

A MEMORIAL

REQUESTING A STUDY BY THE ALCOHOL AND GAMING DIVISION OF THE REGULATION AND LICENSING DEPARTMENT ON THE FEASIBILITY OF IMPLEMENTING REGULATIONS ALLOWING THE DELIVERY OF BEER, WINE AND HARD ALCOHOL, ALONG WITH THE CONCURRENT DELIVERY OF PREPARED FOODS OR GROCERIES, TO HOMES, HOTELS AND LICENSED BED AND BREAKFASTS.

WHEREAS, DWI continues to be a problem in New Mexico; and

WHEREAS, the 2013 legislature adopted Senate Memorial 77, empowering the regulation and licensing department to convene a task force to study updating the Liquor Control Act; and

WHEREAS, alcohol continues to be a popular and acceptable recreational beverage for consumption by adults over the age of twenty-one; and

WHEREAS, new and innovative solutions, such as free and subsidized safe rides, are showing promise of reducing DWI arrests by transporting intoxicated people safely from venues where alcohol is consumed to their homes; and

WHEREAS, the ongoing regulated commerce of alcohol via restaurants and liquor stores has reduced underage drinking and DWI; and

WHEREAS, delivery services are an emerging service that

provides needed and, at times, essential access to food, beverages and groceries to those who are unable to access these items themselves due to limited transportation alternatives, intoxication, illness or age; and

WHEREAS, on-demand delivery of goods to homes and hotels can overcome safety issues of driving while impaired by drugs and alcohol, age, exhaustion and diminished sight; and

WHEREAS, tourism is recognized as an economic generator of jobs and commerce in New Mexico; and

WHEREAS, hotels, motels and licensed bed and breakfasts that operate without on-site food services with beer and wine licenses or licensed full-service bars pose a logistical barrier to obtaining recreational alcoholic beverages and, therefore, increase the likelihood of DWI, which delivery of these beverages to the premises could alleviate; and

WHEREAS, the limited number of locations at which alcohol is served and sold, compounded by the limited methods of public transportation and pedestrian infrastructure, make DWI an ongoing problem, which legalization of delivery of alcoholic beverages to the home could alleviate; and

WHEREAS, the privacy and safety of one's home or domicile is recognized as one of the best locations for the safe consumption of alcoholic beverages; and

WHEREAS, it is recognized that consumption of alcohol is frequently paired with the consumption of prepared foods for a

complete gastronomic experience;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the alcohol and gaming division of the regulation and licensing department be requested to study the feasibility of implementing and regulating the delivery of beer, wine and hard alcohol, along with the concurrent delivery of prepared foods or groceries, to homes, hotels and licensed bed and breakfasts as a part of the update of the Liquor Control Act; and

BE IT FURTHER RESOLVED that the liquor control task force, called for in 2013 pursuant to Senate Memorial 77 to study updating the Liquor Control Act, be requested to include the study of how delivery of alcoholic beverages to homes and licensed lodging facilities can affect the economy of New Mexico and affect the likelihood of instances of DWI, either positively or negatively; and

BE IT FURTHER RESOLVED that the alcohol and gaming division report the findings and recommendations of the task force to the appropriate interim legislative committee by November 1, 2014; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the superintendent of regulation and licensing and to the co-chairs of the New Mexico legislative council.