

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Department of Finance and Administration

Department Alcoholic Beverage Control

Contact Doralee Chandler E-mail doralee.chandler@dfa.arkansas.gov Phone 501-682-1105

Statutory Authority for Promulgating Rules Act 68 of 2021

Rule Title: Excursion Train Permits Title 3, Subtitle G, Rule 3.29-3.34

Intended Effective Date  
(Check One)

☐ Emergency (ACA 25-15-204)

☒ 10 Days After Filing (ACA 25-15-204)

☐ Other \_\_\_\_\_  
(Must be more than 10 days after filing date.)

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Date

10/17/2021

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Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Doralee Chandler

doralee.chandler@dfa.arkansas.gov

02/02/2022

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Doralee Chandler  
Signature

501-682-1105

Phone Number

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E-mail Address

Director of Alcoholic Beverage Control

Title

02/02/2022

Date

## **Final Rule**

### **SUBTITLE G – EXCURSION TRAIN PERMITS**

**Section 3.29 “Excursion train”** means a train made available to the public through ticket sales for scheduled dates and times for operation over a common carrier railroad or railroad authority that operates on a fixed schedule or route with a specific beginning and ending point.

**Section 3.30 “Alcoholic beverage,”** for purposes of this subtitle, means spiritous liquor, vinous liquor, small farm wine, light wine, malt liquor, and hard cider.

**Section 3.31 Scope of Excursion Train Permit.**

An excursion train permit may sell and serve alcoholic beverages on an excursion train. Sale and service of alcoholic beverages for on-premise consumption may occur only when the train is located in a territory that has authorized the sale of alcoholic beverages. A permittee is also authorized to store alcoholic beverages, legally purchased, onboard the excursion train.

**Section 3.32 Permit application.**

An application for an excursion train permit shall be made in writing, on a form approved by the Director, and verified by the applicant for the permit. The application shall include a description of the excursion train and identify the areas where alcoholic beverages are sold and served. The application shall be accompanied by a permit fee of two hundred dollars (\$200.00).

**Section 3.33 Separate storage facility – Application.** An excursion train permittee shall notify the Alcoholic Beverage Control of its intent to operate a separate storage facility by providing the following information.

- (1) A completed excursion train separate storage facility application form;
- (2) A floor plan of the separate storage facility; and
- (3) Certification that the proposed storage facility is in compliance with any local zoning requirements for the location.

Upon receipt of an acceptable application, the Alcoholic Beverage Control shall issue an endorsement to the excursion train permittee. The endorsement shall be posted on the premises of the separate storage facility in compliance with the Rule 1.37. Such endorsement allows an excursion train permittee to store legally purchased alcoholic beverages for sale on the excursion train.

**Section 3.34 Posting of permit.** Excursion train permittees shall post their Alcoholic Beverage permit pursuant to Rule 1.37. In addition, the excursion train permittees shall post a copy of their excursion train permit, pursuant to Rule 1.37, in each train car in which alcoholic beverages will be sold and served.