

**Title II – DEPARTMENT OF PUBLIC SAFETY**  
**Division 70-Division of Alcohol and Tobacco Control**  
**Chapter 3—Tobacco Regulations**

**PROPOSED AMENDMENT**

**11 CSR 70-3.010 Retailer Employee Tobacco Training Criteria.** The division is amending all sections.

*PURPOSE: This rule establishes training criteria for retailers and employees selling tobacco products, alternative nicotine products, or vapor products. The law was changed in 2014, HB841 to define what an alternative nicotine product is and restrict the sale of these products to minors in the same manner as tobacco products are currently restricted.*

(1) Minimum retailer employee tobacco training, as referenced in section 407.931.6, RSMo, *[shall]* is not to exceed a total of ninety (90) minutes in length and *[shall]* covers the following criteria:

(A) State laws set out in sections 407.926, RSMo, et seq.;

(B) Federal regulations pertaining to retail sales of tobacco products, **alternative nicotine products, or vapor products**, set out in 21 CFR *[Part 897]* **1140.1 et seq.**;

(C) What constitutes a valid identification as set out in section 407.929.2, RSMo;

(D) How to determine the validity of an identification and to detect fake, invalid and/or altered identifications; and

(E) The refusal and denial of the sale of tobacco products, **alternative nicotine products, or vapor products** to a minor or to someone without proper identification.

(2) An owner of an establishment where tobacco products, **alternative nicotine products, or vapor products** are available for sale may claim the exemption of section 407.931.6, RSMo if said owner had in place an in-house or other tobacco compliance employee training program meeting the criteria in section (1) above and the training was attended by all employees who sell tobacco products, **alternative nicotine products, or vapor products** to the general public.

(3) Each employee attending the training *[shall]* is to sign and date a certification upon completion of the training stating that the employee has been trained and understands the state laws and federal regulations regarding the sale of tobacco products, **alternative nicotine products, or vapor products**. This certification *[shall]* is to be presented to the supervisor of *[liquor]* **alcohol and tobacco** control upon request.

*AUTHORITY: section 407.931.6(3), RSMo Supp. [2001] 2018.\* Original rule filed Sept. 27,*

2001, effective March 30, 2002. **Amended: October 10, 2018.**

*\*Original authority: 407.931, RSMo 1992, amended 2001.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Alcohol and Tobacco Control at 1738 East Elm Street, Lower Level in Jefferson City, Mo 65101 or by facsimile at 573-526-4540, or via email at [Karen.Dorton@dps.mo.gov](mailto:Karen.Dorton@dps.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*