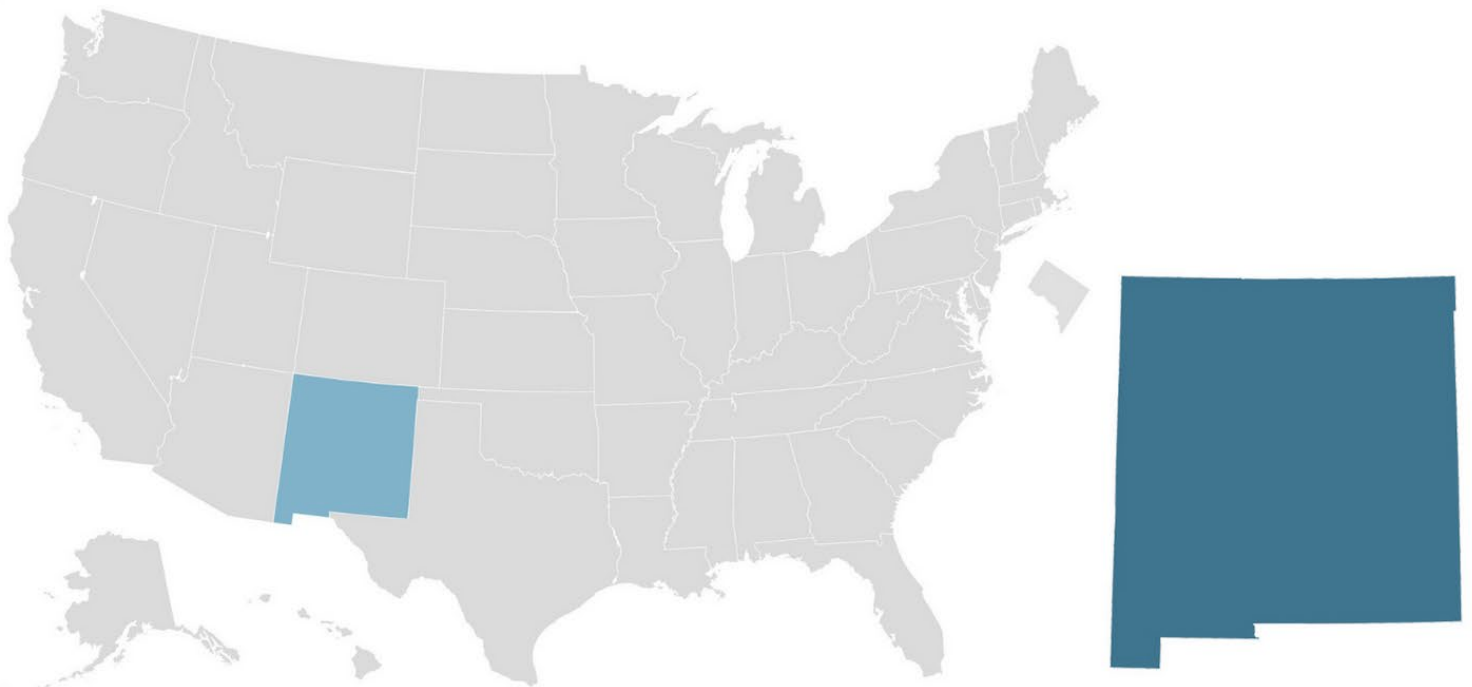




**SAMHSA**  
Substance Abuse and Mental Health  
Services Administration

**New Mexico**

# 2022 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



**ICCPUD**

**THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

ICCPUD

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), 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 requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the State Reports were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), chaired by Miriam Delphin-Rittmon, Ph.D., the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

**Time Period Covered by this *State Report*:** This *State Report* primarily includes data from calendar year 2020 and 2021. Regional and state profile data were drawn from the most recently available federal survey data as of 2020. State legal data reflect the status of the law as of January 1, 2021. State survey data, collected in 2021, were drawn from the most recent 12-month period in which the states maintained the data.

**Source of Data:** For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2017 through 2020 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2021). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application (updated May 2022) served as the resource for data about alcohol-attributable deaths from 2015–2019 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2020 data used to present statistics about fatalities among 15- to 20-year-old drivers. State legal policy data were obtained from the following sources: 1) the National Institute on Alcohol Abuse and Alcoholism’s Alcohol Policy Information System (APIS) website (<https://alcoholpolicy.niaaa.nih.gov/>); 2) legal research planned and managed by the ICCPUD.

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# NEW MEXICO



THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)



## New Mexico

State Population: 2,106,319

Population Ages 12–20: 250,000

Past-Month Alcohol Use	
<b>Ages 12–20</b>	
Past-Month Alcohol Use – Number (Percentage)	40,000 (15.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	24,000 (9.5%)
<b>Ages 12–14</b>	
Past-Month Alcohol Use – Number (Percentage)	2,000 (3.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	2,000 (2.8%)
<b>Ages 15–17</b>	
Past-Month Alcohol Use – Number (Percentage)	11,000 (12.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	5,000 (5.7%)
<b>Ages 18–20</b>	
Past-Month Alcohol Use – Number (Percentage)	26,000 (31.6%)
Past-Month Binge Alcohol Use – Number (Percentage)	17,000 (19.7%)
<b>Adults Ages 21+</b>	
Past-Month Alcohol Use – (Percentage)	753,000 (50.3%)
Past-Month Binge Alcohol Use – (Percentage)	322,000 (21.5%)
Average Age of Initiation	
Average Age of Initiation	16.2
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21 <sup>1</sup>	
Alcohol-Attributable Deaths (under 21)	41
Years of Potential Life Lost (under 21)	2,298
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% <sup>2</sup>	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	11
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	20%

<sup>1</sup> The Alcohol-Related Disease Impact Application was updated May 2022 to reflect new methodology for calculating the average annual alcohol-attributable deaths, and it reflects national and state annual averages from 2015–2019.

<sup>2</sup> Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number; however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.



## Behavioral Health System Overview<sup>1</sup>

The Behavioral Health Services Division (BHSD) of the Human Services Department is the state entity designated to support the administrative and general programmatic activities of the Collaborative. BHSD is the Single State Authority for mental health and substance use services.

The Director of BHSD, oversees three bureaus: Finance & Operations, Policy & Prevention, Program/Clinical Support Services & Recovery. In addition to traditional financial operations, the Finance & Operations Bureau manages the relationship with the Administrative Services Organization (ASO) for non-Medicaid services, currently Falling Colors (as of July 1, 2017).

The Policy & Prevention Bureau manages a diverse range of functions. Quality improvement activities form a core focus, but individual staff specialists are also assigned support and oversight of the BH Planning Council, supportive housing, federal block grants and general policy analysis. Two individual positions divide up management of the behavioral health portion of all Medicaid MCO Centennial Care contracts. The second arm of this complex bureau focuses on prevention and is the home of the Office of Substance Abuse Prevention (OSAP). One staff director guides the Statewide Epidemiology & Outcomes Workgroup (SEOW) and National Prevention Network activities. Several managers and staff specialists oversee specific programs dealing with prescription drug and opioid abuse and death prevention, underage tobacco use, and school drop-out prevention (through classroom management training). There is some overlap between the prevention activities of this bureau and those that occur within the Department of Health.

The Program/Clinical Support Services & Recovery Bureau oversees a broad range of core programs. In addition to a clinical services manager for treatment and recovery programs, there are individual staff specialists overseeing opioid treatment programs (and functioning as the State Opioid Treatment Authority), as well as staff managing both discretionary grants and State General Fund special areas. These latter programs include veterans' services, jail diversion, women's services, Native American traditional services, suicide prevention, among others. The Office of Peer Recovery & Engagement is also supported by this Bureau. This unit manages training and certification for Peer Support Workers, Recovery-Oriented Systems of Care (ROSC), and wellness drop-in centers around the state.

Behavioral health direct services, data, and licensing oversight and compliance are part of the program offerings in several of the eight divisions within the Department of Health (DOH). Most of the population-specific, non-Medicaid funded programs reside in the Public Health Division under the leadership of the Deputy Director of Programs. The Office of Facilities Management oversees the New Mexico Behavioral Health Institute (state psychiatric hospital) and several residential facilities that provide services ranging from adolescent residential treatment and chemical dependency treatment to long-term care and physical rehabilitation. This division also oversees a large community-based program for individuals with intellectual and developmental disabilities. The Developmental Disabilities Supports Division oversees three home and

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<sup>1</sup> Extracted from fiscal year (FY) 2022/2023 – (New Mexico) State Behavioral Health Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant (SABG), CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

community based (HCBS) federal waiver programs for adults, and one program for children from birth to three years of age who have or are at risk of having a developmental delay or disability. The Division of Health Improvement provides regulatory and compliance oversight of health facilities, including Community Mental Health Centers, and the HCBS waiver programs in DDSD, as well as investigations into abuse, neglect and exploitation occurring within these facilities and programs, and other specialty registries and compliance activities. Finally, the Epidemiology & Response Division provides detailed and valuable reports in several public health areas, including mental health and substance abuse. They are an important resource for anyone interested in behavioral health needs, gaps, regional variations and program development.

The Public Health Division (PHD) manages both many Public Health Offices (PHOs) – 53 in 32 counties (all but Harding), grouped into four regions – and many specialty health programs. Some of these programs are well known, such as WIC, family planning, and maternal, child and family health, and others are narrowly targeted and not as visible, but serve some of the neediest individuals and populations in our state. There are both treatment intervention and prevention programs. Almost all these programs are under the direction of the Deputy Director of Programs, who oversees three bureaus - Infectious Disease, Chronic Disease/Health Systems, and Family Health – and well over twenty discrete service focuses. Behavioral health services are nested within several of these programs and are largely delivered by PHO staff. The 53 Public Health Offices are managed by the Deputy Director of Regions.

The BHSD Office of Substance Abuse Prevention (OSA), is primarily funded by the SABG block grant. This unit creates and manages a statewide prevention training plan and oversees several federal prevention grants. It also coordinates the collection and analysis of epidemiological data (SEOW), evaluation of project initiatives, coordinates the enforcement of under-age tobacco retail sales, and assists in accessing new funding sources. OSAP supports 35-40 community providers (in 20 counties, 3 tribal communities, and 5 university/schools) across the state to implement prevention projects. Federal grant programs overseen by OSAP must address at least two of the following indicators to reduce underage drinking, binge drinking for youth and adults, DWI for youth and adults, prescription drug use and misuse for youth and adults, opioid overdose death, illicit drug use for youth and adults, tobacco use for youth and adults.

## **Expenditures for Substance Abuse Prevention and Treatment**

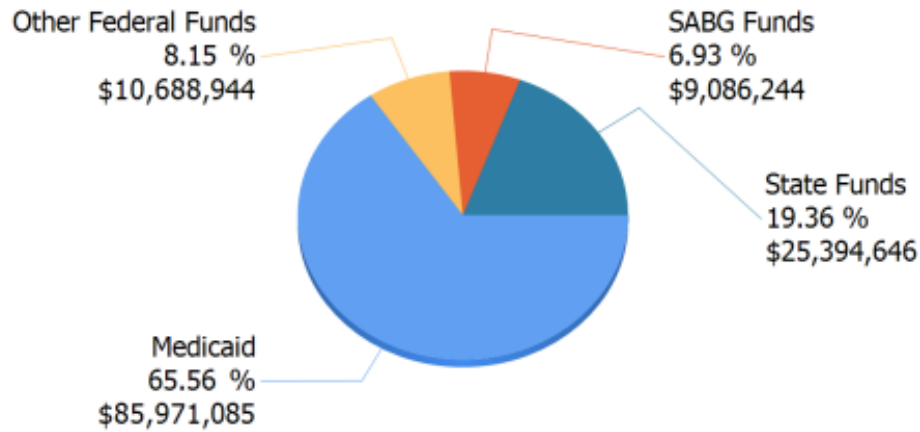
All states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that New Mexico used for expenditures on substance abuse prevention and treatment in 2021. As indicated, Medicaid funds and state funds account for the largest sources (65.56 percent and 19.36 percent, respectively).<sup>2</sup>

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<sup>2</sup> WebBGAS State Profile, 2021 SABG and Community Mental Health Block Grant (MHBG) Reports– New Mexico 2021.

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2022—2023, New Mexico did not specify underage drinking prevention as a priority for use of SABG funds.<sup>3</sup>

**Exhibit 1: Sources of New Mexico’s 2021 Expenditures for Substance Abuse Prevention and Treatment**



<sup>3</sup> FY 2022/2023 – (New Mexico) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

## State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details New Mexico's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. The following sections address these measures:

***State Laws and Policies:*** These underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into six categories:

- underage possession or purchase of alcohol
- underage drinking and driving
- alcohol availability
- sales and delivery to consumers at home
- alcohol pricing
- enforcement policies

***STOP Act State Survey Data:*** The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

- enforcement programs to promote compliance with underage drinking laws and regulations
- programs targeted to youth, parents, and caregivers to deter underage drinking
- state interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns
- state expenditures on the prevention of underage drinking



## Underage Possession or Purchase of Alcohol

New Mexico-Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships? <ul style="list-style-type: none"> <li>Is possession allowed if parent or guardian is present or consents?</li> <li>Is possession allowed if spouse is present or consents?</li> </ul>	Yes, in specified locations – see below Yes, in specified locations – see below
Is there an exception based on location?	Yes, in any private location if parent/guardian/spouse is present or consents
Notes: Possession of alcoholic beverages by a person under 21 is specifically allowed when "a parent, legal guardian, or adult spouse of a minor serves alcoholic beverages to that minor on real property, other than licensed premises, under the control of the parent, legal guardian or adult spouse."	

New Mexico-Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships? <ul style="list-style-type: none"> <li>Is consumption allowed if parent or guardian is present or consents?</li> <li>Is consumption allowed if spouse is present or consents?</li> </ul>	N/A N/A
Is there an exception based on location?	N/A

New Mexico-Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships? <ul style="list-style-type: none"> <li>Is internal possession allowed if parent or guardian is present or consents?</li> <li>Is internal possession allowed if spouse is present or consents?</li> </ul>	N/A N/A
Is there an exception based on location?	N/A

New Mexico-Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

<b>New Mexico-Underage False Identification for Obtaining Alcohol</b>	
<b>Provisions Targeting Minors</b>	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor’s driver’s license suspension?	No
<b>Provisions Targeting Suppliers</b>	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
<b>Retailer Support Provisions</b>	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Do state statutes or regulations mandate that state driver’s licenses for persons under 21 be easily distinguishable from licenses for persons 21 and over?	Yes
May the retailer seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> <li>Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</li> </ul>	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May the retailer detain a minor who used a false ID?	No

### Underage Drinking and Driving

<b>New Mexico-Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)</b>	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

New Mexico-Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	No
The law applies to people under what age?	18
Is suspension or revocation mandatory or discretionary?	Discretionary
What is the length of suspension/revocation?	
Minimum number of days	90
Maximum number of days	90

New Mexico-Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	15 years, 6 months
For night driving, when does adult supervision requirement begin?	Midnight
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes
Are there restrictions on passengers?	Yes, no more than one passenger under 21 who is not an immediate family member.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16 years, 6 months

## Alcohol Availability

New Mexico-Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships? <ul style="list-style-type: none"> <li>• Is furnishing allowed if the parent or guardian supplies the alcohol?</li> <li>• Is furnishing allowed if the spouse supplies the alcohol?</li> </ul>	Yes, in specified locations Yes, in specified locations
Is there an exception based on location?	Yes, in any private location, if parent/guardian/spouse supplies alcohol
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No
Notes: In New Mexico beginning July 1, 2004, furnishing of alcoholic beverages to a person under 21 is specifically allowed when "a parent, legal guardian, or adult spouse of a minor serves alcoholic beverages to that minor on real property, other than licensed premises, under the control of the parent, legal guardian, or adult spouse," or when "alcoholic beverages are used in the practice of religious beliefs." See N.M. Stat. Ann. § 60-7B-1(B).	

New Mexico-Responsible Beverage Service (RBS)—Mandatory	
Is there a state law pertaining to Beverage Service Training?	Yes, mandatory
If training is mandatory, who must participate?	Manager and server/seller
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

<b>New Mexico-Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)</b>	
What is the minimum age requirement for off-premises retail establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present when an underage person is selling beverages?	N/A

<b>New Mexico-Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	19
Wine	19
Spirits	19
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present when an underage person is selling beverages?	No

<b>New Mexico-Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools</b>	
<b>Colleges and Universities</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 300 feet. Local government has authority to override state restrictions.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 300 feet. Local government has authority to override state restrictions.
To which alcohol products does requirement apply?	Beer, wine, and spirits
<b>Primary and Secondary Schools</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 300 feet. Local government has authority to override state restrictions.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 300 feet. Local government has authority to override state restrictions.
To which alcohol products does requirement apply?	Beer, wine, and spirits

<b>New Mexico-Dram Shop Liability</b>	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No

Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No
Notes: Limitations on damages in N.M. Stat. Ann. Â§ 41-11-1(l) held unconstitutional by the New Mexico Supreme Court. Trujillo v. City of Albuquerque.	

New Mexico-Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (alcohol must be furnished recklessly in disregard of the rights of others, including the social guest)
Does common law social host liability exist?	No
Notes: Limitations on damages in N.M. Stat. Ann. Â§ 41-11-1(l) held unconstitutional by the New Mexico Supreme Court. Trujillo v. City of Albuquerque.	

New Mexico-Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host’s preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

New Mexico-Keg Registration	
How is a keg defined (in gallons)?	Greater than 6.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes

Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Active (requires action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

New Mexico-High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

### Sales and Delivery to Consumers at Home

New Mexico-Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Uncertain
Spirits	Prohibited
Notes: An individual or licensee, except for a person holding a winery license, in a state which affords New Mexico licensees or individuals an equal reciprocal shipping privilege may ship, for personal use and not for resale, no more than two cases of wine (no more than nine liters each case) per month to any adult resident of the state. Delivery of a shipment pursuant to this section shall not be deemed to constitute a sale in New Mexico.	

New Mexico-Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes

<b>Recording/reporting requirements</b>	
Must the producer/manufacturer record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	No
<b>Shipping label requirements</b>	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

<b>New Mexico-Home Delivery</b>	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law

<b>New Mexico- Direct to Consumer</b>	
Is there a policy allowing on-premises retailers to deliver alcohol to a consumer at home?	Yes
Which on-premises retailers can provide delivery of alcoholic beverages? <ul style="list-style-type: none"> <li>• Restaurant</li> <li>• Bar license</li> <li>• Third party license</li> </ul>	Yes, with state permit Yes, with state permit Yes, with state permit
Which types of alcohol are permitted to be delivered? <ul style="list-style-type: none"> <li>• Beer</li> <li>• Wine</li> <li>• Spirits</li> <li>• Mixed Drinks</li> </ul>	Yes Yes Yes Yes
<b>Requirements and Restrictions</b>	
Are there restrictions in place addressing details of the delivery? <ul style="list-style-type: none"> <li>• Hours limited</li> <li>• Amount of alcohol limited</li> <li>• Food requirement</li> </ul>	No Yes Yes
Are there certain requirements that the delivery person must meet? <ul style="list-style-type: none"> <li>• Must be 21</li> <li>• Must check ID at point of delivery</li> </ul>	Yes Yes



<ul style="list-style-type: none"> <li>Must receive payment regardless of delivery completion</li> </ul>	No
<p>Notes: The following alcohol limits are in place: 750 mL wine; six 12-ounce prepackaged beer, wine, or spirits; or one growler locally produced beer. There is a minimum \$10 food purchase.</p>	

### Alcohol Pricing

New Mexico-Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.41
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$1.70
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	

Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6 – 14% alcohol wine if applicable	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$6.06
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No

• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15 – 50% alcohol spirits if applicable	

#### New Mexico-Low-Price, High-Volume Drink Specials

Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	No (licensee may offer a free drink on a case-by-case basis)
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	No

#### New Mexico-Wholesaler Pricing Restrictions

<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days maximum)
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days maximum)

Spirits	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days maximum)

### Enforcement Policies

New Mexico-Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
Are there appearance requirements for the decoy?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

New Mexico-Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	One year
What is the penalty for the first offense?	\$1,000 to \$2,000 fine and 1-day license suspension
What is the penalty for the second offense?	\$2,000 to \$3,000 fine and 7-day license suspension or possible revocation if the licensee's citation history shows a pattern warranting revocation
What is the penalty for the third offense?	\$10,000 fine and license revocation
What is the penalty for the fourth offense?	N/A
Notes: Affirmative defenses provided.	

## New Mexico State Survey Responses

### State Agency Information

*Agency with primary responsibility for enforcing underage drinking laws:*

New Mexico State Police (NMSP) Special Investigations Bureau is tasked with Alcohol and Tobacco Enforcement. Special Investigations Unit conducts many underage drinking operations on liquor establishments, but any agency in the state can conduct operations for underage drinking operations. The NMSP Special Investigations Unit is the only agency that can cite licensed establishments for violations of the Liquor Control Act.

### Enforcement Strategies

*State law enforcement agencies use:*

Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes

*Local law enforcement agencies use:*

Cops in Shops	Yes
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes

*State has a program to investigate and enforce direct sales/shipment laws* Yes

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors New Mexico State Police-Special Investigations Unit

Such laws are also enforced by local law enforcement agencies No

### Enforcement Statistics

*State collects data on the number of minors found in possession* Yes

Number of minors found in possession<sup>1</sup> by state law enforcement agencies 0

Number pertains to the 12 months ending 12/31/2020

Data include arrests/citations issued by local law enforcement agencies No

*State conducts underage compliance checks/decoy operations<sup>2</sup> to determine whether alcohol retailers are complying with laws prohibiting sales to minors* Yes

Data are collected on these activities Yes

Number of retail licensees in state<sup>3</sup> 2,655

Number of licensees checked for compliance by state agencies (including random checks) 1,766

Number of licensees that failed state compliance checks 53

Numbers pertain to the 12 months ending 12/31/2020

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments On-sale establishments only

*State conducts random underage compliance checks/decoy operations* Yes

Number of licensees subject to random state compliance checks/decoy operations 1,766

Number of licensees that failed random state compliance checks 53

*Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors* 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 to minors</i>	No
Number of fines imposed by the state <sup>4</sup>	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 to minors</i>	No
Number of suspensions imposed by the state <sup>5</sup>	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 to minors</i>	No
Number of license revocations imposed <sup>6</sup>	Not applicable
Numbers pertain to the 12 months ending	Not applicable

**Additional Clarification**

All minor compliance checks are random. We do not notify anyone of any operations we are conducting, nor do we conduct them on a routine basis.

<sup>1</sup> Or having consumed or purchased per state statutes.

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses.

<sup>4</sup> Does not include fines imposed by local agencies.

<sup>5</sup> Does not include suspensions imposed by local agencies.

<sup>6</sup> Does not include revocations imposed by local agencies.

**Underage Drinking Prevention Programs Operated or Funded by the State**

**Sandoval County Driving While Intoxicated Prevention Program**

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	Yes
URL for evaluation report:	karen.cheman@state.nm.us
URL for more program information:	<a href="https://www.sandovalcountynm.gov/departments/community-services/dwi-and-prevention/">https://www.sandovalcountynm.gov/departments/community-services/dwi-and-prevention/</a>

**Program Description:** Sandoval County Driving While Intoxicated Prevention Program (SCDWIPP) is one of the 33 local DWI programs administered by the New Mexico Department of Finance and Administration (DFA) in Bernalillo, New Mexico. SCDWIPP delivers Dare To Be You to sixth to eighth grade students and focuses on strengthening enforcement of school alcohol, tobacco, and other drug (ATOD) policies, increasing enforcement of ATOD laws and efforts, increasing perception of the risk of arrest for breaking those laws, and reducing retail and social access of alcohol to youth.

<b>Unified Prevention! Coalition for a Drug-Free Doña Ana County</b>	
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	Yes
URL for evaluation report:	karen.cheman@state.nm.us
URL for more program information:	<a href="https://chi-phi.org/2020/09/28/up-coalition/">https://chi-phi.org/2020/09/28/up-coalition/</a>

**Program Description:** Unified Prevention! (UP!) Coalition for a Drug-Free Doña Ana County is a countywide coalition based in Las Cruces, New Mexico, that concentrates on preventing underage drinking among youth ages 12–20 and prescription drug abuse/misuse among youth ages 12–25. Prevention efforts include increasing enforcement of alcohol-related laws and activities; strengthening enforcement of school alcohol, tobacco, and other drug (ATOD) policies; reducing easy retail and social access to alcohol; increasing perception of risk of arrest for breaking alcohol-related laws; and reducing social access to prescription drugs by increasing safe storage and disposal and raising awareness of the dangers of prescription painkillers.

#### **Rocky Mountain Youth Corps**

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	Yes
URL for evaluation report:	karen.cheman@state.nm.us
URL for more program information:	<a href="https://youthcorps.org/about/programs/">https://youthcorps.org/about/programs/</a>

**Program Description:** Rocky Mountain Youth Corps (RMYC) is a youth development organization in Taos, New Mexico, that focuses on strengthening school ATOD policies, increasing enforcement of ATOD laws and activities, increasing perceived risk of arrest for breaking those laws, reducing retail and social access to alcohol, like implementing the Responsible Beverage Service Model, and educating the public and legislators about the harms of high alcohol outlet density.

#### **Youth Substance Awareness and Prevention Coalition of Grant County**

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	Yes
URL for evaluation report:	karen.cheman@state.nm.us
URL for more program information:	<a href="https://chi-phi.org/2020/09/30/ysapc/">https://chi-phi.org/2020/09/30/ysapc/</a>

**Program Description:** Youth Substance Abuse Prevention Coalition (YSAPC) is a youth-focused countywide coalition based in Silver City, New Mexico, that focuses on preventing underage drinking among youth ages 12–20 and prescription drug abuse/misuse among youth ages 12–25. Alcohol prevention targets strengthening enforcement of school and college ATOD policies, increasing enforcement of alcohol-related laws and activities, and increasing perception of risk of arrest for breaking alcohol-related laws. Prescription drug abuse strategies focus on reducing social access through secure storage and disposal, reducing sharing, and increasing community awareness of prescription drug abuse harm, particularly through the creation of a parent handbook and an education campaign with those over the age of 60.

#### **Strategic Network of Advocates for the Prevention of Suicide & Substance Abuse**

Number of youth served	No data
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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:	karen.cheman@state.nm.us
URL for more program information:	<a href="http://www.co.mckinley.nm.us/363/SNAPS-SA">http://www.co.mckinley.nm.us/363/SNAPS-SA</a>

**Program Description:** Strategic Network of Advocates for the Prevention of Suicide & Substance Abuse (SNAPSSA) is a countywide coalition based in Gallup, New Mexico, that focuses on preventing underage drinking among youth ages 12–20 and prescription drug abuse/misuse among youth ages 12–25. Alcohol prevention targets strengthening enforcement of school ATOD policies, increased enforcement of alcohol-related laws and activities, increased perception of risk of arrest for breaking alcohol-related laws, and educating the community about the benefits of reducing the cost of alcohol-related problems. Prescription drug abuse strategies focus on reducing social access through secure storage and disposal, reducing sharing, especially by those over the age of 60, and increasing community awareness of prescription drug abuse harm.

**San Juan County Partnership**

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	Yes
URL for evaluation report:	karen.cheman@state.nm.us
URL for more program information:	<a href="https://sjcpartnership.org/">https://sjcpartnership.org/</a>

**Program Description:** San Juan County Partnership (SJCP) is a county-wide coalition based in Farmington, New Mexico, that focuses on reducing binge drinking as well as drinking and driving among youth and adults in San Juan County. It also aims to reduce prescription drug abuse and painkiller misuse among youth and adults. Environmental strategies include strengthening school ATOD policies; decreasing easy retail and social access to alcohol; increasing perception of risk of arrest for breaking ATOD laws; restricting social access to prescription drugs through the distribution and education of a parent handbook; educating the public about the dangers of prescription drug misuse; and working with pharmacies to educate their patients as well.

**The Club of Sierra County**

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	Yes
URL for evaluation report:	karen.cheman@state.nm.us
URL for more program information:	<a href="http://www.appletreeeducation.org/index.php/bgsc/">http://www.appletreeeducation.org/index.php/bgsc/</a>

**Program Description:** The Club of Sierra County is a youth developmental organization based in Truth or Consequences, New Mexico, that focuses on underage and binge drinking as well as painkiller abuse/misuse among youth and adults. Alcohol prevention targets increased enforcement of alcohol-related laws and activities, strengthening school ATOD policies, increased perception of risk of arrest for breaking underage drinking laws, and Parents Who Host Lose the Most. Prescription drug environmental strategies focus on reducing retail access to prescription drugs through medical providers and social access by increasing safe storage and disposal, especially by those over the age of 60.



**Socorro County Prevention Coalition**

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	Yes
URL for evaluation report:	karen.cheman@state.n m.us
URL for more program information:	<a href="http://www.socorrocoun&lt;br/&gt;typrevention.com/">http://www.socorrocoun typrevention.com/</a>

**Program Description:** Socorro County Prevention Coalition is a countywide coalition based in Socorro, New Mexico, that focuses on reducing underage drinking among youth ages 12–20 and reducing prescription drug abuse and painkiller misuse among youth and adults. Environmental strategies include increasing enforcement of alcohol-related laws and activities; strengthening enforcement of school ATOD policies; and educating the community about the benefits of reducing the cost of alcohol-related problems. Prescription drug abuse environmental strategies concentrate on reducing social access through secure storage and disposal; reducing sharing, particularly with parents, through a parent handbook, and by the elderly; and increasing community awareness of prescription drug abuse harm.

**San Miguel County Substance Abuse Prevention Coalition**

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	Yes
URL for evaluation report:	karen.cheman@state.n m.us
URL for more program information:	<a href="https://www.facebook.&lt;br/&gt;com/smcpreventioncoal&lt;br/&gt;ition/">https://www.facebook. com/smcpreventioncoal ition/</a>

**Program Description:** The San Miguel County Substance Abuse Prevention Coalition is housed by the New Mexico Highlands University in Las Vegas, New Mexico, and covers all of San Miguel County. The coalition focuses on reducing binge drinking and prescription painkiller abuse. Alcohol prevention targets strengthening school ATOD policies and increasing community awareness of laws around providing alcohol to minors. Prescription drug abuse environmental strategies address restricting social access through secure storage, safe disposal, and reducing sharing among seniors and parents via direct pharmacy education as well as increasing community awareness of prescription drug abuse harm.

**Partnership for a Healthy Torrance County**

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	Yes
URL for evaluation report:	karen.cheman@state.n m.us
URL for more program information:	<a href="http://www.torranceco&lt;br/&gt;untynm.org/boards-&lt;br/&gt;committees/partnershi&lt;br/&gt;p-for-a-healthy-&lt;br/&gt;torrance-county">http://www.torranceco untynm.org/boards- committees/partnershi p-for-a-healthy- torrance-county</a>

**Program Description:** Partnership for a Healthy Torrance County is a countywide coalition in Torrance County that focuses on underage drinking and binge drinking, as well as reducing misuse and abuse of prescription painkillers.

Alcohol prevention targets strengthening school ATOD policies, Parents Who Host Lose the Most, and increased perception of risk of arrest for breaking underage drinking laws. Prescription drug abuse environmental strategies concentrate on restricting social access through secure storage, safe disposal, and reducing sharing among parents via a parent handbook, among the elderly, and through education by pharmacists.

#### **Additional Underage Drinking Prevention Programs Operated or Funded by the State**

##### Mescalero Prevention Program

Mescalero Prevention Program is a tribal prevention coalition based in Mescalero, New Mexico, that aims to reduce adult binge drinking and reduce prescription drug misuse and abuse. Alcohol prevention targets increased enforcement of alcohol-related laws and activities, reduced retail access through Responsible Beverage Service model merchant education and alcohol placement, and reduced social access through community education sessions on historical trauma and cultural activities. Prescription drug abuse environmental strategies focus on increasing community awareness of prescription drug abuse harm, reducing retail and social access through secure storage and safe disposal, and reducing sharing through community education sessions and direct education from local pharmacists. (<https://mescaleroapachetribe.com/departments-programs/>)

##### Kewa Family Wellness Center

Kewa Family Wellness Center is a tribal prevention coalition on the Santo Domingo Pueblo in New Mexico that focuses on youth and adult binge drinking and DWI and prescription drug youth initiation. Alcohol prevention strategies target strengthening enforcement of alcohol-related laws and activities, decreasing retail access through Responsible Beverage Service model retail merchant education, and reducing social access through storytelling to empowerment resilience training and community education sessions on strengthening connection to culture and knowledge of cultural activities. Prescription drug efforts focus on reducing youth social access by working with parents to increase awareness of harms, safe disposal, and reduce sharing. (<http://santodomingotribe.org/kewa-family-wellness-center/>)

##### Native American Community Academy, Substance Abuse Prevention Office

Native American Community Academy, Substance Abuse Prevention Office (NACA SAPO) is a school-based prevention program located in Albuquerque, New Mexico, that focuses on reducing underage drinking and prescription drug misuse and abuse. Prevention strategies target reducing social access, strengthening school ATOD policies, increasing parental perception of risk and social norms, and increasing community awareness and resilience training by increasing protective factors through Strengthening Families. ([https://www.nacaschool.org/apps/pages/index.jsp?uREC\\_ID=1663962&type=d&pREC\\_ID=1813077](https://www.nacaschool.org/apps/pages/index.jsp?uREC_ID=1663962&type=d&pREC_ID=1813077))

##### Curry County Office of Substance Abuse Prevention

Curry County Office of Substance Abuse Prevention (OSAP) is a countywide coalition based in Clovis, New Mexico, that focuses on reducing underage drinking and prescription drug misuse and abuse with environmental strategies. Alcohol prevention targets stronger enforcement of alcohol-related laws and activities, increased perception of risk of arrest for breaking underage drinking laws, strengthened school ATOD policies, and decreased social access. Restricting social access through secure storage and disposal, reducing sharing, and increasing community awareness of prescription drug abuse harm are the prescription drug abuse environmental strategies. (<https://www.currycounty.org/services/substance-abuse-prevention/>)

##### La Casa de Buena Salud

La Casa de Buena Salud is a countywide coalition based in Roswell, New Mexico, that focuses on reducing underage drinking and prescription drug misuse and abuse. Alcohol prevention targets stronger enforcement of alcohol-related laws and activities, strengthens school ATOD policies, and decreases social access through environmental strategies. Prescription drug abuse environmental strategies concentrate on restricting social access through secure storage and disposal, reducing sharing, and increasing community awareness of prescription drug abuse harm. (<https://www.lacasahealth.com/services/behavioral-health>)

#### Cibola Substance Abuse Prevention Coalition

Cibola Substance Abuse Prevention Coalition is a countywide coalition based in Grants, New Mexico, that aims to reduce underage drinking and prescription drug misuse and abuse. Environmental strategies for alcohol prevention target stronger enforcement of alcohol-related laws and activities, increased perception of risk of arrest for breaking underage drinking laws, strengthened school ATOD policies, and decreased social access. Prescription drug abuse environmental strategies focus on restricting social access through secure storage and disposal, reducing sharing, and increasing community awareness of prescription drug abuse harm. (<http://swchi.org/cibola-substance-abuse-prevention-coalition-csapc/>)

#### City of Portales

City of Portales is a countywide coalition based in Portales, New Mexico, that focuses on reducing underage drinking and prescription drug misuse and abuse. Alcohol prevention targets stronger enforcement of alcohol-related laws and activities, increased perception of risk of arrest for breaking underage drinking laws, strengthened school ATOD policies, and decreased social access. Prescription drug abuse methods target restricting social access through secure storage and disposal, reducing sharing, and increasing community awareness of prescription drug abuse harm. (<https://www.portalesnm.gov/topic/index.php?topicid=54&structureid=14>)

#### New Mexico Higher Education Prevention Consortium

New Mexico Higher Education Prevention Consortium (NMHEPC) is a group of five higher education institutional coalitions in New Mexico: The University of New Mexico, New Mexico State University, New Mexico Institute of Mining and Technology, San Juan College, and the Institute for American Indian Arts. NMHEPC is run by the University of New Mexico, Campus Office of Substance Abuse Prevention based in Albuquerque, New Mexico, and focuses on reducing underage drinking and prescription drug misuse and abuse. Alcohol prevention targets stronger enforcement of alcohol-related laws and activities, increased perception of risk of arrest for breaking underage drinking laws, strengthened school ATOD policies, and decreased social access. Prescription drug abuse environmental strategies focus on restricting social access through secure storage and disposal, reducing sharing, and increasing community awareness of prescription drug abuse harm. (<http://cosap.unm.edu/unm-norms/unm-student-lifestyles-survey-.html>)

#### New Mexico Tech Alcohol Safety and Awareness Program

New Mexico Tech Alcohol Safety and Awareness Program (NMT ASAP) is a campus and surrounding area coalition based in Socorro, New Mexico, that focuses on reducing underage drinking and prescription drug misuse and abuse through environmental strategies. Alcohol prevention strategies target strengthening school ATOD policies, decreasing social access through party patrols and publicizing law enforcement activities, and increasing awareness of fourth degree felonies. Prescription drug abuse strategies focus on educating students about the dangers, safe storage, and disposal of drugs and increasing community awareness of harm. (<https://nmt.edu/asap/>)

#### New Mexico State University Wellness, Alcohol, and Violence Education

New Mexico State University Wellness, Alcohol, and Violence Education (NMSU WAVE) is a campus and surrounding area coalition based in Las Cruces, New Mexico, that focuses on reducing underage drinking and prescription drug misuse and abuse. Environmental strategies that target underage drinking are promoting and coordinating to get stronger enforcement of alcohol-related laws and activities, increasing perception of risk of arrest for breaking underage drinking laws, and strengthening school ATOD policies. Environmental strategies that target prescription drug misuse and abuse are the creation of a provider guide on how to talk to patients about this topic and increasing community awareness of the harms of prescription drugs. (<https://ohp.nmsu.edu/index.html>)

San Juan College Social Norms and Alcohol Prevention Program

San Juan College Social Norms and Alcohol Prevention Program (SJC SNAPP) is a campus and surrounding area coalition in Farmington, New Mexico, that focuses on reducing underage drinking and prescription drug misuse and abuse. Strengthening school ATOD policy, increasing the perception of risk of arrest for breaking underage drinking laws, and raising awareness of the fourth degree felony for providing alcohol to minors are the alcohol prevention environmental strategies. Prescription drug environmental strategies target educating students about the dangers of abusing and sharing prescription drugs and the importance of safe storage and disposal as well as increasing community awareness of the harms of prescription drugs. (<https://www.sanjuacollege.edu/news-and-events/2018---news/december/promoting-a-healthy-lifestyle--snapp-hosts-drug-and-alcohol-forums/>)

University of New Mexico Campus Office of Substance Abuse Prevention

University of New Mexico Campus Office of Substance Abuse Prevention (UNM COSAP) is a campus and surrounding area coalition based in Albuquerque, New Mexico, that focuses on reducing underage drinking and prescription drug misuse and abuse. The focus on strengthening enforcement of underage drinking-related laws, school ATOD policies, and reducing social access are the alcohol prevention environmental strategies. The prescription drug strategies target working with pharmacies to educate customers to reduce social access and increase community awareness of the harms of prescription drugs. (<http://cosap.unm.edu/index.html>)

**Additional Clarification**

No data

**Additional Information Related to Underage Drinking Prevention Programs**

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	Yes
Description of collaboration: OSAP contracts with the Pueblo of Santo Domingo, the Mescalero Apache Tribe, and the Native American Community Academy in New Mexico to provide substance abuse prevention services to include prevention of underage drinking (UAD).	
<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 collaborates with/participates in media campaigns to prevent underage drinking</i>	No
Federal campaigns:	Not applicable
Regional and local media campaigns:	Not applicable
Local school district efforts:	Not applicable
Other:	Not applicable
<i>State collaborates with/participates in SAMHSA’s national media campaign, “Talk. They Hear You.”</i>	Not applicable
State officially endorses TTHY efforts	Not applicable
State commits state resources for TTHY	Not applicable
State forwards TTHY materials to local areas	Not applicable
Other: Not applicable	Not applicable
<i>State procures funding for TTHY</i>	Not applicable
Pro bono	Not applicable
Donated air time	Not applicable
Earned media	Not applicable
Other:	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: State Epidemiological Outcomes Workgroup (SEOW)	Yes
Nongovernmental agency(ies):	No
Other:	No

Best practice standards description: OSAP funds only evidence-based programs (EBPs) shown to be effective on lists such as the former National Registry of Evidence-Based Program and Practices (NREPP) that have been peer-reviewed or show evidence of effectiveness in New Mexico. OSAP works with the SEOW to identify and select EBPs eligible for substance abuse prevention, including UAD.

#### Additional Clarification

No data

#### State Interagency Collaboration

*A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities* Yes

#### Committee contact information:

Name: Karen Cheman

Email: karen.cheman@state.nm.us

Address: Office of Substance Abuse Prevention, Behavioral Health Services Division, Human Services Department, 37 Plaza la Prensa, Santa Fe, NM 87508

Phone: (505) 476-9270

#### Agencies/organizations represented on the committee:

Office of Substance Abuse Prevention, Behavioral Health Services Division, Human Services Department

Epidemiology and Response Division, Department of Health

Local DWI Program, Department of Finance and Administration

Children's Behavioral Health Services Division, Children, Youth, & Families Department

Traffic Safety Division, Department of Transportation

Pacific Institute for Research and Evaluation

Office of School & Adolescent Health, Department of Health

Tobacco Use Prevention and Control Program, Department of Health

*A website or other public source exists to describe committee activities* No

URL or other means of access: Not applicable

#### Underage Drinking Reports

*State has prepared a plan for preventing underage drinking in the last 3 years* No

Prepared by: Not applicable

Plan can be accessed via: Not applicable

*State has prepared a report on preventing underage drinking in the last 3 years* No

Prepared by: Not applicable

Report can be accessed via: Not applicable

#### Additional Clarification

No data

#### State Expenditures for the Prevention of Underage Drinking

##### Compliance checks in retail outlets:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending 12/31/2020

##### Checkpoints and saturation patrols:

Estimate of state funds expended \$0

Estimate based on the 12 months ending 12/31/2020

##### Community-based programs to prevent underage drinking:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

##### K–12 school-based programs to prevent underage drinking:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

##### Programs targeted to institutes of higher learning:

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:	Data not available
Estimate of state funds expended:	Data not available
Estimate based on the 12 months ending:	Data not available

**Funds Dedicated to Underage Drinking**

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

Taxes	Yes
Fines	No
Fees	No
Other: Not applicable	No

*Description of funding streams and how they are used:*  
 A portion (approximately 41 percent) of annual state alcohol excise tax revenue is allocated by statute to county-level local DWI prevention programs. County programs allocate these funds, in turn, to treatment, prevention, law enforcement, compliance monitoring, and other activities, of which prevention is a substantial portion. Of the funds allocated for prevention, roughly 60 percent are allocated for UAD prevention.

**Additional Clarification**

For roadblocks, we use federal funds to conduct them on an overtime operation.



**ICCPUD**

**THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

