

## Nevada Revised Statutes

### **NRS 369.625 Development and contents of curriculum for program; certification and operation of program; adoption of regulations.**

1. The Commission shall, in cooperation with state and local law enforcement agencies, develop a curriculum for an alcoholic beverage awareness program.

2. The curriculum described in subsection 1:

(a) Must consist of not fewer than 2 hours of instruction; and

(b) Must include, without limitation, instruction on the following topics:

(1) The clinical effects of alcohol on the human body;

(2) Methods of identifying intoxicated persons;

(3) Relevant provisions of state and local laws concerning the selling and serving of alcoholic beverages;

(4) Methods of preventing and halting fights, acts of affray and other disturbances of the peace; and

(5) Methods of preventing:

(I) The entry of minors into establishments in which minors are prohibited from loitering pursuant to [NRS 202.030](#);

(II) The purchase, consumption and possession of alcoholic beverages by minors as prohibited pursuant to [NRS 202.020](#), including, without limitation, the recognition of altered or falsified forms of identification; and

(III) The selling and furnishing of alcoholic beverages to minors as prohibited pursuant to [NRS 202.055](#).

3. The Administrator of the Commission may certify an alcoholic beverage awareness program if the Administrator determines that:

(a) The program meets the curricular requirements set forth in subsection 2; and

(b) The persons who will serve as instructors for the program are competent and qualified to provide instruction in the curriculum of the program.

4. An alcoholic beverage awareness program certified by the Commission:

(a) Must not cost a person more than \$40 to complete; and

(b) May be presented through the use of audiovisual technology. As used in this paragraph, "audiovisual technology" includes, without limitation, the use of closed-circuit video, videoconferencing, videotapes, computers, television, the Internet or any other electronic means of communication, or any combination thereof.

5. The Commission shall adopt such regulations:

(a) As the Commission determines to be necessary or advisable to carry out the provisions of this section; and

(b) As are necessary to ensure that a person who successfully completes an alcoholic beverage awareness program certified pursuant to subsection 3 receives a card which verifies that the person has successfully completed that program. The regulations must provide additionally that a card described in this paragraph:

(1) Is valid for a period of 4 years from the date of issuance and may be renewed for like consecutive periods upon successful completion by the holder of the card of an alcoholic beverage awareness program certified by the Commission; and

(2) Must be honored, in any jurisdiction in which the provisions of [NRS 369.630](#) apply, as indicia of the successful completion of an alcoholic beverage awareness program certified by the Commission.

6. As used in this section, "minor" means a person who is under 21 years of age.

(Added to NRS by [2005, 2684](#))

### **NRS 369.630 Completion of certified program by certain employees of establishment; Duties of owner or operator of establishment; notice of civil infraction; payment and disposition of civil fine; denial of liability for infraction; applicability of provisions.**

1. Except as otherwise provided in subsection 7, on and after July 1, 2007, a person who owns or operates an establishment shall not:

(a) Hire a person to sell or serve alcoholic beverages or perform the duties of a security guard at the establishment unless:

(1) The person hired to sell or serve alcoholic beverages or perform the duties of a security guard at the establishment has already successfully completed a certified program and already holds a valid alcohol education card; or

(2) The person who owns or operates the establishment ensures that the person hired to sell or serve alcoholic beverages or perform the duties of a security guard at the establishment, within 30 days after the date on which he or she is hired, successfully completes a certified program and obtains a valid alcohol education card; or

(b) Continue to employ a person who was hired before that date to sell or serve alcoholic beverages or perform the duties of a security guard at the establishment unless:

(1) The person who continues to be employed to sell or serve alcoholic beverages or perform the duties of a security guard at the establishment has already successfully completed a certified program and already holds a valid alcohol education card; or

(2) The person who owns or operates the establishment ensures that the person who continues to be employed to sell or serve alcoholic beverages or perform the duties of a security guard at the establishment, not later than July 31, 2007, successfully completes a certified program and obtains a valid alcohol education card.

2. A violation of this section is a civil infraction, and when an owner or operator of an establishment is found in violation pursuant to subsection 3, a notice of infraction must be issued on a form prescribed by the Department, and must contain, without limitation, the following information:

(a) The location at which the violation occurred;

(b) The date and time of the violation;

(c) The name of the establishment and the owner;

(d) The signature of the person who issued the notice of infraction;

(e) A copy of this section which allegedly is being violated;

(f) Information which advises of the manner in which, and the time within which, the notice of infraction must be answered; and

(g) Any other reasonable information which is prescribed by the Department.

3. The notice of infraction may be issued by any peace officer or by any person who is authorized by the Department to issue such a notice. A duplicate of the notice of infraction must be served on the person to whom it is issued either in person, by providing the notice to the person in charge of the establishment at the time the notice of infraction is issued, or by affixing the notice to the establishment in a conspicuous place.

4. The notice of infraction or a facsimile thereof must be filed with the Department and retained by the Department and is deemed to be a public record of matters which are observed pursuant to a duty imposed by law and is prima facie evidence of the facts which are alleged therein.

5. A person who responds to the notice of infraction must:

(a) Admit the commission of the infraction by paying to the Department the appropriate civil fine:

(1) For the first violation within a 24-month period, \$500.

(2) For the second violation within a 24-month period, \$1,000.

(3) For the third and any subsequent violation within a 24-month period, \$5,000.

(b) Deny liability for the infraction by notifying the Department and requesting a hearing in the manner indicated on the notice of infraction. Upon receipt of such a request, the Department shall afford to the person making the request an opportunity for a hearing pursuant to the provisions of [NRS 233B.121](#).

6. Of the money collected by the Department from a civil fine pursuant to subsection 5:

(a) Fifty percent must be deposited with the State Treasurer for credit to the Account for Aid for Victims of Domestic Violence created by [NRS 217.440](#).

(b) Fifty percent must be deposited in the account created in the State General Fund for the support of community juvenile justice programs and must be used only to enforce laws that prohibit the purchase, consumption or possession of alcoholic beverages by persons under the age of 21 years.

7. The provisions of this section apply only in a jurisdiction that:

(a) Is located in a county whose population is 100,000 or more; or

(b) Is located in a county whose population is less than 100,000, if the governing body of the jurisdiction has, by the affirmative vote of a majority of its members, agreed to be bound by the provisions of this section.

8. As used in this section:

(a) "Certified program" means an alcoholic beverage awareness program certified by the Commission pursuant to [NRS 369.625](#).

(b) "Valid alcohol education card" means a card issued by a certified program which has been obtained or renewed within the immediately preceding 4 years.

(Added to NRS by [2005, 2683](#); A [2009, 478](#))