

**STATE OF WEST VIRGINIA
DEPARTMENT OF REVENUE
ALCOHOL BEVERAGE CONTROL ADMINISTRATION
900 Pennsylvania Avenue, 4th Floor
Charleston, WV 25302**

INSTRUCTIONS FOR COMPLETING APPLICATION FOR NONINTOXICATING BEER AND ALCOHOL
TRANSPORTATION PERMIT

PLEASE READ ALL THE INSTRUCTIONS CAREFULLY. ALL QUESTIONS ARE TO BE ANSWERED IN FULL. APPLICANT'S ACCURACY AND THOROUGHNESS IN COMPLETING THE APPLICATION FORM WILL ASSIST THIS OFFICE IN PROCESSING THE APPLICATION AND PREVENT UNNECESSARY DELAYS.

Please find enclosed:

1. Application for Nonintoxicating Beer and Alcohol Transportation Permit Application ABCA- 192 Transportation (2019)
2. Bond of Permit Carrier ABCA-117-R (Bonds are not required for Nonintoxicating Beer Transportation Permits)
3. Alcohol Liquor Transportation Report ABCA – ALT (2019)

APPLICANTS MUST TYPE OR PRINT, IN INK, ALL ANSWERS ON FORMS

INSTRUCTIONS

All questions and/or descriptions must be answered. The application **must** be signed and notarized. If any questions/description cannot be completed in the available space on the application, please submit additional pages as needed. Each additional page submitted must include entity name, DBA name, and indicate which question the applicant is answering.

Applications must be completed correctly, and all necessary paperwork included when mailed to the WVABCA. Failure to do so will result in the application being delayed and/or returned to the applicant for the necessary corrections.

LICENSE FEES – License fees **must** be paid by Certified Check, Cashier's Check or Money Order. Personal checks, business checks, or cash **will not** be accepted. Make payable to the WVABCA. All checks should be issued by a United States bank. If a check is drawn on a foreign bank, please remit the transportation permit fee(s) requested, plus an additional \$35.00 processing fee within the same check.

All transportation permits are valid from issue date to December 31st of the current licensing period.

INSTRUCTIONS FOR SIGNING:

- The application is to be signed by an officer, member, manager or designee of the applying Company.

The undersigned agree, if a license is issued as herein applied for, to comply at all times and observe all the provisions of West Virginia §§ Chapter 11, Article 16 et seq., and Chapter 60, Articles 1 through 8 et seq., and all Federal and State Statutes and all other laws of this State and the rules and regulations promulgated by the Alcohol Beverage Control Administration. I or we certify under penalty of law and disqualification of licensure that all statements are true and complete. I or we release the State of West Virginia and any agent acting on its behalf from any and all liability due to the request for such information.

PRINT CLEARLY/ WRITTEN SIGNATURES REQUIRED

NAME: _____

TITLE: _____

Signature, Title of applicant thereunto duly authorized

State of _____ County of _____

Subscribed and sworn to before me this _____ day of _____, _____

(Notary Public) _____

My commission expires the _____ day of _____, _____

WEST VIRGINIA ALCOHOL BEVERAGE CONTROL ADMINISTRATION
BOND OF PERMIT CARRIER

KNOW ALL MEN BY THESE PRESENTS:

(1)
That we, _____ of _____
(Name of Principal/Carrier) (Address)
(2)
_____, and _____
(Name of Surety)

are held and firmly bound unto the STATE OF WEST VIRGINIA, in the just and full sum of ONE THOUSAND DOLLARS, \$1,000.00, so the payment whereof will and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and serially, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, WHEREAS, the above bound principal has been granted a permit to transport alcoholic liquors within, into or through the State of West Virginia, in accordance with the regulations of the West Virginia Alcohol Beverage Control Administrator and pursuant to the provisions of the West Virginia Alcohol Beverage Control Act.

NOW, THEREFORE, if the above bound principal shall exercise the privileges granted by said permit in conformity with the provisions of the Alcohol Beverage Control Act aforesaid and the regulations of the said West Virginia Alcohol Beverage Control Administrator adopted pursuant to the provisions of the said Act, then the above obligation shall be void. Otherwise, it shall remain in full force and effect, and the above bound principal shall forfeit to the state school fund the sum of one hundred dollars for each breach of the condition of this bond recoverable by motion upon ten days' notice in any court having jurisdiction of the parties.

(3)
This bond shall be effective from the _____ day of _____, _____ to the _____ day of _____.

IN WITNESS WHEREOF, the above bound _____ Principal, has signed and sealed
(4)
these presents and the Surety has caused these present to be executed by _____,
(5)
its duly authorized Attorney-in-Fact, this _____ day of _____.

(6) _____
(Name of Corporation)

(7) _____
(Signature and Title of Officer – Must be President or Vice President)

(8) _____
(Name of Surety Company)

(9) _____
(Attorney-in-Fact, Type Name Under Signature)

NOTE: Corporate Seals are mandatory.
Please attach Power of Attorney with Raised Surety Seal.

ACKNOWLEDGMENT BY PRINCIPAL

(10)
STATE OF _____,

COUNTY OF _____, To-wit:
(11)

(12) I, _____, a Notary Public of said county, do certify that
_____, who, as _____,
(Title)

(13) signed the writing above bearing date the _____ day of _____, _____, for
(14)

_____, a corporation, has this day in my said county,
before me, acknowledged the said writing to be the act and deed of said corporation.

(15) Given under my hand and seal this _____ day of _____.

(16) My commission expires on the _____ day of _____.

(Notary Seal)

(17) _____
(Notary Public)

ACKNOWLEDGMENT BY SURETY

(18)
STATE OF _____,

COUNTY OF _____, To-wit:
(19)

(20) I, _____, a Notary Public of said county, do certify that
_____, who, as _____,
(Title)

(21) signed the writing above bearing date the _____ day of _____, _____, for
(22)

_____, a corporation, has this day in my said county,
before me, acknowledged the said writing to be the act and deed of said corporation.

(23) Given under my hand and seal this _____ day of _____.

(24) My commission expires on the _____ day of _____.

(Notary Seal)

(25) _____
(Notary Public)

NOTE: Authority to execute bond for surety corporation must be attached (Power of Attorney). Notary must affix seal.

APPROVED as to sufficiency of form and manner of execution, this _____ day of _____.

By _____
Assistant Attorney General
State of West Virginia

APPROVED as to sufficiency this _____ day of _____.

WEST VIRGINIA ALCOHOL BEVERAGE CONTROL ADMINISTRATOR

By _____
Administrator

THE SURETY MUST CONTAIN THE FOLLOWING:

Principal's Name (s)

Surety Corporation Identified

Amount of Bond

Date of Contract Entered Into

Signature of

Individual or Owner

Partnership or Partners

Corporation (President or Vice President) - Seal must be Affixed Thereto

Signature of Surety

- (A) Name of Corporation
- (B) Signature of Attorney-In-Fact
- (C) Seal of Corporation

Acknowledgment by Notary of

- (A) Principal's Signature
- (B) Signature of Representative of Surety (If By an Out of State Notary, the Notary's Seal must be Affixed Thereon)

Power of Attorney

- (A)
 1. Name, City, County and State of Attorney-In-Fact
 2. Date Appointed
 3. Statement and Signature of Officer of Corporation Recognizing the Appointment and Another Officer, Normally Secretary, Attesting to the Statement.

- (B) Acknowledgment by Notary That the Attesting Officer and Recognizing Officer Held Such Position
- (C) Statement of the Instrument Giving Certain Persons Power to Appoint Attorney-In-Fact
- (D) Statement of Officer or Representative Attesting to the Truthfulness of Power of Attorney
 - 1. Signature of Attesting Party
 - 2. Seal of Corporation
 - 3. Date When Attested Must Correspond with the Date When the Contract Was Entered Into

REQUIREMENTS FOR APPROVAL OF PERMIT CARRIER BONDS

1. Name of Corporation or Individual
2. Name of Surety Company
3. Effective Dates of Bond (From mm/dd/yy to mm/dd/yy)
4. Name of Attorney-in-Fact
5. Date Bond was Signed (Otherwise Called Bearing Date)
6. Name of Corporation or Individual
7. Signature and Title of President or Vice-President of Corporation, or signature of Individual (If Individual is Not President or Vice-President of Corporation, Resolution Must Be Attached to Bond Authorizing Them to Sign)
8. Name of Surety Company
9. Signature of Attorney-in-Fact (Type Name and Attorney-in-Fact Under Signature)

ACKNOWLEDGMENT BY PRINCIPAL

**If Principal is an Individual, Complete Bottom of page 1 of Bond. If Principal is Corporation, Complete Top of Page 2.

10. List State and County in Which Notary is Authorized to sign
11. Type Name of Notary
12. Type Name and Title of Individual Authorized to Sign for Principal
13. Enter Bearing Date. Must be Same as Signature Date (Line 5) on Face of Bond
14. Enter Name of Principal if Corporation
15. Enter Date Notary Signed Acknowledgment. (Must Be Same or Later than Bearing Date)
16. Enter Date Notary's Commission Expires.
17. Have Notary Sign Acknowledgment and Affix Seal

ACKNOWLEDGMENT BY SURETY

18. List State and County in Which Notary is Authorized to Sign
19. Type name of Notary
20. Type Name and Title of Attorney-in-Fact
21. Enter Bearing Date. Must be Same as Signature Date (Line 5) on Face of Bond
22. Enter Name of Surety Company

- 23. Enter Date Notary Signed Acknowledgment
- 24. Enter Date Notary's Commission Expires
- 25. Have Notary Sign Acknowledgment and Affix Seal

* * * * *

Raised seals (Surety and Corporate) must be on face of bond. *If corporation has Not adopted a corporate seal, one may be drawn on the bond by writing the name of the company, the word seal, and drawing a circle around them.*

Notary must affix Notary stamp or seal next to his/her name in acknowledgments.

Surety company must be authorized to do business in the State of West Virginia.

A Power of Attorney, with a raised surety seal, appointing Attorney-in-Fact must be attached to the bond. Certificate date on Power of Attorney should be same as bearing date (line 5) of bond.