

1 14B NCAC 15A .1904 is adopted as published in 35:09 NCR 925 as follows as follows:
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3 **14B NCAC 15A .1904 TRANSPORT OF MIXED BEVERAGE PERMITTEE ORDERS**

4 (a) A mixed beverages permittee may contract with an independent contractor to transport alcoholic beverages
5 purchased by the mixed beverages permittee from a local board or from a wine wholesaler to the licensed premises of
6 the mixed beverages permittee if all of the following conditions are met:

7 (1) The mixed beverages permittee enters into a written contract with the independent contractor.

8 (2) The independent contractor furnishes proof to the mixed beverages permittee that the independent
9 contractor is a motor vehicle carrier with a surety bond in compliance with G.S. 18B-1115(d) and
10 (e).

11 (3) The mixed beverages permittee furnishes the local board with a copy of the mixed beverages
12 permittee's contract with the independent contractor. The mixed beverages permittee shall notify
13 the local board within two business days of the termination of any contract the mixed beverages
14 permittee previously had with an independent contractor pursuant to this Rule.

15 (4) The independent contractor remains in compliance with this Rule.

16 (b) A mixed beverages permittee may authorize an independent contractor to transport alcoholic beverages on behalf
17 of the mixed beverages permittee from a local board or a wine wholesaler if all of the following conditions are met:

18 (1) The independent contractor has in its possession a copy of the executed contract with the mixed
19 beverages permittee at the time the independent contractor receives and possesses alcoholic
20 beverages on behalf of the mixed beverages permittee from a local board or a wine wholesaler.

21 (2) The independent contractor possesses a purchase-transportation permit issued by the local board to
22 the independent contractor pursuant to G.S. 18B-403 for the alcoholic beverages to be delivered.

23 (3) The independent contractor possesses a copy of the Purchase-Transportation/Invoice Form for the
24 alcoholic beverages being transported during transportation to the mixed beverages permittee that
25 shows the independent contractor as the agent for the mixed beverages permittee.

26 (4) The mixed beverages permittee signs an acknowledgment of receipt of the spirituous liquor
27 delivered and a copy of the signed acknowledgement is returned by the mixed beverages permittee
28 to the local board within two business days of the date of the delivery for retention by the local
29 board.

30 (5) The mixed beverages permittee assumes liability for any damage, breakage, or theft of the spirituous
31 liquor to be transported from the time possession is taken by the independent contractor from the
32 local board until delivery of the spirituous liquor to the mixed beverages permittee.

33 (6) The mixed beverages permittee may by contract require the independent contractor to assume
34 liability and maintain in force an indemnity and fidelity insurance policy with the mixed beverages
35 permittee named as an additional insured in an amount sufficient to insure the value of the alcoholic
36 beverages to be delivered by the independent contractor on the behalf of the mixed beverages
37 permittee. The policy may include coverage for any damage, breakage, or theft of the alcoholic

1 beverages to be delivered from the time possession is taken by the independent contractor from the
2 local board or wine wholesaler until delivery of the alcoholic beverages is acknowledged by the
3 mixed beverages permittee that purchased the alcoholic beverages.
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5 *History Note: Authority G.S. 18B-100; 18B-207; 18B-701(a)(1) and (2); S.L. 2019-182, Sec. 25.(b);*
6 *Eff. March 1, 2021.*
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