

State Report

Nevada

This document is excerpted from:

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



Nevada

State Profile and Underage Drinking Facts*

State Population: 2,790,136
Population Ages 12–20: 346,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	25.4	88,000
Past-Month Binge Alcohol Use	16.2	56,000
Ages 12–14		
Past-Month Alcohol Use	4.6	5,000
Past-Month Binge Alcohol Use	2.5	3,000
Ages 15–17		
Past-Month Alcohol Use	19.2	22,000
Past-Month Binge Alcohol Use	10.8	12,000
Ages 18–20		
Past-Month Alcohol Use	47.9	61,000
Past-Month Binge Alcohol Use	32.2	41,000
Alcohol-Attributable Deaths (under 21)		42
Years of Potential Life Lost (under 21)		2,543
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	23	3

* 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
- 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.
- 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.

Provision(s) 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, of which 10 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 passengers under 18 unless they are immediate family members
 - 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: Driver’s education course requirement for persons under 18. Exception: 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 of 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: The applicability of Nevada’s “alcoholic beverage awareness program” to on-sale retailers is limited to establishments in a jurisdiction located in (a) a county whose population is 100,000 or more or (b) 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.

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

There is no statutory liability.

Social Host Liability Laws

Statutory liability exists subject to the following conditions:

- Limitations on elements/standards of proof: Knowingly furnishing a minor or allowing a minor to consume alcohol on premises that the 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.

Home Delivery

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

Note: Regulated by county and city governments.

Alcohol Pricing Policies

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
- Additional taxes: Distilled spirits over 14 percent and up to 22 percent are taxed at \$1.30 per gallon.

Note: An additional excise tax of \$1.50 per gallon may be imposed on all liquor containing an alcohol content of more than 22 percent, 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.

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> Nevada Department of Health and Human Services, Juvenile Justice Programs Office	
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	No
<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	Not applicable
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	Not applicable
Number pertains to the 12 months ending	Not applicable
Data include arrests/citations issued by local law enforcement agencies	Not applicable
<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	No
Number of retail licensees in state ³	No data
Number of licensees checked for compliance by state agencies (including random checks)	Not applicable
Number of licensees that failed state compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Not applicable
<i>State conducts random underage compliance checks/decoy operations</i>	
Number of licensees subject to random state compliance checks/decoy operations	Not applicable
Number of licensees that failed random state compliance checks	Not applicable
<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	2,329
Number of licensees that failed local compliance checks	338
Numbers pertain to the 12 months ending	12/31/2013
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state ⁴	Not applicable
Total amount in fines across all licensees	Not applicable
Smallest fine imposed	Not applicable
Largest fine imposed	Not applicable
Numbers pertain to the 12 months ending	Not applicable

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	No
Number of suspensions imposed by the state ⁵	Not applicable
Total days of suspensions across all licensees	Not applicable
Shortest period of suspension imposed (in days)	Not applicable
Longest period of suspension imposed (in days)	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	No
Number of license revocations imposed ⁶	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Additional Clarification	
Nevada does not have a state-level Alcohol Beverage Control agency. The Enforcing Underage Drinking Laws (EUDL) funds provided by the Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP), awarded to the Nevada Department of Health and Human Services were granted to local law enforcement agencies to conduct EUDL operations including: Alcohol Sale to Minors Compliance Checks, Third Party Purchaser (“Should Tap” operations), Juvenile Party Dispersals, Fake ID Intervention, Saturation Patrols, and Juvenile DUI prevention.	

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 Excluding special licenses such as temporary, seasonal, and common carrier licenses

⁴ Does not include fines imposed by local agencies

⁵ Does not include suspensions imposed by local agencies

⁶ Does not include revocations imposed by local agencies

Underage Drinking Prevention Programs Operated or Funded by the State	
<i>Responsible Beverage Server Training Law Fine Reallocation</i>	
Program serves specific or general population	General population
Number of youth served	Not applicable
Number of parents served	Not applicable
Number of caregivers served	Not applicable
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data
Program Description: Nevada’s Responsible Beverage Server Training law requires all servers and sellers of alcohol in counties with more than 400,000 people to complete a training with established curriculum and standards related to responsible beverage server practices. This includes avoiding the provision of alcohol to minors and to customers clearly impaired from alcohol consumption. The curriculum includes denying sales, local alcohol ordinances, and fake ID identifications. Two counties fall into the category of more than 400,000 people: Clark County (Las Vegas area) with over 2 million residents (70 percent of Nevada’s population), and Washoe County with just over 400,000 residents (20 percent of Nevada’s population). The remaining 15 counties all have under 55,000 residents. Local law enforcement check for server training cards when they conduct alcohol sale to minors compliance operations. A notice of infraction is issued to the business if an employee does not have a current card, and a copy is sent to the Nevada Department of Taxation. The Department then sends the notice of fine to the business. Revenue from the fines is divided by 50 percent to the Victims Restitution Fund and 50 percent to the EUDL program. The EUDL funds from these fines are used to purchase equipment needed by law enforcement officers to conduct EUDL operations.	

<i>Peace Officer Enforcing Underage Drinking Laws Accredited Training Programs</i>	
Program serves specific or general population	Specific population
Number of youth served	No data

Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data
<p>Program Description: Working with Nevada’s EUDL program, Nevada’s Peace Officers Standards and Training (POST) has approved training for peace officers for continuing education units in the following EUDL strategic operations: alcohol sale to minors, compliance checks, third-party purchaser operations, special events, alcohol control, DUI prevention and intervention, fake ID identification, and intervention controlled juvenile party dispersal. Nevada uses trainers available through the Underage Drinking Enforcement and Training Center (UDETC), and has a UDETC trainer in Nevada located within the Las Vegas Metropolitan Police Department. Three other local trainers serving the northern and rural parts of the state are approved to conduct these training sessions as well.</p>	
<p>University of Nevada, Reno (UNR) Student Conduct Underage Drinking Intervention Program</p>	
Program serves specific or general population	Specific population
Number of youth served	112
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	No data
URL for more program information:	No data
<p>Program Description: UNR, in collaboration with the Nevada EUDL project, received a discretionary grant from OJJDP to create effective responses to alcohol violations on campus that would incorporate violations off campus as well. The responses are: (1) Brief Alcohol Screening and Intervention for College Students (BASICS), including an education conference, personal drinking behavior documentation, and followup conference; (2) Substance Abuse Therapeutic Education to Ensure Personal Student Success (STEPS), including weekly psychoeducational classes to address behaviors and choices led by a substance abuse counselor, personalized assessment, drug and alcohol testing, attending drug court and case management meetings; and (3) Treatment, Responsibility, Accountability on Campus (onTRAC), including a personalized program of alcohol testing, individual and group counseling, case management meetings, student development activities, and wellness experiences. Random drug testing may also be used at this level. This program system has achieved a 7 percent recidivism rate. In addition to the personal interventions, UNR changed policies on alcohol sales at sporting events, limiting sale to one drink per person at a time, stopping sales of alcohol at half-time, restricting tail-gating areas, and screening at game entry to prohibit bringing in alcohol, or admission of people clearly intoxicated. Friday night alternative activities are provided for all campus residents.</p>	
<p>Nellis Air Force Base Initiative: Life of a Warrior</p>	
Program serves specific or general population	Specific population
Number of youth served	5,000
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data
<p>Program Description: This year, the Nevada EUDL program was awarded a discretionary grant from OJJDP through which it is collaborating with Nellis Air Force Base in Clark County to curtail underage drinking by approaching the young airmen as the ultimate “team.” As such, the airmen should be living the “Life of a Warrior,” a program developed from the American Athletic Institute’s “Life of an Athlete” program created by John Underwood. Nellis Air Force Base usually has 10,000 airmen at any given</p>	

time on base. This program will reach all of them with a presentation outlining the life of an athlete, including diet, sleep, central nervous system fatigue, workout preparation, and recovery, and the effects of alcohol on overall and long-term performance. By embedding the alcohol information within the context of ultimate performance and not as a separate “don’t drink” program, initial response demonstrates greater engagement and positive response with the “avoid drinking” message. The message is reinforced with motivational posters, diet tips, exercise tips, an on-base “extreme activity,” group and individual competitions, and other alternative activity clubs. Local law enforcement, the Las Vegas Metropolitan Police Department, is setting up 12 DUI checkpoints on the road leading into Las Vegas from the base 12 times over the next 3 years, conducting alcohol sale to minors compliance checks in surrounding bars and alcohol sale locations, and conducting other EUDL enforcement operations as an added deterrent to underage drinking. Violations by airmen will be reported to the base mental health services unit. This program was initiated in May 2013, and an evaluation system is in place, but no data outcomes will be available until June 30, 2014.

Nevada Interscholastic Activities Association (NIAA) Statewide Drug and Alcohol Policy

Program serves specific or general population	Specific population
Number of youth served	15,000
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

Program Description: Working with the Nevada EUDL program, the NIAA crafted an Alcohol and Drug Policy that must be implemented by every high school sports program (including cheerleaders) in order to participate in NIAA sports. The policy uses a three-step graduated sanctions approach. At the beginning of the season, every athlete and a parent must attend an overview of the policy and sign the agreement to the three-level sanctions: For the first offense, there is a 2-week suspension from play (but athlete must still attend practices) and 10 hours of community service. For the second offense, a 3-month suspension from play, and athlete must attend mandatory alcohol and other drug assessment and comply with assessment recommendations. For the third offense, the athlete is suspended from high school sports participation for the remainder of his/her high school career. Although the third offense response seems harsh, at this point it is assumed the student has an alcohol or drug problem that participation in sports is not successfully preventing or deterring, and the student is in need of a more targeted treatment response. It is now the school’s responsibility to promote sports as a healthy activity, and participation as requiring a commitment to a drug-free lifestyle, and as a privilege, not a right. If this privilege is not respected, then that spot on the team goes to someone who honors the commitment.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

No data

URL for more program information: No data

Program description: No data

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

State collaborates with federally recognized tribal governments in the prevention of underage drinking Yes

Description of collaboration: The Nevada EUDL initiative collaborates with the Statewide Native American Coalition (SNAC). The SNAC director is a member of the Statewide Prevention Coalition Partnership, providing direction and guidance to the EUDL project. The EUDL program has presented at the statewide SNAC conferences, trained law enforcement in EUDL operations, and purchased equipment needed for conducting these operations. SNAC has also been awarded EUDL minigrants to support environmental strategies unique to the Native American population, and provided funds to support a Youth Leadership Coordinator for one of the tribes.

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Description of program: Not applicable	
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies):	No
Agency(ies) within your state: NV Dept. of Health and Human Services, Juvenile Justice Programs Office	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: Best practice standards are reviewed by the UDETC and the Pacific Institute for Research and Evaluation (PIRE). Standards approved by these two institutions are adopted by the Nevada Juvenile Justice Programs Office. The EUDL project develops goals and objectives and creates related Work Plans for approval by UDETC and PIRE, and ultimately OJJDP.	
Additional Clarification	
No data	

State Interagency Collaboration	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<i>Committee contact information:</i>	
Name: Linda Lang	
E-mail: dlhlang@pyramid.net	
Address: 1711 N. Roop Street, Carson City, NV 89706	
Phone: 775-841-4730 x201	
<i>Agencies/organizations represented on the committee:</i>	
Care Coalition	
Partnership Carson City	
Partnership of Community Resources	
NV Community Prevention Coalition	
Partners Allied for Community Excellence (PACE) Coalition	
Healthy Communities Coalition	
Frontier Community Coalition	
Join Together of Northern Nevada	
PACT Coalition	
Nye Communities Coalition	
Inter-Tribal Council of NV, Inc.	
Churchill Community Coalition	
University of Nevada Center for the Application of Substance Abuse Technologies (CASAT)	
Clearinghouse	
Mothers Against Drunk Driving	
<i>A website or other public source exists to describe committee activities</i>	No
URL or other means of access: Not applicable	
Underage Drinking Reports	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Nevada Juvenile Justice Programs Office	
Plan can be accessed via: Contact Kathlyn Bartosz, 775-841-4730 x206	

<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	No
Prepared by: Not applicable	
Plan can be accessed via: Not applicable	
Additional Clarification	
No data	

State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks 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	No data
Estimate based on the 12 months ending	No data
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Programs targeted to institutes of higher learning:</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 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: State funds are pass through dollars to the 12 coalitions to fund direct prevention providers for alcohol and drug prevention evidence-based programs. There is no targeted funding specific to UAD.	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

Funds Dedicated to Underage Drinking	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	Yes
Fees	No
Other: Allocation from the Nevada State Legislature	Yes
<i>Description of funding streams and how they are used:</i>	
The Department of Public Safety, Office of Traffic Safety, receives both federal dollars and fines from traffic violations for media campaigns that include UAD. The Office also grants dollars to many of the coalitions for education and outreach in local communities on UAD and impaired driving.	

Additional Clarification

The Department of Taxation collects fines for businesses not complying with the mandatory server training law. Half of the fines collected go into a fund for the EUDL program. No alcohol taxes collected go to prevention, but they are used for treatment, including treatment of UAD. The Substance Abuse Prevention & Treatment Agency receives State General Funds for alcohol and drug prevention that are passed through to local coalitions. The coalitions conduct needs assessments and use local and state data to determine the priority needs/gaps to fund. They each submit a Comprehensive Community Prevention Plan (CCPP) to the state and fund evidenced-based alcohol and drug prevention programs within their service areas that target specific age groups and populations of high need as determined by their CCPP.