

**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.

## North Dakota

STATE LIQUOR AUTHORITY	State of North Dakota Office of State Tax Commissioner Alcoholic Beverage Tax 600 East Boulevard Avenue Bismarck, North Dakota 58505-0599 Phone: 701-328-2770 Fax: 701-328-3700 General Email: <a href="mailto:alcoholtax@state.nd.us">alcoholtax@state.nd.us</a> General Internet Site: <a href="http://www.ndtaxdepartment.com">www.ndtaxdepartment.com</a>
AGE TO CONSUME	21
AGE TO SERVE	19 (may serve alcoholic beverages and take money if under direct supervision of person 21 or more, but may not mix, dispense or consume alcohol.)
AGE TO POUR	21
AGE TO SELL (PACKAGED LIQUOR)	21
MINORS ALLOWED ON PREMISE?	No one under 21 is allowed in a bar or tavern. A minor may only remain in a licensed restaurant if the bar area is separate from the dining room and the establishment's gross sales for food are equal to the sales for alcohol consumed in the dining area. A person under 21 may enter a licensed premise if the person is a law enforcement officer or other public official who enters the premises is the performance of official duty, or for training, education or research purposes under the supervision of person 21 or more with prior notice to local liquor authority.
CAN PARENTS SERVE?	No
HOURS OF SERVICE	<b>On Premise Establishments and Off Premise/Retail Stores:</b> Monday thru Saturday; 8:00 a.m. until 1:00 a.m. Sunday: Noon until 1:00 a.m. <b>Note:</b> Local ordinances may prohibit alcohol sales on election days. State does not regulate.
ACCEPTED ID'S	State or Federal issued photo licenses
LEGAL LEVEL OF INTOXICATION WHILE DRIVING	.08 BAC
DRAM SHOP LAW	Licensee and server are liable for damages or injuries caused by an intoxicated guest if the guest was a minor, intoxicated or incompetent when server. North Dakota prohibits the intoxicated guest and any passenger in that guest's vehicle from suing for damages.
ID CONFISCATION	Any licensee may keep a book and may require anyone who has shown documentary proof of his age, which substantiates his age to allow the purchase of alcoholic beverages, to sign the book if the age of that person is in question. The book must show the date of the purchase, the identification used in making the purchase and the appropriate numbers of such identification, the address of the purchaser, and the purchaser's signature.
HAPPY HOUR & OTHER SERVICE RESTRICTIONS	Not regulated by state.
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?	Not required.

## **ADDENDUM: NORTH DAKOTA'S DRAM SHOP LAW**

5-01-06.1. Claim for relief for fault resulting from intoxication. Every spouse, child, parent, guardian, employer, or other person who is injured by any obviously intoxicated person has a claim for relief for fault under section 32-03.2-02 against any person who knowingly disposes, sells, barter, or gives away alcoholic beverages to a person under twenty-one years of age, an incompetent, or an obviously intoxicated person, and if death ensues, the survivors of the decedent are entitled to damages defined in section 32-21-02. No claim for relief pursuant to this section may be had on behalf of the intoxicated person nor on behalf of the intoxicated person's estate or personal representatives; nor may a claim for relief be had on behalf of an adult passenger in an automobile driven by an intoxicated person or on behalf of the passenger's estate or personal representatives.

32-03.2-02. Modified comparative fault. Contributory fault does not bar recovery in an action by any person to recover damages for death or injury to person or property unless the fault was as great as the combined fault of all other persons who contribute to the injury, but any damages allowed must be diminished in proportion to the amount of contributing fault attributable to the person recovering. The court may, and when requested by any party, shall direct the jury to find separate special verdicts determining the amount of damages and the percentage of fault attributable to each person, whether or not a party, who contributed to the injury. The court shall then reduce the amount of such damages in proportion to the amount of fault attributable to the person recovering. When two or more parties are found to have contributed to the injury, the liability of each party is several only, and is not joint, and each party is liable only for the amount of damages attributable to the percentage of fault of that party, except that any persons who act in concert in committing a tortious act or aid or encourage the act, or ratifies or adopts the act for their benefit, are jointly liable for all damages attributable to their combined percentage of fault. Under this section, fault includes negligence, malpractice, absolute liability, dram shop liability, failure to warn, reckless or willful conduct, assumption of risk, misuse of product, failure to avoid injury, and product liability, including product liability involving negligence or strict liability or breach of warranty for product defect.