



# **KANSAS**

# **ADMINISTRATIVE**

# **REGULATIONS**

**Agency 14 - Division of Alcoholic Beverage Control**

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## Article 5 - TRANSPORTATION, CARRIERS AND STORAGE

(Last amended in 1990)

**14-5-1. Alcoholic liquor (except beer) transported into state or federal area only by bonded carriers.** (a) All alcoholic liquor, except beer, shipped into the state of Kansas shall be transported only by common, contract or private carriers that hold liquor carrier permits issued by the director.

(b) Except as provided in subsection (c), all alcoholic liquor that is taxable under the act and shipped into this state or a federal area in interstate commerce and that is consigned to a consignee or person located, residing, or stationed on or at a federal area shall be transported into this state or a federal area only by common, contract or private carriers that hold liquor carrier permits issued by the director.

(c) When a licensed distributor is the holder of a valid private carrier permit issued by the Kansas corporation commission and is also the holder of a valid liquor carrier permit issued by the director, the distributor may transport only alcoholic liquor owned exclusively by that distributor into the state of Kansas in compliance with the laws, rules and regulations of the interstate commerce commission and the Kansas corporation commission.

(Authorized by K.S.A. 41-211, 41-210 as amended by L. 1987, Ch. 182, Sec. 10; implementing K.S.A. 41-408 as amended by L. 1987, Ch. 182, Sec. 36, 41-501a; effective Jan. 1, 1966; amended, T-88-22, July 1, 1987; amended May 1, 1988.)

**14-5-2. Carriers' permits; application; fees.** (a) A common, contract or private carrier shall not transport alcoholic liquor within or into the state, for delivery within the state, without first having obtained a permit to do so from the director.

(b) Applications for permits to transport alcoholic liquor within or into the state shall be filed with the director and shall contain any information the director may require. A permit fee of \$5.00 shall be paid at the time of application.

(Authorized by K.S.A. 41-210 as amended by L. 1987, Ch. 182, Sec. 10, 41-211; implementing K.S.A. 41-408 as amended by L. 1987, Ch. 182, Sec. 36; effective Jan. 1, 1966; amended Jan. 1, 1974; amended, T-88-22, July 1, 1987; amended May 1, 1988.)

**14-5-3.** (Authorized by K.S.A. 41-211, 41-501a, K.S.A. 1968 Supp. 41-210; effective Jan. 1, 1966; amended Jan. 1, 1969; revoked, T-88-22, July 1, 1987; revoked May 1, 1988.)

**14-5-4. Storage of alcoholic liquor and cereal malt beverage in transit in public liquor warehouses; reports of warehouseman.** Whenever alcoholic liquor or cereal malt beverage is transported into this state, consigned to a licensed distributor or licensed manufacturer of alcoholic liquor or cereal malt beverage, the alcoholic liquor or cereal malt beverage shall be considered to remain in transit until it is delivered to the bonded warehouse of the consignee. Alcoholic liquor and cereal malt beverage may be stored in transit in a public bonded liquor warehouse within the state of Kansas, upon the following terms and conditions:

(a) Any public bonded liquor warehouse in which alcoholic liquor or cereal malt beverage is stored in transit shall, within 48 hours of receipt of the alcoholic liquor or cereal malt beverage, give written notice to the director of the receipt, stating the names and addresses of the consignor and consignee, the description of the liquor, and the name of the carrier that delivered the liquor to that warehouse.

(b) Each public bonded liquor warehouse shall make delivery of the alcoholic liquor or cereal malt beverage, or any part of it, only to a carrier that has been designated by the director as a liquor carrier, for delivery by the carrier to a licensed manufacturer or licensed distributor who is the consignee of such liquor.

(c) Within 48 hours after the alcoholic liquor or cereal malt beverage has been removed from the public bonded liquor warehouse for delivery to the consignee, the warehouse shall make a written report to the director setting out the name of the carrier to which the liquor has been delivered, the name and address of the consignee, and a description of the liquor delivered.

(Authorized by K.S.A. 41-211, K.S.A. 1989 Supp. 41-210; implementing K.S.A. 1989 Supp. 41-408, 41-409; effective Jan. 1, 1966; amended, T-88-22, July 1, 1987; amended May 1, 1988; amended Aug. 6, 1990.)

**14-5-5.** (Authorized by K.S.A. 41-210, K.S.A. 1979 Supp. 41-211, 41-407; effective Jan. 1, 1966; revoked, E-80-28, Dec. 12, 1979; revoked May 1, 1980.)

**14-5-6. Required delivery of alcoholic liquor to distributor by common carrier.** All alcoholic liquor transported into this state and consigned to a licensed distributor or a licensed manufacturer of alcoholic liquor shall be delivered to the consignee in the state of Kansas and shall be received into the consignee's bonded warehouse. No part of the liquor shall remain in the hands of the carrier nor shall any carrier acquire any property rights in such alcoholic liquor.

(Authorized by K.S.A. 41-211, 41-210 as amended by L. 1987, Ch. 182, Sec. 10; implementing K.S.A. 41-408 as amended by L. 1987, Ch. 182, Sec. 36; effective Jan. 1, 1966; amended, T-88-22, July 1, 1987; amended May 1, 1988.)