

State Report

Nevada

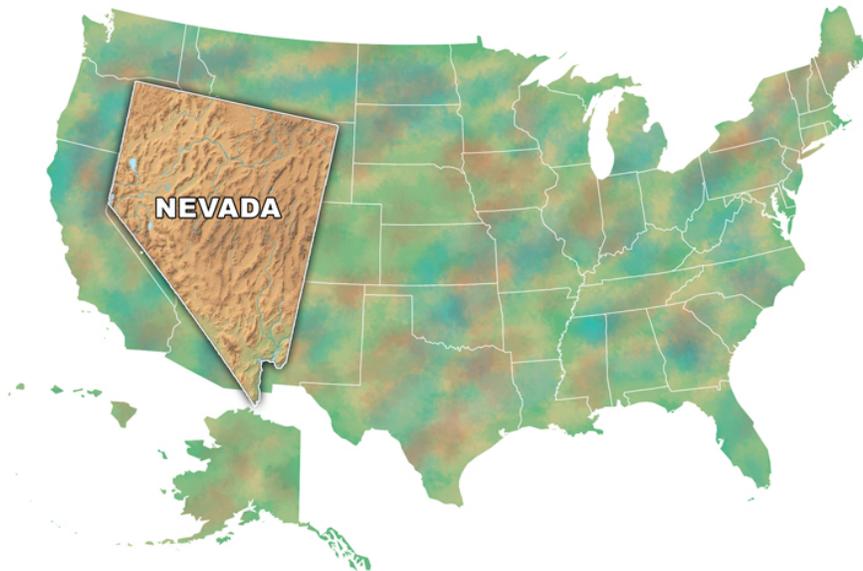
This state report is excerpted from:

The 2013 Report to Congress on the Prevention and Reduction of Underage Drinking

submitted to Congress by The U.S. Department of Health and Human Services.

To obtain more information and a copy of the full Report to Congress go to:

<https://www.stopalcoholabuse.gov>



Nevada

State Profile and Underage Drinking Facts*

State Population: 2,723,322
Population Ages 12–20: 328,000

| | Percentage | Number |
|--|---|---------------|
| Ages 12–20 | | |
| Past-Month Alcohol Use | 25.7 | 84,000 |
| Past-Month Binge Alcohol Use | 17.5 | 58,000 |
| Ages 12–14 | | |
| Past-Month Alcohol Use | 4.7 | 5,000 |
| Past-Month Binge Alcohol Use | 3.0 | 3,000 |
| Ages 15–17 | | |
| Past-Month Alcohol Use | 23.2 | 25,000 |
| Past-Month Binge Alcohol Use | 14.2 | 15,000 |
| Ages 18–20 | | |
| Past-Month Alcohol Use | 47.7 | 54,000 |
| Past-Month Binge Alcohol Use | 34.2 | 39,000 |
| Alcohol-Attributable Deaths (under 21) | | 40 |
| Years of Potential Life Lost (under 21) | | 2,395 |
| | Percentage of All Traffic Fatalities | Number |
| Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01 | 27.0 | 6 |

* See Appendix C for data sources.

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited with the following exception(s):

- Private location OR EITHER
- Parent/guardian OR
- Spouse

Underage Consumption of Alcohol

Consumption is not explicitly prohibited.

Internal Possession by Minors

Internal possession is not explicitly prohibited.

Underage Purchase of Alcohol

Purchase is prohibited and there is NO ALLOWANCE for youth purchase for law enforcement purposes.

False Identification for Obtaining Alcohol

Provision(s) Targeting Minors

- Use of a false ID to obtain alcohol is a criminal offense.
- There is no driver’s license suspension procedure.

Provision(s) Targeting Suppliers

- It is a criminal offense to lend, transfer, or sell a false ID.
- It is a criminal offense to manufacture or distribute a false ID.

Provisions Targeting Retailers

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- Specific affirmative defense—the retailer inspected the false ID and came to a reasonable conclusion based on its appearance that it was valid.

Laws Targeting Underage Drinking and Driving

BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)

- BAC limit: 0.02
- BAC level at or above the limit is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)

Use/lose penalties apply to minors under age 18.

Type(s) of Violation Leading to Driver’s License Suspension, Revocation, or Denial

- Underage purchase
- Underage possession

Authority To Impose Driver’s License Sanction

- Mandatory

Length of Suspension/Revocation

- Minimum: 90 days
- Maximum: 730 days

Graduated Driver’s License

Learner Stage

- Minimum entry age: 15 years, 6 months
- Minimum learner-stage period: 6 months
- Minimum supervised driving requirement: 50 hours—10 of which must be at night

Intermediate Stage

- Minimum age: 16
- Unsupervised night driving prohibited after 10 p.m.
- No primary enforcement of the night-driving rule
- Passenger restrictions exist: No unrelated passengers under 18
- No primary enforcement of the passenger-restriction rule

License Stage

- Minimum age to lift restrictions: 18—passenger restrictions expire after 6 months; unsupervised night-driving restrictions remain until age 18.

Note: Exception to the driver’s education course requirement for persons under 18: If a driver’s education course is not offered within a 30-mile radius of a person’s residence, the person may instead complete an additional 50 hours of supervised driving.

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors

Furnishing is prohibited with the following exception(s):

- Parent/guardian

Compliance Check Protocols

No data

Penalty Guidelines for Sales to Minors

No data

Responsible Beverage Service

Mandatory Beverage Service Training for Servers

- Applies to both on-sale and off-sale establishments
- Applies to both new and existing outlets

Note: Applicability of Nevada’s “alcoholic beverage awareness program” to on-sale retailers is limited to establishments located in a jurisdiction that is located (a) in a county whose population is 100,000 or more or (b) in a county whose population is less than 100,000, if the governing

body of the jurisdiction has, by the affirmative vote of a majority of its members, agreed to be bound by the provisions of section 9 of the act. Applicability to off-sale retailers is limited to off-sale retail establishments in counties with populations of 700,000 or more.

Minimum Ages for Off-Premises Sellers

- Beer: 16
- Wine: 16
- Spirits: 16

Condition(s) That Must Be Met in order for an Underage Person To Sell Alcoholic Beverages

- Manager/supervisor is present.

Minimum Ages for On-Premises Sellers

- Beer: 21 for both servers and bartenders
- Wine: 21 for both servers and bartenders
- Spirits: 21 for both servers and bartenders

Distance Limitations for New Alcohol Outlets Near Universities and Schools

Colleges and Universities

No distance limitation

Primary and Secondary Schools

No distance limitation

Dram Shop Liability

No statutory liability

Social Host Liability Laws

Statutory liability exists for knowingly furnishing a minor or allowing a minor to consume alcohol on premises that social host controls.

Host Party Laws

No state-imposed liability for hosting underage drinking parties

Retailer Interstate Shipments of Alcohol

Prohibition against retailer interstate shipments:

- Beer: Uncertain
- Wine: Uncertain
- Spirits: Uncertain

Note: A person may import from another state 1 gallon or less of alcohol per month for personal use. It is uncertain whether an out-of-state retailer may ship alcohol directly to the consumer for personal use.

Direct Sales/Shipments of Alcohol by Producers

Direct sales/shipments from producers to consumers are permitted for beer, wine, and distilled spirits with the following restrictions:

Age Verification Requirements: None

State Approval/Permit Requirements

- Producer/shipper must obtain state permit.

Reporting Requirements

- Producer must record/report purchaser's name.
- Common carrier must record/report purchaser's name.

Shipping Label Statement Requirements

- Contains alcohol—applies to internet orders

Keg Registration

Registration is not required.

Alcohol Pricing Policies

Home Delivery

- Beer: No law
- Wine: No law
- Spirits: No law

Note: Regulated by county and city governments

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$0.16 per gallon

Wine (12 percent alcohol)

- Specific excise tax: \$0.70 per gallon

Spirits (40 percent alcohol)

- Specific excise tax: \$3.60 per gallon

An additional excise tax of \$1.50 per gallon may be imposed on all liquor containing an alcohol content of more than 22 percent alcohol by volume (ABV), but only if the federal gallonage tax imposed by 26 U.S.C. § 5001 is reduced to \$9 per gallon. This additional tax is not collected on any liquor for which a federal gallonage tax of \$10.50 per gallon has been paid (Nev. Rev. Stat. § 369.333).

Drink Specials

No law

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Retailer credit: Restricted—41 days maximum

Wine (12 percent alcohol)

- Retailer credit: Restricted—41 days maximum

Spirits (40 percent alcohol)

- Retailer credit: Restricted—41 days maximum

Nevada State Survey Responses

| State Agency Information | |
|---|--------------------|
| <i>Agency with primary responsibility for enforcing underage drinking laws:</i> Division of Child and Family Services, Juvenile Justice Programs Office | |
| <i>Methods by which local and state enforcement agencies coordinate their efforts to enforce laws prohibiting underage drinking:</i> There is no state alcohol enforcement agency in Nevada. All underage drinking enforcement efforts are conducted by local law enforcement. | |
| Enforcement Strategies | |
| <i>State law enforcement agencies use:</i> | |
| Cops in Shops | No |
| Shoulder Tap Operations | No |
| Party Patrol Operations or Programs | No |
| Underage Alcohol–Related Fatality Investigations | Yes |
| <i>Local law enforcement agencies use:</i> | |
| Cops in Shops | No |
| Shoulder Tap Operations | Yes |
| Party Patrol Operations or Programs | Yes |
| Underage Alcohol–Related Fatality Investigations | Yes |
| <i>State has a program to investigate and enforce direct sales/shipment laws</i> | |
| Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors | Not applicable |
| Such laws are also enforced by local law enforcement agencies | No |
| Enforcement Statistics | |
| <i>State collects data on the number of minors found in possession</i> | |
| Number of minors found in possession by state law enforcement agencies | Data not collected |
| Number pertains to the 12 months ending | Data not collected |
| Data include arrests/citations issued by local law enforcement agencies | No data |
| <i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i> | |
| Data are collected on these activities | Unknown |
| Number of licensees checked for compliance by state agencies | No data |
| Number of licensees that failed state compliance checks | No data |
| Numbers pertain to the 12 months ending | No data |
| <i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i> | |
| Data are collected on these activities | Yes |
| Number of licensees checked for compliance by local agencies | 1,696 |
| Number of licensees that failed local compliance checks | 295 |
| Numbers pertain to the 12 months ending | 12/31/2011 |
| Sanctions | |
| <i>State collects data on fines imposed on retail establishments that furnish minors</i> | |
| Number of fines imposed by the state ³ | Data not collected |
| Total amount in fines across all licensees | Data not collected |
| Numbers pertain to the 12 months ending | Data not collected |
| <i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i> | |
| Number of suspensions imposed by the state ⁴ | Data not collected |
| Total days of suspensions across all licensees | Data not collected |
| Numbers pertain to the 12 months ending | Data not collected |

| | |
|---|--------------------|
| <i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i> | No |
| Number of license revocations imposed ⁵ | Data not collected |
| Numbers pertain to the 12 months ending | Data not collected |
| Additional Clarification | |
| The Nevada Underage Drinking Laws (EUDL) program directly funds all local law enforcement agencies in the state to conduct all of the following operations. | |
| Please see attached document titled EUDL Law Enforcement Strategies/Operations. | |

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Does not include fines imposed by local agencies.

⁴ Does not include suspensions imposed by local agencies.

⁵ Does not include revocations imposed by local agencies.

| | |
|--|-----------------------------|
| Underage Drinking Prevention Programs Operated or Funded by the State: Programs SPECIFIC TO Underage Drinking | |
| <i>Nevada Interscholastic Activities Association (NIAA) Alcohol Policy</i> | |
| Number of youth served | No data |
| Number of parents served | No data |
| Number of caregivers served | No data |
| Numbers pertain to the 12 months ending | No data |
| Program has been evaluated | Yes |
| Evaluation report is available | Yes |
| Contact for evaluation report: | Kathy Bartosz, 775-841-4730 |
| URL for more program information: | No data |
| Program description: NIAA has adopted the first statewide drug and alcohol use policy required of all participating high schools. Student athletes and their parents must adhere to and sign off on a graduated sanctions policy enforcing zero tolerance for alcohol, tobacco, and drug use. A first offense results in a 2-week suspension from competitive play and participation in an approved education program; a second offense results in a 3-month suspension and substance use evaluation; and a third offense results in expulsion from high school sports for the rest of the student's high school career. | |

| | |
|---|----------------|
| Underage Drinking Prevention Programs Operated or Funded by the State: Programs RELATED TO Underage Drinking | |
| <i>None</i> | |
| URL for more program information: | No data |
| Program description: | Not applicable |

| | |
|---|-----|
| Additional Information Related to Underage Drinking Prevention Programs | |
| <i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i> | Yes |
| Description of collaboration: The Statewide Partnership of Native Americans involves local Tribal entities in the training of law enforcement personnel to curtail the availability of alcohol on Tribal lands. There is an interlocal agreement in place between Tribal police and county sheriff/police departments, initiated through the Nevada Office of the Attorney General. Not all Tribes have signed off on it as of this date. | |
| <i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i> | No |
| Program description: Not applicable | |

| | |
|--|-----|
| <i>State has adopted or developed best practice standards for underage drinking prevention programs</i> | Yes |
| <p>Best practice standards description: The Underage Drinking Enforcement and Training Center (UDETTC) contracts with Office of Juvenile Justice and Delinquency Prevention (OJJDP) to provide states receiving EUDL funds with technical assistance. Nevada works with UDETTC to establish training standards for law enforcement for EUDL operations. As a result, six courses have received Peace Officer Standardized Training certification and are offered for free to local law enforcement agencies. Training must be completed by any officers involved in EUDL operations, including compliance checks, third-party purchaser operations, juvenile party dispersal, special events control, fake identification checks, and underage drinking and driving prevention and intervention.</p> | |
| Additional Clarification | |
| None given | |

| | |
|--|-----|
| State Interagency Collaboration | |
| <i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i> | Yes |
| <p><i>Committee contact information:</i> Name: Kathy Bartosz E-mail: bartosz4@sbcglobal.net Address: 1711 N. Roop St., Carson City, NV 89706 Phone: 775-841-4730</p> | |
| <p><i>Agencies/organizations represented on the committee:</i> CARE Coalition Churchill Community Coalition Frontier Community Coalition Healthy Communities Coalition Join Together of Northern Nevada Nevada Community Prevention Coalition Nye Communities Coalition Partners Allied for Community Excellence (PACE) Coalition Prevention, Advocacy, Choices, Teamwork (PACT) Coalition Partnership of Carson City Partnership of Community Resources Statewide Native American Coalition</p> | |
| <i>A website or other public source exists to describe committee activities</i> | Yes |
| <p>URL or other means of access: Linda Lang, Statewide EUDL Task Force facilitator, for quarterly meeting minutes: dlhlang@pyramid.net</p> | |

| | |
|---|----------------|
| Underage Drinking Reports | |
| <i>State has prepared a plan for preventing underage drinking in the last 3 years</i> | No |
| Prepared by: | Not applicable |
| Plan can be accessed via: | Not applicable |
| <i>State has prepared a report on preventing underage drinking in the last 3 years</i> | Yes |
| Prepared by: Nevada Juvenile Justice Programs Office | |
| Plan can be accessed via: EUDL Coordinator Kathy Bartosz, 775-841-4730 | |
| Additional Clarification | |
| <p>The Statewide Partnership of Prevention Coalitions in Nevada serves as the statewide EUDL Task Force, as they include representatives from multiple community sectors in their coalitions. This allows for contributions from a wide variety of participants in the development of EUDL operation plans for the State. The EUDL granting agency, OJJDP, requires an annual plan for EUDL funds and operations. A final report is submitted in July of each year summarizing the outcomes for the grant period.</p> | |

| State Expenditures for the Prevention of Underage Drinking | |
|--|--------------------|
| <i>Compliance checks/decoy operations in retail outlets:</i> | |
| Estimate of state funds expended | Data not available |
| Estimate based on the 12 months ending | Data not available |
| <i>Checkpoints and saturation patrols:</i> | |
| Estimate of state funds expended | \$350,000 |
| Estimate based on the 12 months ending | 09/30/2011 |
| <i>Community-based programs to prevent underage drinking:</i> | |
| Estimate of state funds expended | \$2,530,976 |
| Estimate based on the 12 months ending | 06/30/2011 |
| <i>K–12 school-based programs to prevent underage drinking:</i> | |
| Estimate of state funds expended | \$13,000 |
| Estimate based on the 12 months ending | 06/30/2011 |
| <i>Programs targeted to institutes of higher learning:</i> | |
| Estimate of state funds expended | \$12,500 |
| Estimate based on the 12 months ending | 06/30/2011 |
| <i>Programs that target youth in the juvenile justice system:</i> | |
| Estimate of state funds expended | Data not available |
| Estimate based on the 12 months ending | Data not available |
| <i>Programs that target youth in the child welfare system:</i> | |
| Estimate of state funds expended | Data not available |
| Estimate based on the 12 months ending | Data not available |
| <i>Other programs:</i> | |
| Programs or strategies included: Clark County Department of Family Services; Committed 100 Men Helping Boys; Richard Steele Health & Wellness Center | |
| Estimate of state funds expended | \$35,000 |
| Estimate based on the 12 months ending | 06/30/2011 |

| Funds Dedicated to Underage Drinking | |
|---|--|
| <i>State derives funds dedicated to underage drinking from the following revenue streams:</i> | |
| Taxes | No |
| Fines | No |
| Fees | No |
| Other | Allocation from the Nevada State Legislature |
| <i>Description of funding streams and how they are used:</i> | |
| No data | |

| Additional Clarification |
|--|
| State FY2011 (July 1, 2010, through June 30, 2011) for K–12, higher education, and those programs Substance Abuse Prevention and Treatment Agency (SAPTA) funded directly that are not K–12 and higher education, were originally funded by a coalition that was defunded during that fiscal year. Many of the other coalitions took over the programs funded under federal dollars, but SAPTA retained those programs funded through state general funds. |