

Policy Summary

Minimum Ages for On-Premises Servers and Bartenders

This policy summary is excerpted from:

The December 2015 Report to Congress on the Prevention and Reduction of Underage Drinking

Minimum Ages for On-Premises Servers and Bartenders

Policy Description

All states specify a minimum age for employees who serve or dispense alcoholic beverages. Generally, the term “servers” refers to waitpersons, and “bartenders” refers to individuals who dispense alcoholic beverages. These restrictions recognize that underage employees, particularly those who are unsupervised, may lack the maturity and experience to conduct adequate checks of age identification and resist pressure from underage peers to complete illegal sales.

States vary widely in terms of minimum age requirements for servers and bartenders. In some states, the minimum age for both types of employee is 21, but others set lower minimum ages, particularly for servers. No state permits underage bartenders while prohibiting underage servers. Some states permit servers or bartenders younger than 21 to work only in certain types of on-premises establishments, such as restaurants, or to serve only certain beverage types, such as beer or wine. Underage servers and bartenders may be allowed only if legal-age managers or supervisors are present when underage persons are serving alcoholic beverages or tending bar. State laws setting a minimum age for employees who sell alcohol at off-premises establishments are described in the “Minimum Ages for Off-Premises Sellers” section of this report.

Status of Age of Server Policies

Age of Servers

As of January 1, 2014, Alaska, Nevada, and Utah specify that on-premises alcohol servers of beer, wine, or distilled spirits must be age 21 or older (see Exhibit 4.3.25). Only one state (Maine) allows 17-year-olds to be servers. Ten states specify that servers be at least 19 or 20 years old, and the remaining 36 states and the District of Columbia allow 18-year-old servers.

Age of Bartenders

Minimum ages for bartenders are generally higher than for servers across the states. Nineteen states and the District of Columbia limit bartending to persons age 21 or older. Five states (Arizona, Idaho, Kentucky, Nebraska, and Ohio) specify that bartenders be at least 19 or at least 20. Twenty-five states allow 18-year-olds to bartend, while only one state (Maine) allows 17-year-olds to be bartenders. Minimum ages for serving beer, wine, and distilled spirits are identical in all but three states: Maryland, North Carolina, and Ohio. Maryland and North Carolina require bartenders to be 21 to serve spirits, but permit 18-year-olds to dispense beer and wine; Ohio requires bartenders to be 21 to serve wine and distilled spirits, but those ages 19 and older are allowed to dispense beer.

Trends in Age of Server Policies

Manager or Supervisor Presence

Ten states require that a supervisor or manager be present when an underage seller conducts an alcoholic beverage transaction. State policies for ages of servers and bartenders in on-premises establishments have been generally stable over the last decade (see Exhibit 4.3.26). Between 2003 and 2014, Arkansas lowered its minimum age for servers from 21 to 19, and North Dakota lowered its age for servers from 19 to 18.

**Exhibit 4.3.25: Minimum Ages for On-Premises Servers (Beer)
as of January 1, 2014**

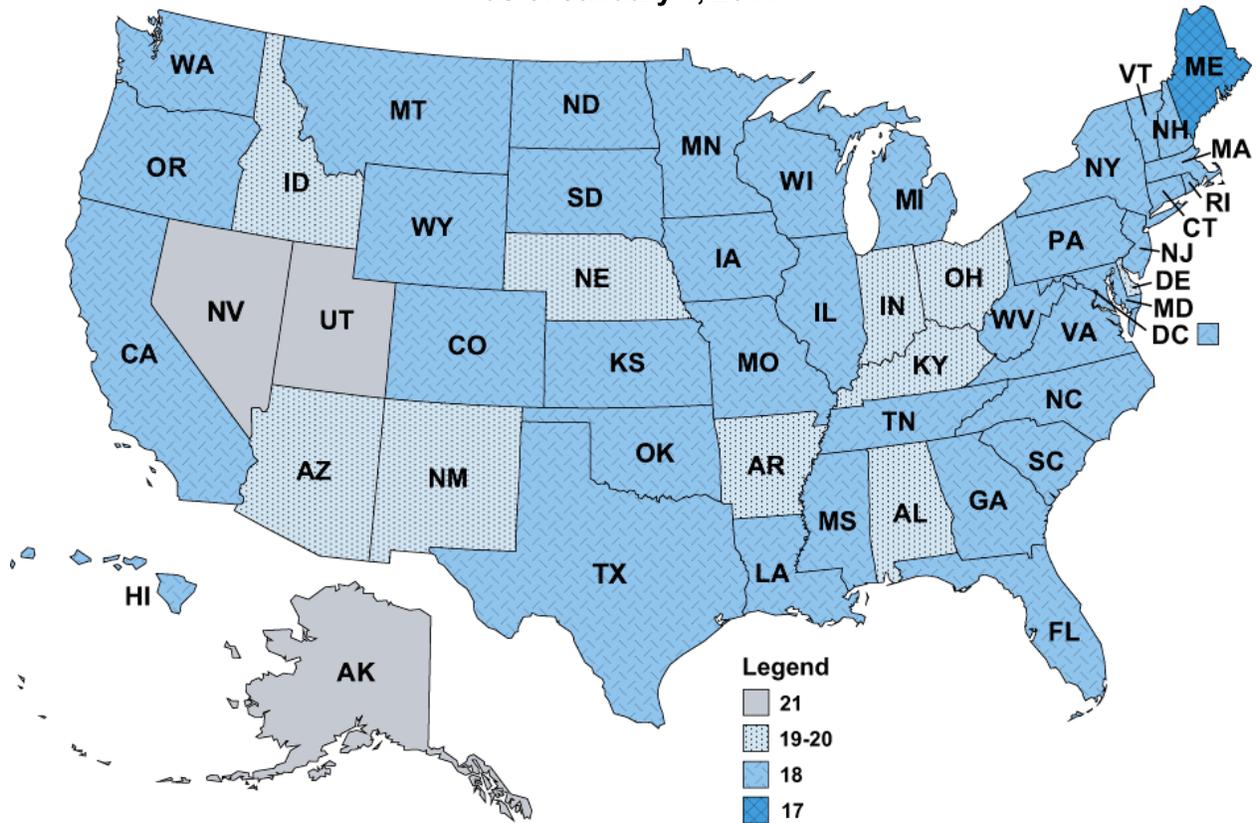
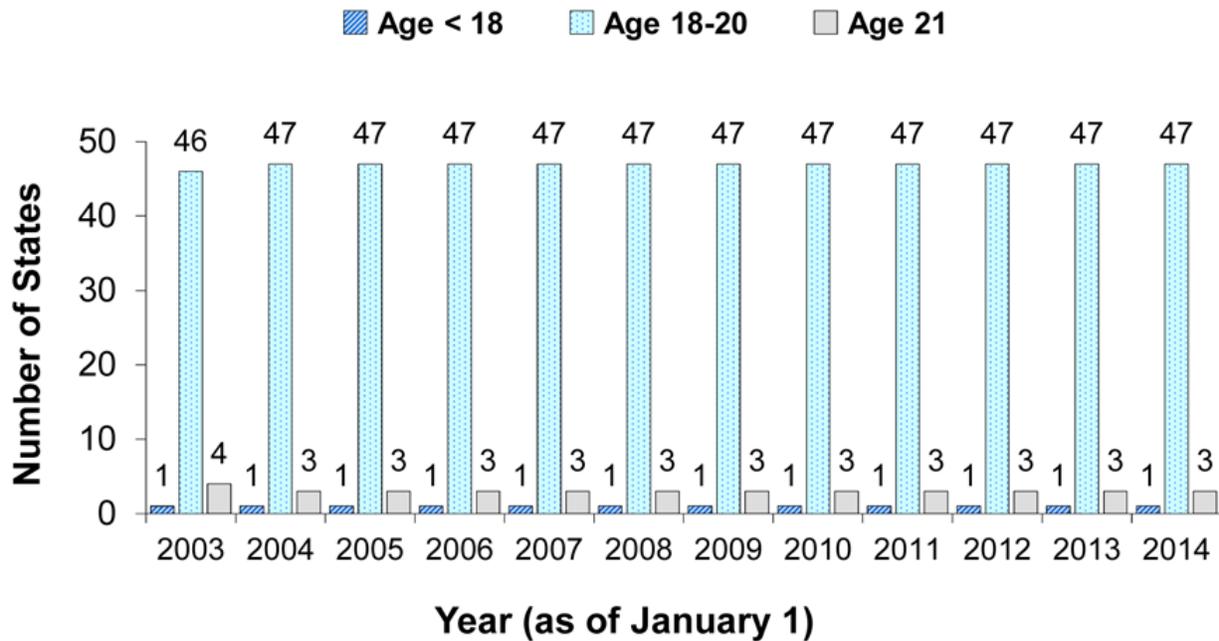


Exhibit 4.3.26: Distribution of Minimum Ages for On-Premises Servers of Beer, January 1, 2003, through January 1, 2014



References and Further Information

All data for this policy were obtained from APIS at <http://www.alcoholpolicy.niaaa.nih.gov>. Follow links to the policy titled “Minimum Ages for On-Premises Servers and Bartenders.” 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.

National Institute on Alcohol Abuse and Alcoholism. (2006). Young adult drinking. *Alcohol Alert*, No. 68.

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Stout, E., Sloan, A., Liang, L., & Davies, H. (2000). Reducing harmful alcohol-related behaviors: Effective regulatory methods. *Journal of Studies on Alcohol and Drugs*, 61, 402–412.

Wagenaar, A. C., Toomey, T. L., & Erickson, D. J. (2005). Complying with the minimum drinking age: Effects of enforcement and training interventions. *Alcoholism: Clinical and Experimental Research*, 29(2), 255–262.