

RULES AND REGULATIONS

Title 40—LIQUOR

LIQUOR CONTROL BOARD

[40 PA. CODE CH. 9]

Transportation of Liquor, Malt or Brewed Beverages, or Alcohol

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (47 P.S. § 2-207(i)), amends § 9.22 (relating to identification of vehicles) to read as set forth in Annex A.

Summary

This final-omitted rulemaking amends the Board's regulations concerning the transportation of liquor and malt or brewed beverages to be consistent with the act of December 22, 2011 (P.L. 530, No. 113). Specifically, § 9.22 is amended to coincide with sections 491(12) and 492(9) of the Liquor Code (47 P.S. §§ 4-491(12) and 4-492(9)).

Affected Parties

The affected parties include licensees of the Board whose licenses authorize the transportation of liquor or malt or brewed beverages in the regular operation of their licensed businesses.

Paperwork Requirements

The Board does not anticipate that this final-omitted rulemaking will affect the amount of paperwork or administrative costs of the regulated community.

Fiscal Impact

This final-omitted rulemaking is not expected to have fiscal impact since it is intended to make § 9.22 consistent with sections 491(12) and 492(9) of the Liquor Code.

Effective Date

This final-omitted rulemaking will become effective upon publication in the *Pennsylvania Bulletin*.

Public Comments

There is not a formal opportunity for public comments regarding this final-omitted rulemaking. Public comments may be directed to Rodrigo Diaz, Chief Counsel, Jason M. Worley, Deputy Chief Counsel, or Meredith Millard, Assistant Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)), on August 24, 2017, the Board submitted a copy of this final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Liquor Control Committee and Senate Committee on Law and Justice. On the same date, this final-omitted rulemaking was submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on October 11, 2017, this final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 12, 2017, and approved this final-omitted rulemaking.

Findings

The Board finds that:

(1) Public notice of intention to adopt the administrative amendment adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The amendment to the Board's regulation in the manner provided in this order is necessary and appropriate for the administration of the Liquor Code.

Order

The Board, acting under the authorizing statute, orders that:

(a) The regulations of the Board, 40 Pa. Code Chapter 9, are amended by amending § 9.22 to read as set forth in Annex A.

(b) The Board shall certify this order and in Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

TIM HOLDEN,
Chairperson

(Editor's Note: See 47 Pa.B. 6790 (October 28, 2017) for IRRC's approval order.)

Fiscal Note: 54-98. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 40. LIQUOR

PART I. LIQUOR CONTROL BOARD

CHAPTER 9. TRANSPORTATION, IMPORTATION, DISPOSITION AND STORAGE

Subchapter A. TRANSPORTATION OF LIQUOR, MALT OR BREWED BEVERAGES, OR ALCOHOL

VEHICLES

§ 9.22. Identification of vehicles.

Licensees of the Board whose licenses authorize the transportation of liquor, malt or brewed beverages, or alcohol in the regular operation of their licensed businesses shall display on each side of each vehicle used in the operation of the business their name, address, including the street name and number as shown on the license, and the license number as shown on the license in letters no smaller than 2 inches in height. The license identification number must be preceded by the letters "P.L.C.B."

[Pa.B. Doc. No. 17-1772. Filed for public inspection October 27, 2017, 9:00 a.m.]