

Keg Registration

Policy Description

Keg registration laws (also called keg tagging laws) require wholesalers or retailers to attach tags, stickers, or engravings with an ID number to kegs exceeding a specified capacity. More recently, online keg tracking capacity using sensors has been developed. 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.²⁶ 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 ID numbers intact. These deposits create an incentive for the purchaser to keep track of the whereabouts of the keg because a financial penalty may result if the keg is not returned.

Some states collect information (e.g., location where the keg contents are to be consumed, tag number of the vehicle transporting the keg) to aid law enforcement efforts, further raising the chances that illegal furnishing to people under age 21 will be detected. Some states also require retailers to provide warning information at the time of purchase about laws prohibiting service to underage youth 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 non-disposable 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, 2021, 30 states require keg registration, and 20 states do not require keg registration (Exhibit 2.19). 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 gallons 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-seven states prohibit neither act.

²⁶ Note that throughout this chapter, "states" refers to the 50 states and the District of Columbia.

Purchaser Information Collected

All 30 states 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 ID. Six states also require purchasers to provide the address where the keg will be consumed.

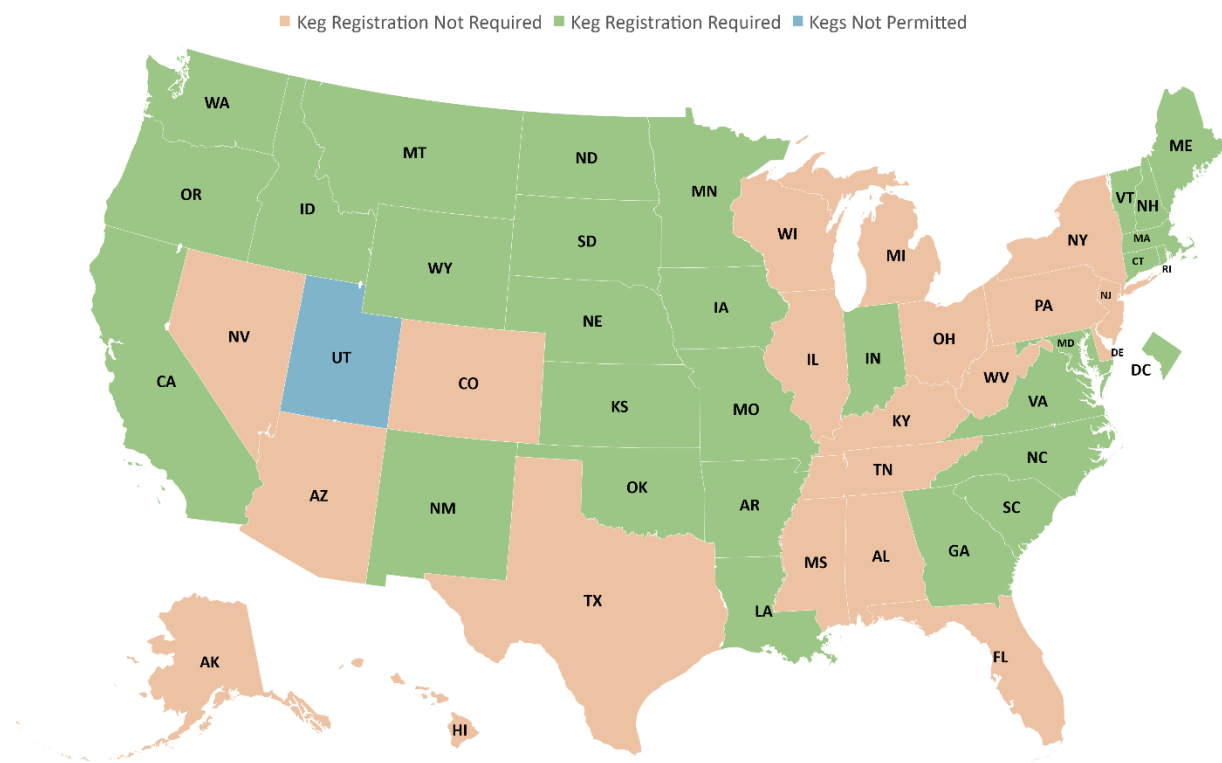
Warning Information to Purchasers

Of the 30 states with keg registration laws, 23 states require that warning information be presented to purchasers about the violation of laws related to keg registration. 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 2003–08, with an increase from 20 to 30 states. As of January 1, 2021, 30 states have keg laws. Michigan eliminated its keg registration law in 2018.

Exhibit 2.19: Keg Registration Laws as of January 1, 2021



Data Sources and Citations

All data for the “Keg Registration” policy were obtained from the National Institute on Alcohol Abuse and Alcoholism’s Alcohol Policy Information System (APIS) website: <https://alcoholpolicy.niaaa.nih.gov/apis-policy-topics/keg-registration/27>. 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.

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