

LIQUOR & TOBACCO ENFORCEMENT DIVISION

Sign of Alcohol Intoxication

Within the Colorado Liquor, Beer and Special Event Codes, there are specific prohibitions against providing alcohol beverages to intoxicated parties.

Specifically the law states:

It is unlawful for ANY PERSON to sell, serve, give away, dispose of, exchange, or deliver or permit the sale, serving, giving, or procuring of any alcohol beverage to . . . a VISIBLY INTOXICATED person. CRS 12-47-901 (1)(a)

It is unlawful for ANY PERSON LICENSED TO SELL AT RETAIL pursuant to this article: to sell an alcohol beverage to . . . a VISIBLY INTOXICATED person. CRS 12-47-901 (5)(a)

EACH PERSON LICENSED UNDER THIS ARTICLE . . . shall not permit on his licensed premises the serving or loitering of an APPARENTLY INTOXICATED person. CCR 1 203-2Regulation 47-900

NOTE: All words capitalized are for emphasis only.

Within the Liquor Code, the terms "intoxicated", "visibly intoxicated", and "apparently intoxicated" have not been specifically defined, and they do NOT relate to specific blood alcohol concentrations. No specific alcohol level is defined because it is the intent of the statute that the judgment related to whether a person is intoxicated is not to be based on chemical testing of that person's blood or breath, but merely on an assessment of the party based on what you can see, hear, or even smell.

Your determination of whether another person is intoxicated is to be based on a combination of factors related to his or her physical actions and appearance, which may include speech e.g., is the person excessively loud, is his speech clear? Are the eyes bloodshot or glassy-looking? When walking or sitting, does the person have proper balance? Do they stumble or lean?