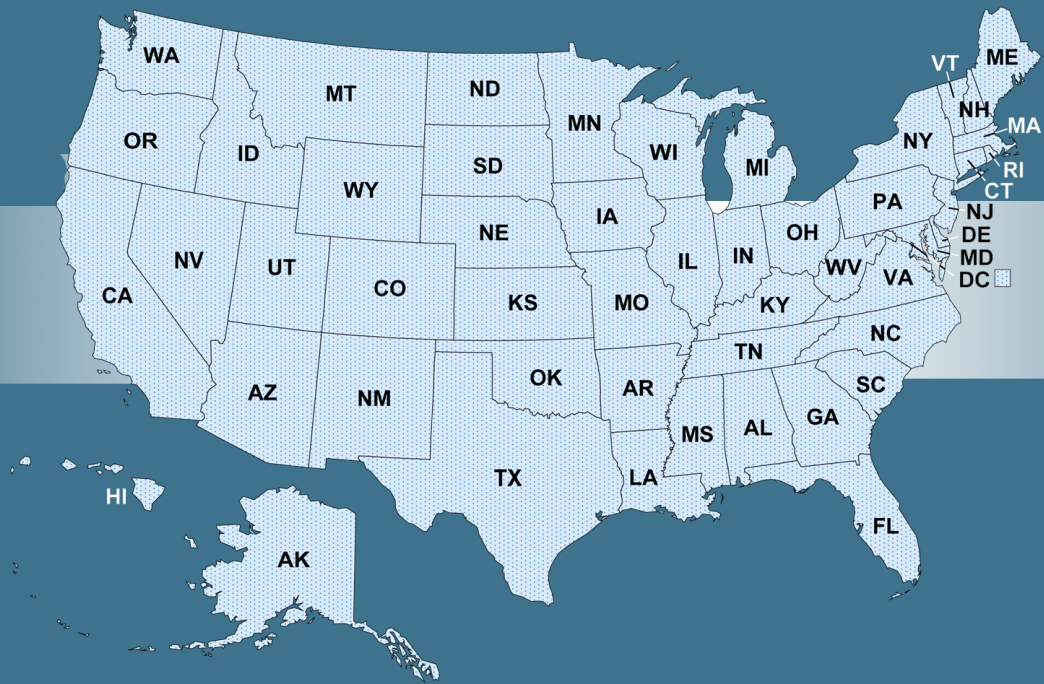


STATE PERFORMANCE & BEST PRACTICES

for the Prevention and Reduction of Underage Drinking

2018



POLICY SUMMARY:

Keg Registration



SAMHSA
Substance Abuse and Mental Health
Services Administration

The *State Performance and Best Practices* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act directs the Secretary of the Department of Health and Human Services (HHS), working with the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), to develop a set of performance measures for evaluating the states' use of best practices in preventing underage drinking, and to consider a set of enumerated categories in doing so. The STOP Act also requires an annual report on each state's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.

This *State Performance and Best Practices*, and the 51 individual State Reports, were prepared by the ICCPUD, which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services.

Time period covered by the 2018 *State Performance and Best Practices*: The 2018 version primarily includes data from calendar year 2017. The data on state legal policies reflects the state of the law as of January 1, 2017. The state survey data was collected in 2017, and is drawn from the most recent 12-month period in which the states maintained the data.

Recommended Citation

U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA), Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD). (2018). *State Performance and Best Practices for the Prevention and Reduction of Underage Drinking*.

Keg Registration

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 tappers are returned with identification numbers intact. These deposits create an incentive for the purchaser to keep track of the whereabouts of the keg, because a financial penalty is imposed 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 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

As of January 1, 2017, the District of Columbia and 30 states require keg registration, and 19 states do not require keg registration. Minimum keg sizes subject to keg registration requirements range from 2 gallons 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

Separately from requiring retailers to register kegs, some states prohibit anyone from possessing unregistered kegs, or destroying keg labels, or both. Twenty-six 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, such as purchaser's name and address, a driver's license, or other government-

issued identification. Six jurisdictions also require purchasers to provide the address where the keg will be consumed.

Warning Information to Purchasers

Of the 31 jurisdictions with keg registration laws, 23 states and the District of Columbia require that some kind of warning information be presented to purchasers about the violation of any laws related to keg registration (see Exhibit I.36). Warnings are either “active” (requiring an action on the part of the purchaser, such as signing a document), or “passive” (requiring no action on the part of the purchaser). Seven states do not require that any warning information be given to purchasers.

Trends in Keg Registration Policies

The number of states enacting keg registration laws rose steadily between 2003 and 2008, with an increase from 20 to 31 jurisdictions, and has remained the same since then (see Exhibit I.37).

Data Sources and Citations

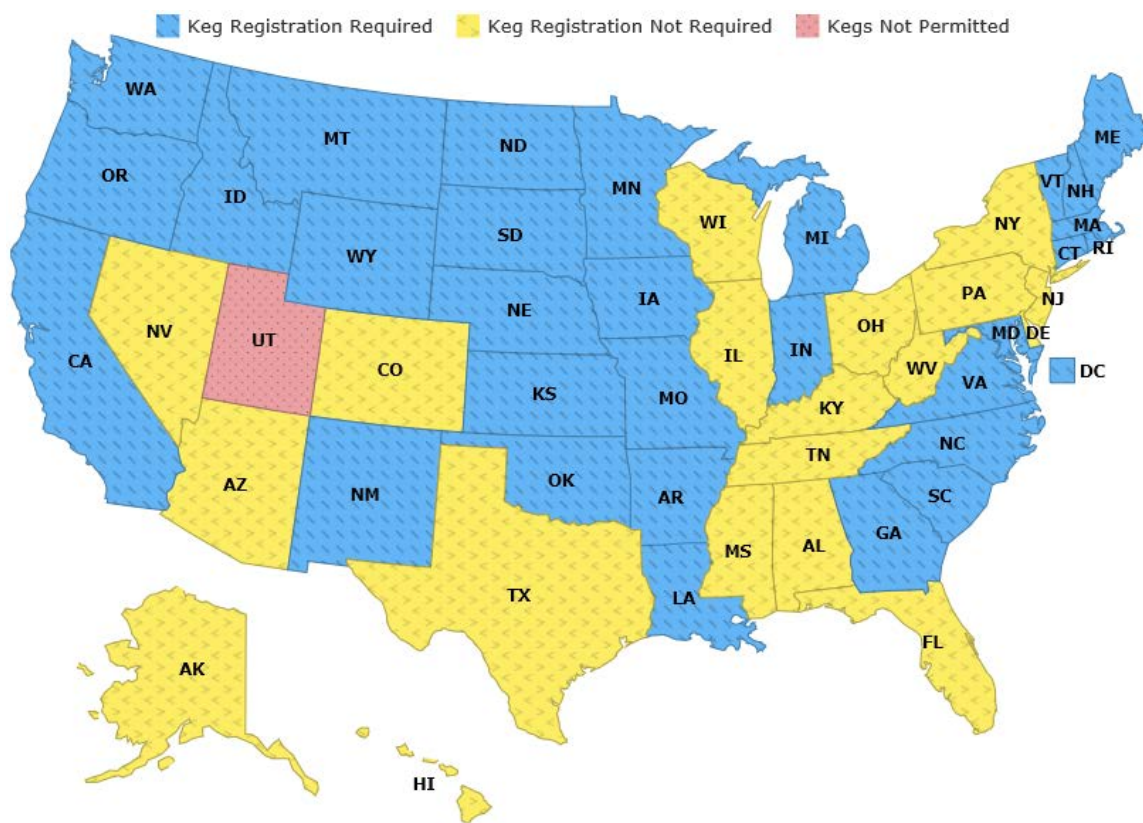
All data for this policy were obtained from <http://www.alcoholpolicy.niaaa.nih.gov>, NIAAA’s APIS. Follow links to the policy titled “Keg Registration” for further descriptions of this policy and its variables, details regarding state policies, and a review of the limitations associated with the reported data.

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Exhibit I.36: Keg Registration Laws as of January 1, 2017



**Exhibit I.37: Number of States with Keg Registration Laws,
January 1, 2003, through January 1, 2017**

