



NMRLD

NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Linda M. Trujillo, Superintendent
Andrew Vallejos, Director

December 22, 2021

Dear Licensees,

With the Holiday Season upon us, the New Mexico Alcoholic Beverage Control Division (ABC) has been receiving questions about the residential delivery of alcohol to customers. We would like to take this time to clarify some points surrounding delivery of alcoholic beverages, shipping of alcoholic beverages, and carryout/curbside service of alcoholic beverages.

Alcoholic beverage delivery permits may be obtained by all Dispenser, Retailer, Craft Distiller, Small Brewer, Winegrower, and Restaurant License holders upon approval of an alcohol delivery permit application. Before a licensee may deliver alcoholic beverages, they must first obtain one of these permits from ABC. This is to insure that SIU knows which licenses are approved for delivery service. Once the licensee obtains a permit, they may use their own employees to deliver alcoholic beverages to customer's residences. Note, that no alcohol deliveries can be made to businesses, schools, or dormitories. All delivery drivers must be Alcohol Server certified by ABC.

Furthermore, licensees cannot use a third party alcohol delivery service unless the third party delivery service is separately licensed by ABC.

ABC has issued 30 alcoholic beverage delivery permits, as of December 16, 2021. A list of these permits can be found at <https://www.rld.nm.gov/abc>. A copy of our rules are also posted online at www.rld.nm.gov/abc.

An alcoholic beverage delivery permit does not allow a licensee to ship alcoholic beverages through common carriers (i.e. FedEx or UPS) to a customer's residence. Nor does it allow for curbside pickup of alcohol or use of drive up liquor windows by licensees.

Restaurant and inter-local dispenser license holders with an alcoholic beverage delivery permit, may only deliver alcoholic beverages to a residence when accompanied with the purchase of a minimum amount of \$10 in food. The permit does not allow for carryout of alcoholic beverages (packaged or mixed cocktails), from a restaurant or bar as this is an illegal package sale of alcoholic beverages.

In regards to shipping alcoholic beverages, using common carriers, the only entities allowed to ship to a customer's home are licensees holding a direct wine shipment permit. The direct wine shipment permit only allows the holder to ship wine to customers. Beer and spirits are not to be shipped to New Mexico residents by any licensee, at any time.

Also on a separate issue, please note that there are no longer restrictions of the sale of alcoholic beverages on Christmas Day. For on-premises consumption, Licensees may open at 7 am and



must close by 11 pm (or when food service ends) for Restaurant licenses and 2 am for Dispenser licenses. For package sales, licensees may open at 7am and must cease service by 12 midnight. If you have any questions please do not hesitate to contact our office at (505) 476-4875 or send us an email to debra.lopez@state.nm.us.

We hope you and yours have a safe and joyous holiday season and prosperous New Year.

Sincerely,



Andrew Vallejos
Director, ABC

