17. Keg Registration *(data current as of 1/1/12)*

Policy Description

Keg registration laws (also called keg tagging laws) require wholesalers or retailers to attach tags, stickers, or engravings with an identification number to kegs exceeding a specified capacity. These laws discourage purchasers from serving underage persons from the keg by allowing law enforcement officers to trace the keg to the purchaser even if he or she is not present at the location where the keg is consumed.

At purchase, retailers are required to record identifying information about the purchaser (e.g., name, address, telephone number, driver's license). In some states, keg laws specifically prohibit destroying or altering the ID tags and provide penalties for doing so. Other states make it a crime to possess unregistered or unlabeled kegs.

Refundable deposits may also be collected for the kegs themselves, the tapper mechanisms used to serve the beer, or both. Deposits are refunded when the kegs and/or tappers are returned with identification numbers intact. These deposits create an incentive for the purchaser to keep track of the whereabouts of the keg and a financial penalty if the keg is not returned.

Some jurisdictions collect information (e.g., location where the keg is to be consumed, tag number of the vehicle transporting the keg) to aid law enforcement efforts, further raising the chances that illegal furnishing to minors will be detected. Some jurisdictions also require retailers to provide warning information at the time of purchase about laws prohibiting service to minors and/or other laws related to the purchase or possession of the keg.

Disposable kegs complicate keg registration laws. Some of these containers meet the capacity definition for a keg but cannot be easily tagged or traced, as they are meant to be disposed of when empty. Most states do not differentiate disposable from nondisposable kegs, although some have modified keg registration provisions to accommodate this container type.

Status of Keg Registration Policies

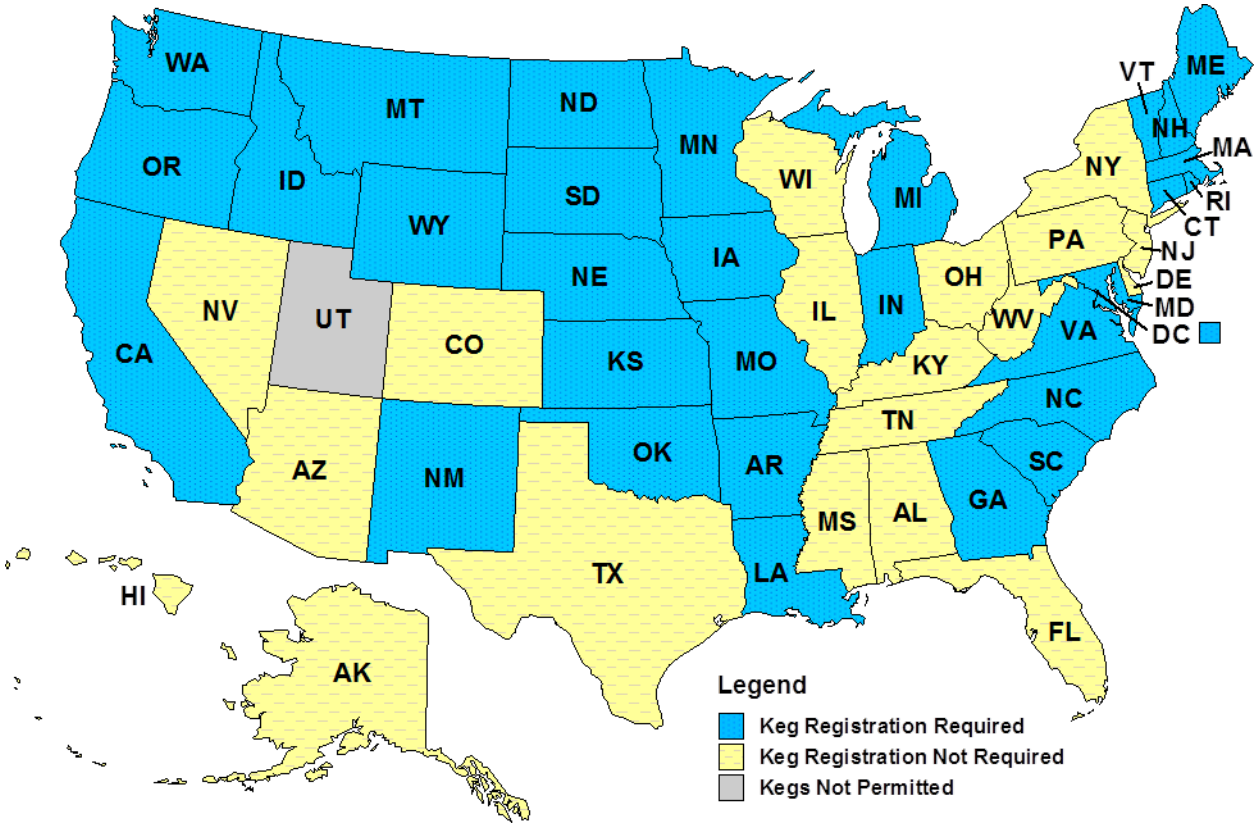
Keg Registration Laws
The District of Columbia and 30 states require keg registration; 19 states do not require that kegs be registered. Minimum keg sizes subject to keg registration requirements range from 2 to 7.75 gallons with the exception of South Dakota, where the requirements are 8 or 16 gallons. Utah alone prohibits keg sales altogether, making a keg registration law irrelevant.

Prohibited Acts
Ten states prohibit both the possession of unregistered kegs and the destruction of keg labels. Six states prohibit only the possession of unregistered kegs, 8 prohibit only the destruction of keg labels, and 25 states and the District of Columbia prohibit neither act.

Purchaser Information Collected
All 31 jurisdictions with keg registration laws require retailers to collect some form of purchaser information. Of these, 27 require purchasers to provide a driver's licenses or other government-issued identification. Six jurisdictions (District of Columbia, Georgia, North Carolina, Oregon, Virginia, and Washington) require purchasers to provide the address at which the keg will be consumed.

Warning Information to Purchaser
Of the 31 jurisdictions with keg registration laws, 23 states and the District of Columbia require some kind of warning information be presented to purchasers concerning the violation of any laws related to keg registration (see Exhibit 4.3.35). Fourteen states and the District of Columbia specify "active" warnings (requiring an action on the part of the purchaser, such as signing a document), and 9 states specify "passive" warnings (requiring no action on the part of the purchaser). Seven states do not require that any warning information be given to purchasers.

Exhibit 4.3.35: Keg Registration Laws as of January 1, 2012



Trends in Keg Registration Policies

The number of states enacting keg registration laws has risen steadily between 2003 and 2008, with an increase from 20 to 31 jurisdictions (see Exhibit 4.3.36).

References and Further Information

All data for this policy were obtained from APIS at www.alcoholpolicy.niaaa.nih.gov. Follow links to the policy entitled "Keg Registration." APIS provides further descriptions of this policy and its variables, details regarding state policies, and a review of the limitations associated with the reported data. To see definitions of the variables for this policy, go to Appendix B.