Florida Dram Shop Risk Checklist for Restaurant and Bar Owners

Based on F.S. 768.125 and F.S. 562.11 (2026). Fortified Insurance Group · floridarestaurantandbarinsurance.com

Business name: _____ License #: _____ Completed by / date: _____

Owner's checklist

- ☐ **1. Put your ID policy in writing:** card everyone, or card anyone who looks under a set age.
- ☐ **2. Train staff to "carefully check" only approved IDs:** driver license, state ID, passport or U.S. Uniformed Services ID.
- ☐ **3. Complete Responsible Vendor training on time** and keep the records.
- ☐ **4. Watch your regulars.** Flag anyone who is drunk on most visits.
- ☐ **5. Don't let staff pour "the usual" at the door** or pour doubles against your own policy.
- ☐ **6. Brief beverage-cart, patio and event staff,** not just bartenders.
- ☐ **7. Write a cut-off policy** and back managers who refuse service.
- ☐ **8. Keep incident and refusal logs.** No statute requires them, but they're a standard risk practice.

The two exceptions in F.S. 768.125

Situation	Can the business be liable under 768.125?	Source
Serving an adult 21 or older, even one who is visibly drunk	Generally no	F.S. 768.125 text
Willfully and unlawfully serving someone under 21	Yes, it can be	F.S. 768.125
Knowingly serving a person habitually addicted to alcohol	Yes, it can be	F.S. 768.125; Ellis (1991)

Approved IDs for the "carefully checked" defense (F.S. 562.11(1)(c))

- ☐ Driver license · State ID card · Passport · U.S. Uniformed Services ID

> Educational tool only, not legal advice. See the full disclaimer on page 2.

Incident & Refusal Log

No statute requires this log, but it's a standard risk practice · Keep it with your Responsible Vendor records

Refusals of service and incidents

Date / time	Staff member	Guest (description)	ID checked? (type)	What happened / action taken	Manager OK

Regulars to watch (drunk on most visits)

Guest (description)	Dates noted	Notes	Manager briefed

Disclaimer: This checklist is an educational tool from Fortified Insurance Group. It is not legal advice and does not guarantee any legal outcome, defense, license outcome, insurance eligibility, or premium. Requirements come from F.S. 768.125, 562.11 and 561.705; read the current statutes at flsenate.gov and the Florida Division of Alcoholic Beverages and Tobacco (DABT) guidance, and talk to an attorney about your specific situation. Insurance terms are set by each insurance company and your policy.

Talk to a licensed agent about your situation. Bryan Grossi, Florida General Lines licensed agent (License P164169), Fortified Insurance Group · Call (305) 397-8978 · WhatsApp (305) 318-2413