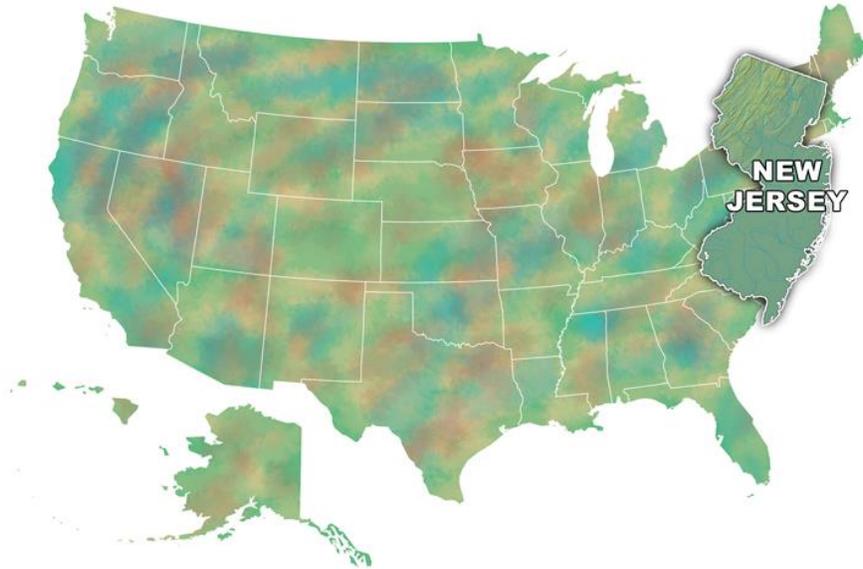


State Report

New Jersey

This document is excerpted from:

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



New Jersey

State Profile and Underage Drinking Facts*

State Population: 8,899,339
 Population Ages 12–20: 1,056,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	27.7	293,000
Past-Month Binge Alcohol Use	18.9	199,000
Ages 12–14		
Past-Month Alcohol Use	4.1	14,000
Past-Month Binge Alcohol Use	2.0	7,000
Ages 15–17		
Past-Month Alcohol Use	29.1	106,000
Past-Month Binge Alcohol Use	16.3	60,000
Ages 18–20		
Past-Month Alcohol Use	49	172,000
Past-Month Binge Alcohol Use	37.7	133,000
Alcohol-Attributable Deaths (under 21)		82
Years of Potential Life Lost (under 21)		4,945
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	13	2

* 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

Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s): Private location

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.
- Penalty may include driver's license suspension through a judicial procedure.

Provision(s) targeting suppliers

- It is a criminal offense to lend, transfer, or sell 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: 0.01
- 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 21.

Type(s) of violation leading to driver's license suspension, revocation, or denial

- Underage purchase

Authority to impose driver's license sanction

- Mandatory

Length of suspension/revocation

- 180 days

Graduated Driver’s License

Learner stage

- Minimum entry age: 16
- Minimum learner stage period: 6 months
- No minimum supervised driving requirement

Intermediate stage

- Minimum age: 17
- Unsupervised night driving
 - Prohibited after: 11:01 p.m.
 - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one passenger unless accompanied by parent or guardian, unless additional passengers are dependents of the driver
 - Primary enforcement of the passenger-restriction rule

License stage

- Minimum age to lift restrictions: 18

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 licensees, managers

- Applies only to off-sale establishments
- Applies only to new outlets

Minimum Ages for Off-Premises Sellers

- Beer: 18
- Wine: 18
- Spirits: 18

Minimum Ages for On-Premises Sellers

- Beer: 18 for both servers and bartenders
- Wine: 18 for both servers and bartenders
- Spirits: 18 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

- Prohibitions against outlet siting:
 - Off-premises outlets: Yes—within 200 feet, but school has authority to override state prohibition
 - On-premises outlets: Yes—within 200 feet, but school has authority to override state prohibition
 - Alcohol products: Beer, wine, spirits

Dram Shop Liability

Statutory liability exists.

Social Host Liability Laws

There is no statutory liability.

Note: Comonile v. Maybee held that a social host who furnishes excessive amounts of alcoholic beverages to a visibly intoxicated minor, knowing the minor is about to drive a car on the public highways, may be liable to a third party injured in an automobile accident. At the federal level, the court in *A.B. v. Johnson* held a social host owes a duty of care to not furnish or negligently provide alcohol to any of his or her guests who are minors, and if a social host does furnish alcohol to a minor and breaches his or her duty, that host may be held liable for whatever reasonably foreseeable harm the provision of alcohol proximately caused.

Host Party Laws

Social host law is not specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Consumption
- Property type(s) covered by liability law: Residence, outdoor, other
- Standard for hosts' knowledge or action regarding the party: Overt act—host must have actual knowledge and commit an act that contributes to the occurrence
- Exception(s): Family

Retailer Interstate Shipments of Alcohol

Prohibition against retailer interstate shipments:

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

Direct Sales/Shipments of Alcohol by Producers

Direct sales/shipments from producers to consumers are permitted for wine with the following restrictions:

Age verification requirements: None

State approval/permit requirements

- Producer/shipper must obtain state permit.
- State must approve common carrier

Reporting requirements

- Producer must record/report purchaser's name.

Shipping label statement requirements: None

Note: Licensees cannot produce more than 250,000 gallons of wine per year.

Keg Registration

Registration is not required.

Home Delivery

- Beer: Permitted—delivery vehicles must display a transit insignia to identify the vehicle as having authority to transport alcohol
- Wine: Permitted—delivery vehicles must display a transit insignia to identify the vehicle as having authority to transport alcohol
- Spirits: Permitted—delivery vehicles must display a transit insignia to identify the vehicle as having authority to transport alcohol

Alcohol Pricing Policies

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$0.12 per gallon

Wine (12 percent alcohol)

- Specific excise tax: \$0.88 per gallon

Spirits (40 percent alcohol)

- Specific excise tax: \$5.50 per gallon

Drink Specials

- Free beverages: Not prohibited—licensee may offer a free drink on a case-by-case basis
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price, specified day or time: Not prohibited
- Unlimited beverages: Prohibited
- Increased volume: Not prohibited

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Minimum markup/maximum discount: Yes—no sales below cost
- Price posting requirements: Post and hold—1 month minimum
- Retailer credit: Restricted—30 days maximum

Wine (12 percent alcohol)

- Minimum markup/maximum discount: Yes—no sales below cost
- Price posting requirements: Post and hold—1 month minimum
- Retailer credit: Restricted—30 days maximum

Spirits (40 percent alcohol)

- Minimum markup/maximum discount: Yes—no sales below cost
- Price posting requirements: Post and hold—1 month minimum
- Retailer credit: Restricted—30 days maximum

New Jersey State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> New Jersey Office of the Attorney General, Division of Alcoholic Beverage Control (ABC)	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	Yes
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	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
	Yes
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Office of the Attorney General, Div. of ABC
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>	
	Yes
Number of minors found in possession by state law enforcement agencies	205
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
	No
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>	
	Not applicable
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>	
	No
Data are collected on these activities	No
Number of licensees checked for compliance by local agencies	Not applicable
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
	Yes
Number of fines imposed by the state ⁴	128

Total amount in fines across all licensees	No data
Smallest fine imposed	\$500
Largest fine imposed	\$80,000
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state ⁵	128
Total days of suspensions across all licensees	No data
Shortest period of suspension imposed (in days)	15
Longest period of suspension imposed (in days)	150
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed ⁶	0
Numbers pertain to the 12 months ending	12/31/2013
Additional Clarification	
All administrative charges involving underage drinking are filed with a penalty of either suspension or revocation of the alcoholic beverage license. State law allows the ABC to convert the suspension into a monetary fine. The conversion is based on the total annual alcohol sales divided by 365, times the number of suspension days.	

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

Division of Mental Health and Addiction Services – Funded Regional

Substance Abuse Prevention Coalitions

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	Yes
Evaluation report is available	Yes
URL for evaluation report:	Not available online
URL for more program information:	
http://www.state.nj.us/humanservices/dmhas/resources/services/prevention/coalitions.html	

Program Description: Effective January 1, 2012, the Division of Mental Health and Addiction Services (DMHAS) selected 17 coalition regions in New Jersey based on the “Prevention Needs Assessment Using Social Indicators: State of New Jersey Substance Abuse Prevention County Level Needs Assessment, 2011.” The needs assessment utilized archival data of social indicators to develop composite indices of risks to estimate the need for prevention services among New Jersey’s 21 counties. Criteria included population, substance abuse treatment admissions, and rates within the region. Prevalence of alcohol and prescription drug misuse among middle- and high-school students were also considered in identifying the 17 regions. Additional criteria used to determine the regions were that each region (1) must comprise at least one county and (2) must have reported a minimum of 2,000 treatment admissions (according to the latest available data) for the previous year.

All coalitions are required to utilize environmental strategies to address underage drinking in their region. Coalitions have followed the Strategic Prevention Framework as a planning model and have submitted strategic plans describing their needs assessments, capacity analyses, and program plans. Strategic plans were approved by DMHAS. Coalitions have identified these root causes related to underage

drinking: availability/access, social access, retail access, medical access, community norms, low enforcement, low perception of risk, parental attitudes favorable to use, peer influence, price promotion, and social norms.

Additionally, coalitions are using the following interventions and strategies in their regions:

- Parents Who Host Lose the Most campaign
- Responsible Beverage Services
- Restricted Sales of Alcohol at Public Events
- Promote State Social Host Laws Promote/Adopt Private Property Ordinances
- Sticker Shock campaign

Governor’s Council on Alcoholism and Drug Abuse (GCADA) Municipal Alliance Program

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:	
http://www.state.nj.us/treasury/gcada/alliance	

Program Description: The Council administers the state’s \$10 million Alliance to Prevent Alcoholism and Drug Abuse Program, the largest network of community-based antidrug coalitions in the nation with thousands of stakeholders serving on nearly 400 Alliances encompassing more than 530 municipalities throughout New Jersey. Municipal Alliances are established by municipal ordinance and engage residents, local government, and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth, and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

15-Minute Child Break

Program serves specific or general population	Specific population
Number of youth served	7,200
Number of parents served	2,800
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:	
http://drugfreenj.org/child-break/15-minute-child-break	

Program Description: The 15-Minute Child Break is a free, interactive, 1-hour presentation for parents, grandparents, and caregivers who are concerned about children (of any age) and substance abuse. Representatives from the Partnership for a Drug Free New Jersey meet with groups on location to deliver this informative, engaging, and educational presentation. Participants receive age-specific information and communication skills training concerning substance abuse. Parents are empowered and supported with the assurance that, even in today’s society, they are still the strongest influence in their children’s lives. The 15-Minute Child Break presentation is supported by research (2000 Partnership for a Drug-Free New Jersey Middle School Study on Substance Use), which demonstrates that kids who communicate regularly with their parents about their daily activities are 67 percent less likely to be involved in substance abuse than children who have little or no communication. The 15-Minute Child Break covers topics such as:

- Talking to your kids about drugs and alcohol
- Influence of media and pop culture
- Effects of specific drugs
- Keeping your kids drug-free
- Strengthening parenting skills
- Utilizing teachable moments

Strengthening Families Program (SFP)	
Program serves specific or general population	Specific population
Number of youth served	1,650
Number of parents served	1,000
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: DMHAS provides funding for delivery of the SFP in all 21 New Jersey counties. The SFP is a nationally and internationally recognized parenting and family strengthening program for high-risk and regular families. It is an evidence-based family skills training program found to significantly reduce problem behaviors, delinquency, and alcohol and drug abuse in children and to improve social competencies and school performance. Child maltreatment also decreases as parents strengthen bonds with their children and learn more effective parenting skills.</p>	
Camden County Council on Alcoholism and Drug Abuse (CCCADA) – Communities Mobilizing for Change on Alcohol	
Program serves specific or general population	Specific population
Number of youth served	4,200
Number of parents served	650
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data
<p>Program Description: CCCADA is utilizing the Communities Mobilizing for Change on Alcohol curriculum, a Substance Abuse and Mental Health Services Administration (SAMHSA) Center for Substance Abuse Prevention (CSAP)–approved model program designed to utilize community-organizing strategies to reduce youth access to alcohol. Through Project CARE, CCCADA coordinates with local community event organizers to reduce adolescent access to alcohol, provides educational workshops and forums, initiated a media campaign, offers family skate nights to the community, and established a youth initiative called “Teens Exposing Alcohol Myths (TEAM).” CCADA has partnered with the Camden City Public Schools and the First Nazarene Baptist Church in the delivery of these services.</p>	
Center for Prevention and Counseling, Community Trials Intervention	
Program serves specific or general population	No data
Number of youth served	4,000
Number of parents served	800
Number of caregivers served	100
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data
<p>Program Description: The Center for Prevention and Counseling has implemented the Community Trials Intervention for High Risk Drinking program specifically in the town of Hopatcong. This community-based environmental change program focuses on the primary strategies of collaboration, policy, and enforcement and is enhanced with communication and alternative programming activities. The agency employs the five environmental strategies indicated in the curriculum: limit alcohol access, encourage responsible beverage service, reduce underage drinking, increase actual and perceived risk of arrest from driving after drinking, and mobilize the community. This curriculum has also taken into account the Strategic Prevention Framework that the Department of Addiction Services has undertaken and will also encompass delivery assessment, capacity, planning, implementation, and evaluation.</p>	

Youth Community Leadership Academy – NCADD – Middlesex

Program serves specific or general population	Specific population
Number of youth served	750
Number of parents served	120
Number of caregivers served	No data
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: By using the Communities Mobilizing for Change on Alcohol model and the Developmental Assets Framework of the Search Institute to engage youth in revitalization of their neighborhoods, and having them rewarded with greater adult perception as a positive resource in the community, Perth Amboy’s community norms will shift to reflect higher prosocial expectations for their youth including lower acceptance of underage drinking.

Communities Mobilizing for Change on Alcohol – Center for Alcohol and Drug Resources – Bergen County

Program serves specific or general population	Specific population
Number of youth served	825
Number of parents served	175
Number of caregivers served	No data
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: The Center for Alcohol and Drug Resources uses the evidence-based program Communities Mobilizing for Change on Alcohol to alter alcohol use patterns and their related problems in the cities of Hackensack and Garfield. The goals and outcomes identified represent a commitment to focused systemic change through the development of youth and adult partnerships to impact public policy and community norms that encourage early and sustained alcohol use.

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	No recognized tribal governments
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Description of collaboration: Not applicable

State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing	Yes
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Program description: The Partnership for a Drug-Free New Jersey (PDFNJ) uses any and all media and formats to spread its message. PDFNJ communicates with the public through television, radio, and print; billboards; Port Authority (PATH) and New Jersey Transit signs; ads donated by Bell Atlantic in the Yellow Pages; and a host of other nontraditional communication opportunities. Working with New Jersey media to “unsell” drugs to the people—especially young people—continues to be PDFNJ’s central responsibility. It receives most of its creative work from the Partnership for a Drug-Free America, which works with the top national advertising agencies. PDFNJ does not pay for any advertising time and is grateful for support from the New Jersey media and other organizations.

State has adopted or developed best practice standards for underage drinking prevention programs	Yes
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Agencies/organizations that established best practices standards:

Federal agency(ies): SAMHSA, U.S. Department of Education, Office of Juvenile Justice and Delinquency Prevention	Yes
Agency(ies) within your state: NCADD-Middlesex, Center of Alcohol Studies (Rutgers University), Rutgers University School of Social Work	Yes
Nongovernmental agency(ies): New Jersey Prevention Network	Yes
Other:	No
Best practice standards description: Both DMHAS and the Governor’s Council on Alcoholism and Drug Abuse (GCADA) fund only evidence-based programs and strategies that have a record of effectiveness in preventing underage drinking. Additionally, the 17 Regional Coalitions and more than 400 Municipal Alliances use a risk and protective factor framework in the development and delivery of community-based coalition activities.	
Additional Clarification	
No data	

State Interagency Collaboration	
A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities	No
Committee contact information: Not applicable	
Agencies/organizations represented on the committee: Not applicable	
A website or other public source exists to describe committee activities URL or other means of access: Not applicable	Not applicable

Underage Drinking Reports	
State has prepared a plan for preventing underage drinking in the last 3 years Prepared by: Division of Mental Health and Addiction Services Plan can be accessed via: Donald K. Hallcom, Ph.D., donald.hallcom@dhs.state.nj.us	Yes
State has prepared a report on preventing underage drinking in the last 3 years Prepared by: Division of Mental Health and Addiction Services Plan can be accessed via: http://www.state.nj.us/humanservices/dmhas/publications/surveys/Middle%20School%20Risk%20&%20Protective%20Factors/2012.pdf	Yes

Additional Clarification	
For information on annual (1) and lifetime (2) use of alcohol by New Jersey middle school students:	
(1) http://www.state.nj.us/humanservices/dmhas/publications/surveys/Middle%20School%20Survey%20by%20Substance/Alcohol_Annual.pdf	
(2) http://www.state.nj.us/humanservices/dmhas/publications/surveys/Middle%20School%20Survey%20by%20Substance/Alcohol_Lifetime.pdf	

State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$1,100,000
Estimate based on the 12 months ending	12/31/2013
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$7,200,000
Estimate based on the 12 months ending	6/30/2014
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$200,000
Estimate based on the 12 months ending	6/30/2014
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$150,000
Estimate based on the 12 months ending	6/30/2014
<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	\$125,000
Estimate based on the 12 months ending	6/30/2014
<i>Other programs:</i>	
Programs or strategies included the Governor’s Council on Alcoholism and Drug Abuse Municipal Alliances	
Estimate of state funds expended	\$4,500,000
Estimate based on the 12 months ending	6/30/2014

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue streams:

Taxes	No
Fines	Yes
Fees	No
Other:	No

Description of funding streams and how they are used:

Fines collected through the Drug Enforcement Demand Reduction (DEDR) program are used to fund programs delivered by the Municipal Alliances.

Additional Clarification

No data