

ASSEMBLY OVERSIGHT, REFORM AND FEDERAL  
RELATIONS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4260**

**STATE OF NEW JERSEY**

DATED: NOVEMBER 21, 2022

The Assembly Oversight, Reform and Federal Relations Committee reports favorably Assembly Bill No. 4260.

This bill allows the holder of a plenary retail consumption license used in connection with a restaurant to pre-load and deliver alcoholic beverages directly to consumer's residences. The bill applies to license holders who operate a restaurant which is open to the public and offers the sale of food served at a table by a restaurant employee. Specifically, the bill allows these licensees to load a predetermined amount of alcoholic beverages into a delivery vehicle owned or operated by the licensee in anticipation of future food and alcoholic beverage delivery orders made by consumers.

Under the bill, these license holders are required to hire delivery employees, who are to be working under the exclusive direction and control of the license holder and whose compensation for federal income tax purposes is reported or required to be reported on a W-2 form issued by the license holder. The bill requires delivery employees to be trained by an industry recognized server training program to recognize that customers are 21 years of age or older.

Under the bill, a pre-loaded delivery vehicle may be stationed in a predetermined location in anticipation of future food and alcoholic beverage delivery orders made by consumers. The bill allows delivery employees to dispatch a pre-loaded vehicle prior to receiving any orders for food and alcoholic beverages. The bill requires alcoholic beverage deliveries to be made in conjunction with a food order. Alcoholic beverages that are not delivered during the delivery employee's work shift are to be removed from the delivery vehicle and returned to the licensed premises.

The bill requires alcohol beverage orders to be placed via telephone, mobile application, or the licensee's Internet website. The license holder is to receive the full purchase price amount at the time that alcoholic beverages are purchased. The cost of the alcoholic beverages are to be charged to the consumer's credit or debit card and the name of the retail establishment is to be displayed on the consumer's receipt. The bill prohibits delivery employees from accepting any payment at the time that alcoholic beverages are

delivered to a consumer's residence. The licensee would be required to make a copy of the original invoice available for inspection by persons authorized to enforce the alcoholic beverage laws of this State for a minimum period of three years at the licensed premises.