

NEW YORK STATE LIQUOR AUTHORITY  
FULL BOARD AGENDA  
MEETING OF 02/28/2018  
REFERRED FROM: COUNSEL'S OFFICE

2018- 00427A

REASON FOR REFERRAL  
REQUEST FOR DIRECTION

PROPOSED ADVISORY REGARDING  
AIRCRAFT AND VESSEL LICENSEES



# State Liquor Authority

**ANDREW M. CUOMO**  
Governor

**VINCENT G. BRADLEY**  
Chairman

**GREELEY FORD**  
Commissioner

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ADVISORY #2018-x

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To: Aircraft and Vessel Licensees and Authority Staff

Subject: Service of alcoholic beverages on aircraft and vessels within the state

Aircraft and vessels departing from or arriving at a location within this state are required to have an on-premises license issued by the Authority in order to serve/sell alcoholic beverages while such aircraft or vessel is within the state (including the state's airspace). However, if the aircraft or vessel is traveling through the state without stopping at any location within the state, no license is needed to serve/sell alcoholic beverages to passengers while the aircraft/vessel is within the state. Operators of licensed excursion and sight-seeing vessels are reminded that, pursuant to §48.6 of the Rules of the Authority, the service/sale of alcoholic beverages may not begin more than one hour before the commencement of the voyage nor continue more than one hour after the end of the voyage.

All alcoholic beverages served/sold on such licensed aircraft or vessel must be purchased from a duly licensed wholesaler or manufacturer in accordance with the provisions of the Alcoholic Beverage Control Law ("ABCL") and the Rules of the Authority. Provided, however, that the Authority, in exercising its discretion to issue miscellaneous permits under ABCL § 99-b(1)(k), will issue Aircraft and Vessel Post-Boarding Permits to such licensed aircraft and vessels to allow for the service/sale of alcoholic beverages that were legally purchased in any state to passengers while the aircraft or vessel is within the state. Such permits issued to vessels shall be subject to the provisions of §48.6 of the Rules of the Authority noted above. Such permits, designated as Aircraft and Vessel Post-Boarding Permits shall cost \$90 per year and be issued for two-year terms to run concurrently with the underlying license.

Operators of aircraft and vessels may also obtain a permit under ABCL §99-b(1)(b) to purchase alcoholic beverages from duly licensed wholesalers and manufacturers for consumption outside the territorial jurisdiction of this state, and not for service or sale within the state. The holders of such permits are reminded that the service/sale of such alcoholic beverages will be governed by the laws of the state where the alcoholic beverages are served or sold.

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This matter was heard and determined by the Members of the Authority at a Full Board meeting held on February 28, 2018 before Chairman Vincent Bradley and Commissioner Greeley Ford. The written advisory was approved by Chairman Bradley on behalf of the Members of the Authority on March \_\_, 2018.

Dated:

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Thomas J. Donohue  
Secretary to the Authority

**DRAFT**