

PERMITTEE: DOORDASH INC
303 2ND STREET SOUTH TOWER SUITE 800
SAN FRANCISCO, CA 94107
USA

TO AUTHORIZE THE PERMITTEE TO DELIVER ALCOHOLIC BEVERAGES TO CUSTOMERS' RESIDENCES ON BEHALF OF NEW JERSEY RETAIL CONSUMPTION LICENSEES AND RETAIL DISTRIBUTION LICENSEES IN ACCORDANCE WITH SPECIAL RULING SR 2022-15.

THIS PERMIT IS EXPRESSLY SUBJECT TO ALL LIMITATIONS AND CONDITIONS HEREIN SET FORTH OR HEREAFTER IMPOSED, AND TO ALL RULES AND REGULATIONS PROMULGATED HERETOFORE AND HEREAFTER BY THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL. THIS PERMIT MAY BE CANCELED OR AMENDED BY THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL IN HIS SOUND DISCRETION.

SPECIAL CONDITIONS

- 1 - 1. THIRD-PARTY DELIVERY PERMIT ISSUED BY THE NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL (NJABC) PURSUANT TO SPECIAL RULING SR 2022-15 AUTHORIZING DOORDASH INC TO DELIVER ALCOHOLIC BEVERAGES TO CUSTOMERS' RESIDENCES ON BEHALF NEW JERSEY RETAIL CONSUMPTION LICENSEES AND RETAIL DISTRIBUTION LICENSEES. THIS PERMIT IS AUTHORIZED BY N.J.S.A. 33:1-39 AND N.J.S.A. 33:1-74 OF THE ALCOHOLIC BEVERAGE CONTROL ACT (ABC ACT).
2. DELIVERY WORKERS OF DOORDASH INC MUST BE 21 YEARS OR OLDER.
3. DELIVERY WORKERS OF DOORDASH INC AGREE TO A VOLUNTARY BACKGROUND CHECK TO INCLUDE CRIMINAL BACKGROUND AND DRIVER HISTORY CHECKS BY DOORDASH INC OR DOORDASH INC'S VENDOR.
4. DELIVERY WORKERS OF DOORDASH INC ARE RESPONSIBLE FOR MAINTAINING A VALID DRIVER'S LICENSE AND ADEQUATE VEHICLE INSURANCE COVERAGE.
5. DELIVERY WORKERS OF DOORDASH INC WILL RECEIVE ALCOHOL DELIVERY COMPLIANCE TRAINING FROM DOORDASH INC, TAKE THE QUIZ OR TEST AND RECEIVE A MINIMUM PASSING SCORE BEFORE THEY DELIVER ALCOHOLIC BEVERAGES. THE DIVISION HAS REVIEWED AND APPROVED THE TRAINING MODULE SUBMITTED BY DOORDASH INC IN CONJUNCTION WITH ITS PERMIT APPLICATION, PROVIDED THAT THE CONDITIONS IN THIS PERMIT (AND THE CONDITIONS AND RESTRICTIONS IN SR-2022-15) ARE INCORPORATED AND MADE PART OF THE TRAINING.
6. DELIVERY WORKERS OF DOORDASH INC MUST HAVE A COPY OF THE THIRD-PARTY DELIVERY PERMIT ISSUED TO DOORDASH INC (PAPER OR ELECTRONIC) IN THEIR POSSESSION DURING THE DELIVERY OF ALCOHOLIC BEVERAGES.
7. DELIVERY WORKERS OF DOORDASH INC MUST HAVE A COPY OF THE INVOICE OR BILL OF SALE STATING THE NAME AND ADDRESS OF THE RECEIVING CUSTOMER AND THE TYPE, BRAND, AND QUANTITY OF EACH ALCOHOLIC BEVERAGE BEING DELIVERED.
8. DELIVERY WORKERS OF DOORDASH INC MUST ENSURE THAT EACH PACKAGE OF ALCOHOLIC BEVERAGES IS CLEARLY MARKED OR LABELLED, "ALCOHOLIC BEVERAGES."
9. DELIVERY WORKERS OF DOORDASH INC MUST VERIFY THAT RECEIVING CUSTOMERS ARE OF LEGAL AGE IN CONFORMITY WITH DOORDASH INC'S METHOD OF OPERATION.
10. DELIVERY WORKERS OF DOORDASH INC MUST OBTAIN THE SIGNATURE (PAPER OR ELECTRONIC) OF THE RECEIVING CUSTOMER BEFORE DELIVERING ALCOHOLIC BEVERAGES.
11. DELIVERY WORKERS OF DOORDASH INC ARE PROHIBITED FROM ENGAGING IN NO-CONTACT DELIVERIES WITHOUT A FACE-TO-FACE INTERACTION WITH THE RECEIVING CUSTOMERS.
12. DELIVERY WORKERS OF DOORDASH INC ARE PROHIBITED FROM SUBCONTRACTING OR DELEGATING THE DELIVERY OF ALCOHOLIC BEVERAGES TO ANOTHER PERSON (E.G., FRIEND, RELATIVE, PASSENGER IN VEHICLE).
13. DELIVERY WORKERS OF DOORDASH INC ARE PROHIBITED FROM DELIVERING ALCOHOLIC BEVERAGES TO A NON-RESIDENCE (E.G., HOTEL ROOM, OFFICES, BYOB RESTAURANT, COLLEGE CAMPUS).
14. DELIVERY WORKERS OF DOORDASH INC ARE PROHIBITED FROM DELIVERING ALCOHOLIC BEVERAGES TO CUSTOMERS WHO ARE ACTUALLY OR APPARENTLY INTOXICATED.
15. DELIVERY WORKERS OF DOORDASH INC MUST REFUSE DELIVERY AND RETURN ALL ALCOHOLIC BEVERAGES TO THE LICENSEE IF AND WHEN NECESSARY (E.G., CUSTOMER IS UNDERAGE OR INTOXICATED; CUSTOMER REFUSES TO SIGN FOR DELIVERY; THERE IS REASON TO DOUBT THE AUTHENTICITY OF THE CUSTOMER'S ID; THERE IS A REASON TO SUSPECT CUSTOMER IS ACCEPTING DELIVERY ON BEHALF OF AN UNDERAGE PERSON, ETC.).
- 2 - 16. DELIVERY WORKERS OF DOORDASH INC ARE PROHIBITED FROM COLLECTING DIRECT PAYMENT FOR ALCOHOLIC BEVERAGES FROM THE RECEIVING CUSTOMER, INCLUDING CASH TIPS.
17. DELIVERY WORKERS OF DOORDASH INC ARE PROHIBITED FROM LEAVING ALCOHOLIC BEVERAGES UNATTENDED OR STORING ALCOHOLIC BEVERAGES OVERNIGHT.

SPECIAL CONDITIONS

18. DELIVERY WORKERS OF DOORDASH INC ARE PROHIBITED FROM DELIVERING ALCOHOLIC BEVERAGES WITHOUT A VALID WRITTEN AGREEMENT WITH DOORDASH INC.

19. DELIVERY WORKER ACKNOWLEDGES THAT, PURSUANT TO N.J.S.A. 33:1-35 OF THE ABC ACT, AS AN INDEPENDENT CONTRACTOR PROVIDING CONTRACTED SERVICES THROUGH THE DOORDASH PLATFORM, GOVERNED BY THE DOORDASH INDEPENDENT CONTRACTOR AGREEMENT AND THE DELIVERING ALCOHOL GUIDELINES INCLUDED THEREIN, HE OR SHE IS REQUIRED TO COOPERATE WITH INSPECTIONS AND INVESTIGATIONS CONDUCTED BY ANY AUTHORIZED REPRESENTATIVE OF ABC, UPON PRESENTATION OF CREDENTIALS, AND TO PROVIDE DOCUMENTATION OR OTHER ITEMS AND INFORMATION UPON DEMAND IN ACCORDANCE WITH THE REQUIREMENTS OF THIS PERMIT, THE ABC ACT AND REGULATIONS. DELIVERY WORKER AGREES TO FULLY COOPERATE WITH ANY INSPECTION OR INVESTIGATION BY NJABC. FAILURE TO COOPERATE WITH AN INSPECTION OR INVESTIGATION MAY RESULT IN ADMINISTRATIVE CHARGES BEING ISSUED AGAINST THE PERMITTEE.

20. DELIVERY WORKER ACKNOWLEDGES THAT DOORDASH INC IS REQUIRED TO TERMINATE ITS AGREEMENT FOR ALCOHOL DELIVERY WITH ANY DELIVERY WORKER WHO VIOLATES THIS PERMIT, ABC ACT OR REGULATIONS.

21. PERMITTEE WILL RETAIN ALL REQUIRED RECORDS IN ACCORDANCE WITH SR 2022-15, SCHEDULE A, AND WILL MAKE THE RECORDS AVAILABLE TO THE DIVISION UPON REQUEST FOR THE PURPOSE OF INVESTIGATING AND ENFORCING THE ABC ACT AND ITS REGULATIONS.

22. PERMITTEE IS REQUIRED TO MAINTAIN THREE-TIER COMPLIANCE, AND MAY NOT USE ITS PLATFORM TO OFFER SUPPLIER-PAID ADVERTISING, SPONSORED PLACEMENT, PREFERENTIAL SEARCH RESULTS, OR ANY OTHER SERVICE ON A LICENSEE'S WEBPAGE OR "DIGITAL STOREFRONT" THAT ENABLES SUPPLIERS TO BE INVOLVED (DIRECTLY OR INDIRECTLY) IN THE RETAILING OF ALCOHOLIC BEVERAGES IN VIOLATION OF NEW JERSEY'S TIED-HOUSE STATUTE, N.J.S.A. 33:1-43. PERMITTEE MAY REQUEST THIS CONDITION BE RECONSIDERED BY ABC PRIOR TO THE ANNUAL RENEWAL OF THE PERMIT.

23. PERMITTEE MAY ONLY DELIVER OR ARRANGE FOR THE DELIVERY OF ALCOHOLIC BEVERAGES FROM THE PREMISES OF A BUSINESS WITH A VALID NEW JERSEY RETAIL LICENSE AND THE "PACKAGE GOODS" PRIVILEGE TO SELL AND DELIVER ALCOHOLIC BEVERAGES IN ORIGINAL CONTAINERS FOR OFF-PREMISES CONSUMPTION.

24. IF A RETAIL CONSUMPTION LICENSEE HOLDS MORE THAN TWO LICENSES AS AN EXCEPTION TO THE TWO-LICENSE LIMITATION IN N.J.S.A. 33:1-12.31 AND -12.32, SALES AND DELIVERIES OF PACKAGE GOODS (I.E., ALCOHOLIC BEVERAGES IN ORIGINAL CONTAINERS) FOR OFF-PREMISES CONSUMPTION MAY BE MADE ONLY FROM TWO OF THE LICENSED ESTABLISHMENTS. IN CONJUNCTION WITH THIS STATUTORY RESTRICTION, PERMITTEE SHALL ENSURE THAT LICENSEE IS AUTHORIZED TO SELL PACKAGE GOODS FROM NO MORE THAN TWO OF ITS LICENSED ESTABLISHMENTS AND MAY ONLY CONDUCT DELIVERIES FOR THOSE TWO IDENTIFIED LOCATIONS.

25. PURSUANT TO P.L. 2020, C. 33 ALLOWING RETAIL CONSUMPTION LICENSEES TO SELL AND DELIVER "COCKTAILS-TO-GO" UNTIL SIX MONTHS AFTER THE STATE OF EMERGENCY (EXECUTIVE ORDER NO. 103) HAS ENDED, PERMITTEE MAY DELIVER DISTILLED ALCOHOLIC BEVERAGES MIXED OR BLENDED WITH OTHER ALCOHOLIC OR NON-ALCOHOLIC BEVERAGES IN CLOSED AND SEALED CONTAINERS WITH A TAMPER-EVIDENT SEAL (IN CONFORMITY WITH ADVISORY NOTICE AN 2020-06) UNTIL THE STATE OF EMERGENCY ENDS AND P.L. 2020, C. 33 EXPIRES.

26. PERMITTEE IS PROHIBITED FROM DELIVERING ANY "COCKTAILS-TO-GO" BEVERAGE THAT IS NOT AFFIXED WITH THE REQUIRED LABEL INDICATING THE COMMON OR TRADE NAME OF THE COCKTAIL AND A NOTATION THAT IT IS AN ALCOHOLIC BEVERAGE (IN CONFORMITY WITH ADVISORY NOTICE AN 2020-06).



James B. Graziano
Director