

Disclaimer:

This document is not intended to provide legal advice. Laws on alcohol sales and service may vary greatly by city, county or state. For complete information on the alcohol laws in effect in your region, please contact the liquor authority in your state and/or municipality.

New Jersey

STATE LIQUOR AUTHORITY	State of New Jersey Department of Law and Public Safety Division of Alcoholic Beverage Control 140 East Front Street P.O. Box 087 Trenton, New Jersey 08625-0087 Phone: 609-984-2830 Fax: 609-633-6078 Website: www.state.nj.us/lps/abc/index.html
AGE TO CONSUME	21
AGE TO SERVE	18 (under 18 may work on premises by permit but may not sell or serve alcohol.)
AGE TO POUR	18
AGE TO SELL (PACKAGED LIQUOR)	18
MINORS ALLOWED ON PREMISE?	Not regulated by state. Local option.
CAN PARENTS SERVE?	No. Person under the age of 21 can legally drink in connection with a religious ceremony or at home under parental supervision.
HOURS OF SERVICE	On Premise Establishments: Local Option. Off Premise/Retail Stores: No retail licensee may sell spirituous liquors in original containers before 9:00 a.m. and after 10:00 p.m. Municipalities can further restrict hours, but cannot extend. Note: Local ordinances may prohibit alcohol sales on Election Days. State does not regulate.
ACCEPTED ID'S	<ul style="list-style-type: none"> • A photo drivers license of any state • An official photo identification card issued by any state or the federal government
LEGAL LEVEL OF INTOXICATION WHILE DRIVING	.08 BAC
DRAM SHOP LAW	Licensees and servers are liable for injuries or property damages resulting from negligent alcohol service to a minor or an intoxicated guest.
ID CONFISCATION	May confiscate, but not required to take a suspected fake ID. Licensees and servers are cautioned to exercise caution. Has option to refuse service at any time to any person suspected of being under legal drinking age or intoxicated.
HAPPY HOUR & OTHER SERVICE RESTRICTIONS	There is no prohibition on promotions, by they called "happy hours," "attitude adjustment hours," etc., provided they do not unduly promote the consumption of alcoholic beverages. However, the following is prohibited: <ul style="list-style-type: none"> • "2 for 1" drink specials • Increasing the size of a drink over its usual size • Any other multiple drink offer such as "all you can drink for a set price" • Anything else that gives something of value based on the purchased of an alcoholic beverage drink The following is allowed: <ul style="list-style-type: none"> • Drink price may be reduced for a promotional purpose, but not below the cost of the drink Free or reduced –price food or snack can be given as long as the purchase of an alcoholic beverage is not required. (Note: This "happy hours" practice is encouraged by the Division of ABC if a happy hour is held.
PENALTIES FOR SERVING OR SELLING TO A MINOR	Class A misdemeanor punishable by up to 1 year imprisonment and/or up to \$2000 fine.
WARNING SIGNS REQUIRED ON EFFECTS OF ALCOHOL ON FETUS?	Required for any Class C license, except plenary retail or club license.

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ADDENDUM: NEW JERSEY'S DRAM SHOP LAWS

2A:22A-1. Short title

This act shall be known and may be cited as the "New Jersey Licensed Alcoholic Beverage Server Fair Liability Act." L. 1987, c. 152, s.

(1) 2A:22A-2. Findings, declarations

(2) The Legislature finds and declares that licensed alcoholic beverage servers face great difficulty in obtaining liability insurance coverage. Even when insurance coverage is available, drastic increases in the cost of that insurance have recently taken place, and many licensed alcoholic beverage servers are no longer able to afford liability insurance coverage.

This lack of insurance adversely affects not only the licensed alcoholic beverage servers themselves, but also patrons and third persons who suffer personal injury and property damage as a result of the negligent service of alcoholic beverages by a licensed alcoholic beverage server.

In order to make it economically feasible for insurance companies to provide coverage, the incidence of liability should be more predictable. That predictability may be achieved by defining the limits of the civil liability of licensed alcoholic beverage servers in order to encourage the development and implementation of risk reduction techniques.

This act has been designed to protect the rights of persons who suffer loss as a result of the negligent service of alcoholic beverages by a licensed alcoholic beverage server while at the same time providing a balanced and reasonable procedure for allocating responsibility for such losses. It is anticipated that his act may result in the improvement of the alcoholic beverage liability insurance market in this State.

L.1987,c.152,s.2.

2A:22A-3. Definitions

As used in this act:

"Alcoholic beverage" means a fluid, or a solid capable of being converted into a fluid, suitable for human consumption and having an alcoholic content of more than one-half of 1% by volume. The term shall include alcohol, beer, lager beer, ale, porter, naturally fermented wine, treated wine, blended wine, fortified wine, sparkling wine, distilled liquors, blended distilled liquors and any brewed, fermented or distilled liquors fit for use for beverage purposes, or any mixture of them;

"Licensed alcoholic beverage server" or "server" means a person who is licensed to sell alcoholic beverages pursuant to R.S. 33:1-1 et seq. or who has been issued a permit to sell alcoholic beverages by the Division of Alcoholic Beverage Control in the Department of Law and Public Safety;

"Minor" means a person under the legal age to purchase and consume alcoholic beverages according to P.L. 1972, c. 81 (C. 9:17B-1 et seq.);

"Person" means a natural person, the estate of a natural person, an association of natural persons, or an association, trust company, partnership, corporation, organization, or the manager, agent, servant, officer or employee of any of them;

"Visibly intoxicated" means a state of intoxication accompanied by a perceptible act or series of acts which present clear signs of intoxication.

L. 1987, c. 152, s. 3.

2A:22A-4. Exclusive civil remedy

This act shall be the exclusive civil remedy for personal injury or property damage resulting from the negligent service of alcoholic beverages by a licensed alcoholic beverage server. Nothing contained herein shall be deemed to limit the criminal, quasi-criminal, or regulatory penalties which may be imposed upon a licensed alcoholic beverage server by any other statute, rule or regulation.

L. 1987, c. 152, s. 4.

2A:22A-5. Conditions for recovery of damages

a. A person who sustains personal injury or property damage as a result of the negligent service of alcoholic beverages by a licensed alcoholic beverage server may recover damages from a licensed alcoholic beverage server only if:

- (1) The server is deemed negligent pursuant to subsection b. of this section; and
- (2) The injury or damage was proximately caused by the negligent service of alcoholic beverages; and
- (3) The injury or damage was a foreseeable consequence of the negligent service of alcoholic beverages.

b. A licensed alcoholic beverage server shall be deemed to have been negligent only when the server served a visibly intoxicated person, or served a minor, under circumstances where the server knew, or reasonably should have known, that the person served was a minor.

L. 1987, c. 152, s. 5.

2A:22A-6. Limitations on recovery of damages

Damages may be awarded in a civil action under P.L. 1987, c. 152 (C. 2A:22A-1 et seq.) subject to the limitations set forth in this section.

a. The provisions of sections 1 and 2 of P.L. 1973, c. 146 (C. 2A:15-5.1 and C. 2A:15-5.2) shall apply in all civil actions instituted pursuant to the provisions of this act.

b. Notwithstanding the provisions of P.L. 1952, c. 335 (C. 2A:53A-1 et seq.), section 3 of P.L. 1973, c. 146 (C. 2A:15-5.3) or any other law to the contrary, in any case where a licensed alcoholic beverage server or any other party to a suit instituted pursuant to the provisions of this act is determined to be a joint tortfeasor, the licensed alcoholic beverage server or other party shall be responsible for no more than that percentage share of the damages which is equal to the percentage of negligence attributable to the server or other party.

L. 1987, c. 152, s. 6.

2A:22A-7. Monitoring of alcoholic beverage liability insurance market

The Department of Insurance shall monitor the alcoholic beverage liability insurance market in the State following the effective date of this act. The department shall gather information and statistics on the number of insurers including surplus lines insurers, issuing alcoholic beverage insurance policies, the number of policies issued, the premiums for such policies, the number of civil actions filed in accordance with the provisions of this act, the amounts of damages awarded in civil actions or the amounts of settlements, and any other information deemed necessary in order to determine the effect of this act on the alcoholic beverage liability insurance market. The department shall issue an initial report on the information obtained to the Governor and the Legislature and make appropriate recommendations within two years following the effective date of this act and a final report within three years following the effective date of this act. The Commissioner of the Department of Insurance shall promulgate any rules and regulations pursuant to the "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.), necessary in order to fulfill the requirements of this section.

L. 1987, c. 152, s. 7.