

**243.028 Limitations on shipments of alcoholic beverages by direct shipper licensees -- Notice and labeling requirements -- Recipient age verification and signature required -- Penalty for consumer who attempts illegal receipt -- Shipping mode requirements.**

- (1) A direct shipper licensee may sell or ship to a consumer all types of alcoholic beverages that the licensee is authorized to sell, with the following aggregate limits:
  - (a) Distilled spirits, in quantities not to exceed ten (10) liters per consumer per month;
  - (b) Wine, in quantities not to exceed ten (10) cases per consumer per month; and
  - (c) Malt beverages, in quantities not to exceed ten (10) cases per consumer per month.
- (2) The direct shipper licensee shall notify the consumer placing the order that the shipment shall not be left unless the recipient of the shipment provides a valid identification document at the time verifying that the recipient is at least twenty-one (21) years of age. All alcoholic beverage containers shipped to the consumer shall be conspicuously labeled with the words "CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY".
- (3) At the time of delivery, the recipient of the shipment shall present to the individual delivering the package a valid identification document. Prior to transferring possession of the package, the individual delivering the package shall visually inspect the document and verify the identity of the recipient and, by visual examination or by using age verification technology, that the recipient is at least twenty-one (21) years of age.
- (4) Before transferring possession of the package, the individual delivering the package shall obtain the signature of the recipient of the shipment. The individual who receives and signs for the alcoholic beverages is not required to be the consumer who purchased the alcoholic beverages.
- (5) A consumer who intentionally causes shipment to an address deemed unlawful shall, for the first offense, be guilty of a violation punishable by a fine of two hundred fifty dollars (\$250), and for each subsequent offense, be guilty of a violation punishable by a fine of five hundred dollars (\$500). In this instance, the direct shipper licensee and the common carrier shall be held harmless.
- (6) A direct shipper licensee may not sell or ship alcoholic beverages to a consumer from its licensed premises if the consumer's address is located in an area in which alcoholic beverages may not be sold or received.
- (7) Shipments made pursuant to this section shall be made through a common carrier.
- (8) If a common carrier is unable to complete delivery, then the alcoholic beverages shall be returned to the consignor.

**Effective:** March 12, 2021

**History:** Amended 2021 Ky. Acts ch. 13, sec. 2, effective March 12, 2021. -- Created 2020 Ky. Acts ch. 80, sec. 2, effective July 15, 2020.