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SENATE MEMORIAL 60

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Gerald Ortiz y Pino

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

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1 subsidized safe rides, are showing promise of reducing DWI
2 arrests by transporting intoxicated people safely from venues
3 where alcohol is consumed to their homes; and

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

7 WHEREAS, delivery services are an emerging service that
8 provides needed and, at times, essential access to food,
9 beverages and groceries to those who are unable to access these
10 items themselves due to limited transportation alternatives,
11 intoxication, illness or age; and

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

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

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

23 WHEREAS, the limited number of locations at which alcohol
24 is served and sold, compounded by the limited methods of public
25 transportation and pedestrian infrastructure, make DWI an

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1 ongoing problem, which legalization of delivery of alcoholic
2 beverages to the home could alleviate; and

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

6 WHEREAS, it is recognized that consumption of alcohol is
7 frequently paired with the consumption of prepared foods for a
8 complete gastronomic experience;

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

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

24 BE IT FURTHER RESOLVED that the alcohol and gaming
25 division report the findings and recommendations of the task

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1 force to the appropriate interim legislative committee by
2 November 1, 2014; and

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

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