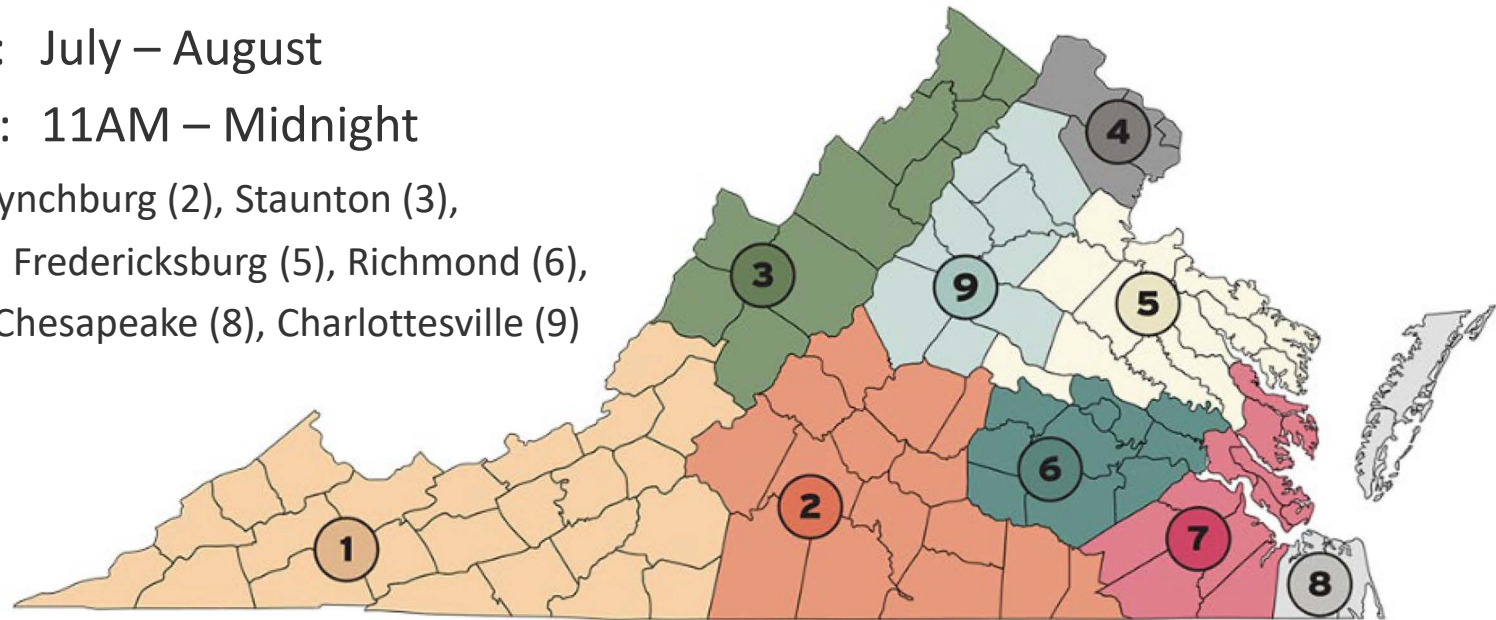


The Virginia Alcoholic Beverage Control's Bureau of Law Enforcement conducted operations to ensure compliance of the sale and delivery of alcohol from licensed establishments and licensed third-party delivery companies. These operations were conducted pursuant to the General Assembly enactment outlined in HB688 & SB635.

Dates of Operations: July – August

Times of Operations: 11AM – Midnight

Regions: Roanoke (1), Lynchburg (2), Staunton (3),  
Alexandria (4), Fredericksburg (5), Richmond (6),  
Hampton (7), Chesapeake (8), Charlottesville (9)



# Operation:

- Agents identified licensed establishments utilizing licensed third-party delivery services such as DoorDash and Uber Eats
- Agents ordered the alcohol that was delivered to an ABC employed underage buyer in a safe location under close Agent supervision
- Upon delivery the underage buyer would approach the delivery driver to receive the alcoholic beverage(s)



During the operations agents attempted to purchase alcohol from on and off premised licensed establishments in order to check for compliance with VA Code sections 4.1-212.1, or 4.1-212.2, Agents attempted to do the following, but not limited to, when placing an order

**ORDERING:**

- 1) Order two mixed beverages with no meal.
- 2) Order more than four mixed beverages.
- 3) Order a mixed beverage over 16 ounces.
- 4) Order a mixed beverage with no mixer.
- 5) Order more than four cases of wine or beer.



**RECEIVING:**

- 1) Have the UAB accept the alcohol.
- 2) Check to make sure the mixed beverage container has no straw holes or other openings.
- 3) Check to make sure the mixed beverage container displays the name of the licensee purchased from.
- 4) Check to make sure the mixed beverage is clearly marked with the phrase “contains alcoholic beverages”.
- 5) Observe where the mixed beverages were stored in the vehicle for transport for the delivery.

# Delivery Services Used:

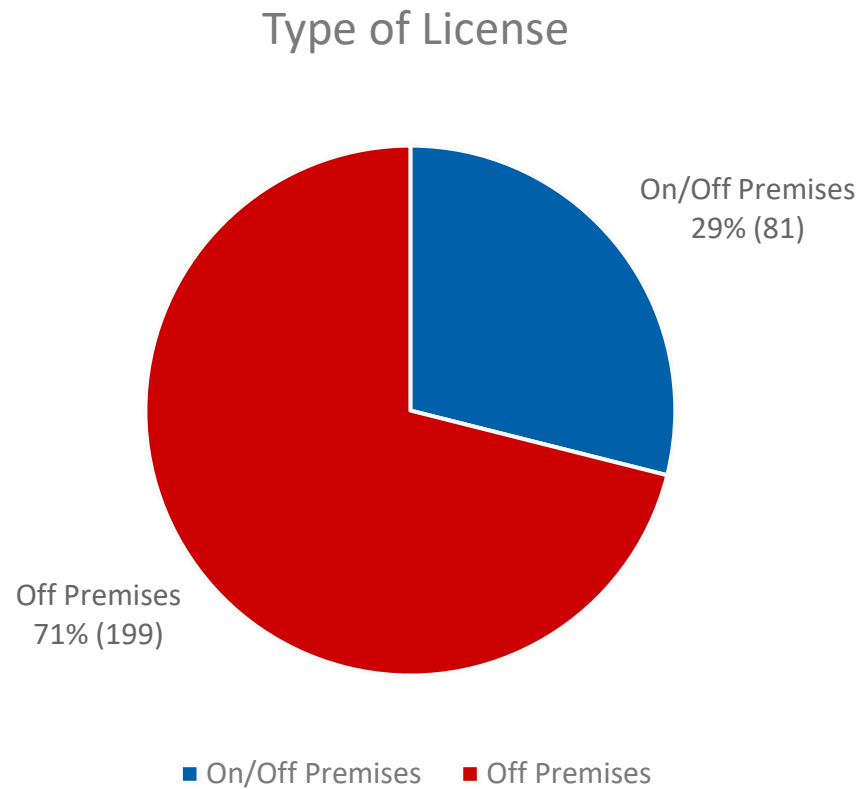
- Grubhub
- UberEats
- DoorDash
- Amazon
- Instacart
- Walmart



\*The above companies represented what was available to deliver alcohol in Virginia during the period of operations.

# On/Off Premises

Percentage of the different types of licenses used when ordering:

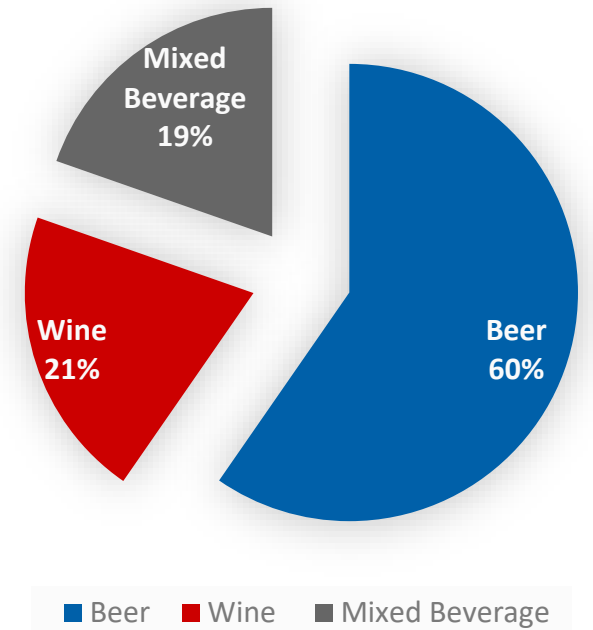


# Orders Placed

280 establishments were contacted to place orders

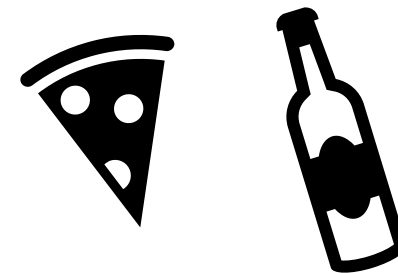
- 252 orders were UAB (underage buyer) checks
  - 208 were 'no sales'
  - 22 were sales
  - 22 were N/A (the alcohol did not make it to the destination of the UAB)
- 28 orders were regulatory checks without the use of a UAB

Type of Alcohol used in Ordering



An additional 24 attempts were made to place orders and were removed from our data:

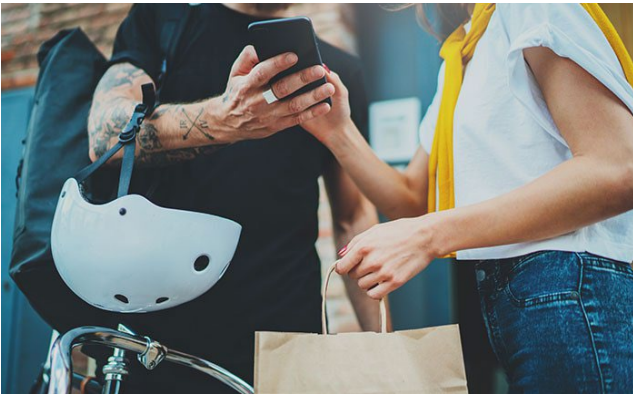
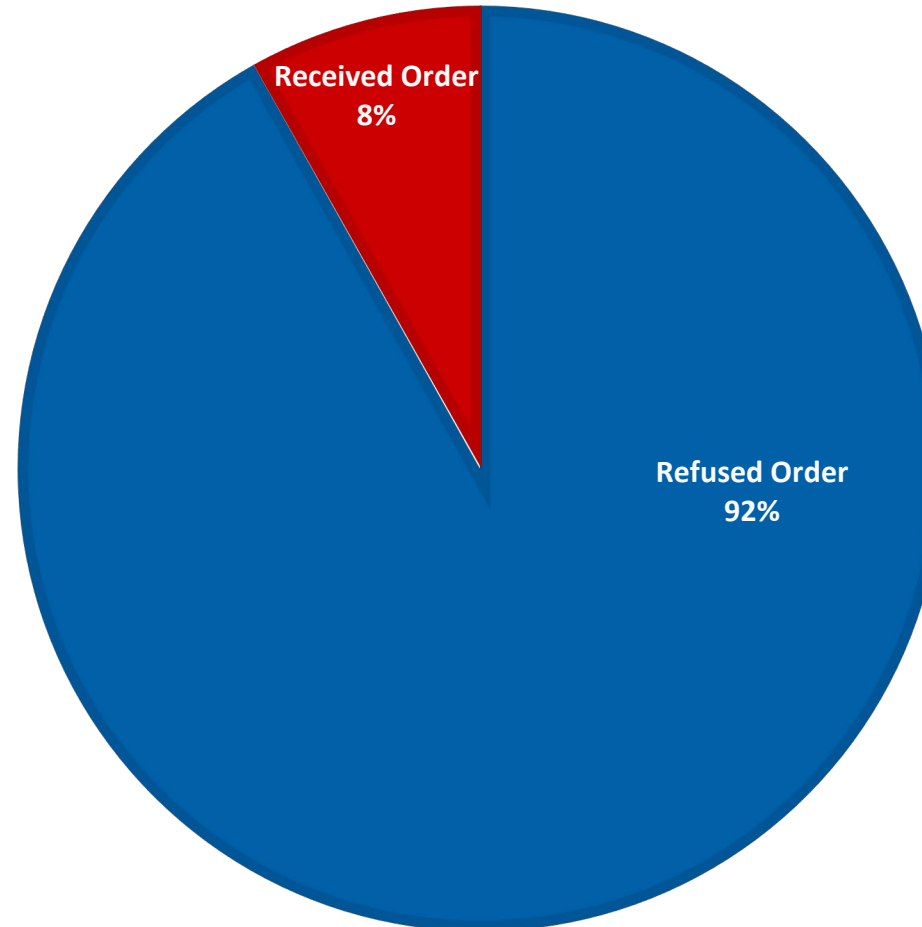
- The prepaid card did not work
- Account was flagged as fraudulent
- Cancelled by Agent because order was not picked up by a driver
- Cancelled by Agent because the time kept getting pushed back
- 304 Total attempts



# Orders Delivered after the UAB ID was Checked

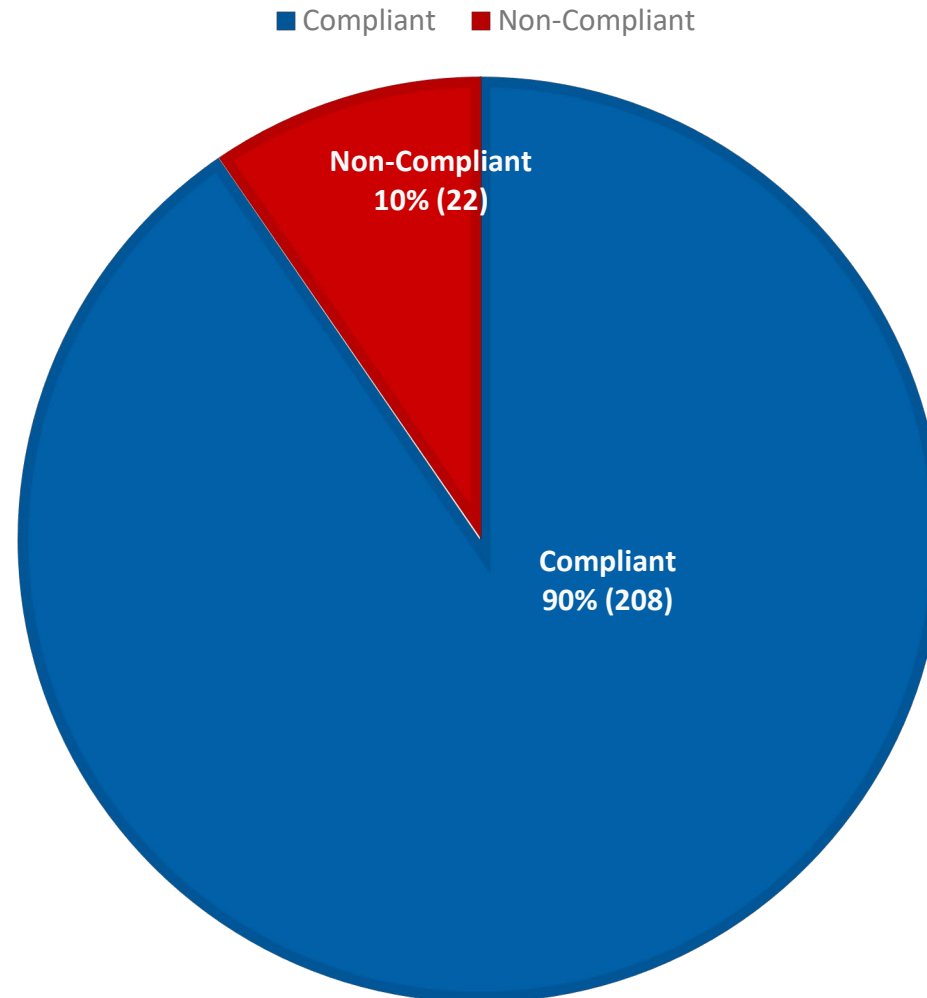
- **209** UAB orders had a delivery driver that checked the ID
  - **192** of those orders were refused.
  - **17** orders were delivered after checking the ID of a UAB.

■ Refused Order ■ Received Order



# Compliance Percentage Rate

- **90%** of the UAB orders were compliant with the regulations





# Mixed Beverage Packaging and Meal Requirement

There were 55 order attempts that contained mixed beverages

- 26 of these 55 attempts required a meal to be purchased.
- 39 of the 55 orders were delivered
  - 32 were packaged properly
  - 7 were not packaged properly



# After Hours

There were **21** attempted orders placed, to be delivered past **11PM**

- 15 of those orders were denied  
(the app or restaurant did not allow the order to be placed)
- 6 orders were delivered after 11PM



# Potential Violations

Some of the deliveries resulted in criminal and regulatory charges:

- Delivery to a person under the age of 21
- Improper delivery storage (front seat of vehicle)
- Mixed beverages delivered without food
- Delivery after 11PM
- Delivery of more than 4 cases of beer
- Delivery of more than 4 mixed beverages
- Improper Packaging

# Time and Money Spent on Operations

- Approximately \$110,742 in operational costs
- Approximately 1,809 total employee hours



# CONCLUSION

- Training is working. Emphasis on education and training, by Virginia ABC and third-party delivery licensees, has improved UAB compliance rate for deliveries from 58% (2023) to approximately 90% (2024).
- Compliance rate found during the UAB operations is generally comparable to compliance rates in ongoing Virginia ABC UAB operations on licensees' premises (87% YTD) and in Virginia ABC stores (98% YTD).

Be it enacted by the General Assembly of Virginia:

1. That the first, second, and fourth enactments of Chapter 105 and Chapter 159 of the Acts of Assembly of 2024 are repealed.



October 22, 2024

Mr. John Daniel  
Virginia Alcoholic Beverage Control Authority  
7450 Freight Way  
Mechanicsville, Virginia 23116

Mr. Daniel,

Uber would like to thank you for the opportunity to participate in this summer's Third-Party Delivery License Working Group and the opportunity to provide comments on the group's draft report and recommendations. As noted in the report, conversations about alcohol delivery in the Commonwealth began in response to the COVID-19 pandemic, nearly 4 years ago. In that time, Uber has maintained a positive working relationship with regulators and policymakers to help implement safe and legal alcohol delivery in Virginia. As the 2025 General Assembly Session approaches, we would like to express our support for the report's current recommendations and look forward to continuing to work with ABC on an alcohol delivery framework that benefits consumers, merchants, couriers, and the Commonwealth.

Over several months and three Working Group sessions, the working group evaluated current alcohol delivery practices in numerous jurisdictions and sought input from various stakeholders. Because of this, Uber is supportive of the working group's recommendation to repeal the sunset provisions in HB 688 and SB 635, passed during the 2024 General Assembly Session. By removing the sunset, third-party delivery companies will continue to help Virginia restaurants and merchants reach consumers throughout the Commonwealth. This is a significant step for alcohol delivery in Virginia.

As shared during the Working Group sessions, Uber is a technology platform that connects third-party merchants, consumers, and independent couriers to enable and facilitate orders for alcohol and other items via the Uber Eats app. Through Uber Eats:

- Consumers select products—including but not limited to alcoholic beverages—for purchase, select the merchant they are purchasing from, place their order from the merchant's digital storefront on the Uber Eats platform, provide their payment information directly when the order is placed, and as related to alcoholic beverages agree to provide proof of age in order for the merchant's goods to be delivered;
- Merchants hold relevant licenses, establish and maintain a digital storefront on the Uber Eats platform;
- Couriers accept and complete requests for alcohol delivery; and
- Uber Eats helps consumers find local merchants, facilitates payment to the merchant, and, in some cases, connects an independent courier to the merchant and consumer to deliver products to the consumer.

Uber plays a role in educating all parties regarding their responsibilities, especially as they pertain to regulatory or legal obligations and Uber's policies or contractual terms and conditions. However, as a technology platform, there are limits to the degree of control Uber

Eats has over human behavior. This limit extends to consumer, merchant, and courier behavior; all parties have their own role to play in helping complete safe alcohol deliveries.

To that end, Uber takes the safety of alcohol deliveries facilitated through the platform extremely seriously, and we recognize that courier education remains a top priority for regulators and policymakers in Virginia. Couriers who deliver alcohol on the Uber platform receive educational materials that include information on (1) signs of intoxication, (2) acceptable and legal forms of identification, and (3) tips on what to do when he or she is unable to confirm a consumer's age.

Uber would like to thank the Virginia ABC for its leadership during the working group, we look forward to continuing to work with Virginia regulators and policymakers on these matters, and we hope to continue this productive partnership in the future.

Sincerely,



Michele Blackwell  
Senior Public Policy Manager - P&C, Americas, US South