

Policy Summary

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools

This policy summary is excerpted from:

The 2013 Report to Congress on the Prevention and Reduction of Underage Drinking
submitted to Congress by The U.S. Department of Health and Human Services.

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Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools

Policy Description

Policies that limit the placement of retail alcohol outlets near colleges and schools are designed to make alcohol less accessible to children and youths by keeping alcohol sales physically distant from locations where underage people congregate. In addition, such policies aim to reduce the social availability of alcohol by limiting youth exposure to alcohol consumption.

Outlets Near Colleges and Universities

Alcohol outlet density in general is linked to excessive alcohol consumption and related harms, according to research collected and evaluated by the Community Preventive Services Task Force and presented in the *Community Guide* (Task Force on Community Preventive Services, 2009; Campbell, 2009). The *Community Guide* recommends the use of regulatory authority, for example through zoning and licensing, to reduce alcohol outlet density.

Limiting the location of retail outlets near colleges and universities, with their high concentrations of underage drinkers, is one way to implement this recommendation in a high-risk setting. The National Institute on Alcohol Abuse and Alcoholism (NIAAA) publication, *A Call to Action: Changing the Culture of Drinking at U.S. Colleges*, includes limiting alcohol outlet density as an evidence-based, recommended strategy for reducing college drinking (NIAAA, 2002).

Research shows a correlation between underage drinking and retail outlet density near college and university campuses. Outlet density was correlated with heavy and frequent drinking among college students, including underage students, in a study of eight universities (Weitzman, 2003). Another study found that both on- and off-premises alcohol outlet densities were associated with campus rape offense rates; the effect of on-campus densities was reduced when student drinking levels were considered (Scribner, 2010). A third study examined “second-hand” effects of drinking on residential neighborhoods near college campuses, and concluded that limiting the number of outlets near colleges, particularly those colleges with high rates of binge drinking, could mitigate the second-hand effects (Wechsler, 2002). A 1996 study found higher rates of drinking and binge drinking among college students when there were higher numbers of alcohol outlets within 1 mile of campus (Chaloupka & Wechsler, 1996).

Outlets Near Primary and Secondary Schools

Limiting outlets near primary and secondary schools is another way to reduce alcohol outlet density in a high-risk setting of underage drinking, although there is no research comparable to that for universities that focuses specifically on the relationship between drinking by K–12 students and the proximity of alcohol outlets to their schools.

Types of Outlet Density Restrictions

Outlet density restrictions typically require that alcohol outlets be located a certain distance from a school. Such restrictions may regulate the location of retail outlets near colleges and universities, near primary and secondary schools, or near both categories of schools.

Some restrictions limit the sale of alcohol directly on university campuses. Outlet density restrictions may apply to off-premises retailers, on-premises retailers, or both types of retailers. Restrictions may also apply to the sale of beer, wine, spirits, or some combination of the three.

Distance requirements vary widely, from 100 feet (the distance a primary or secondary school in Illinois must be from an off-premises outlet) to 1.5 miles (the distance a university in California must be from an outlet selling wine or spirits). Restrictions that mandate greater distances are more likely to promote the goals of keeping alcohol away from underage drinkers and reducing their exposure to alcohol marketing.

Distance restrictions apply to the issuance of new licenses, and retail alcohol outlets that were in business prior to the enactment of the restriction may still be allowed to operate within the restricted zone. In these cases, the distance restriction would prevent increased alcohol outlet density without necessarily reducing density or eliminating the presence of retail establishments in the restricted zone.

Status of Outlet Density Restrictions

Colleges and Universities

Thirteen states have some type of restriction on outlet density near colleges and universities, while 38 have no restrictions. Of the 13 states with restrictions, 11 have restrictions that apply to both on-premises and off-premises outlets. Kansas's restriction applies only to off-premises outlets and West Virginia's applies only to on-premises outlets.

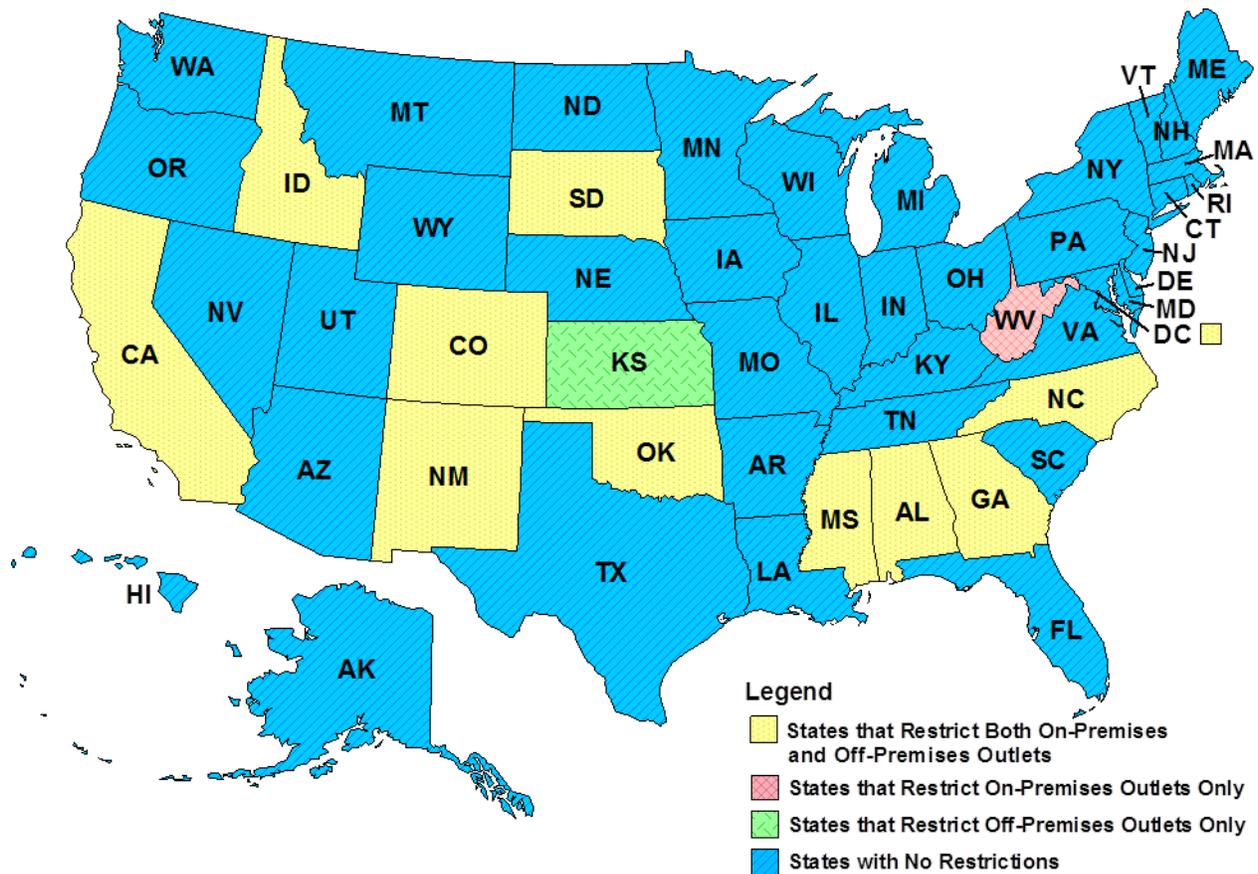
Nearly all of the restrictions apply to beer, wine, and spirits. California and Mississippi restrictions apply only to wine and spirits, North Carolina restriction applies to beer and wine, and West Virginia's applies only to beer. Exhibit 4.3.27 shows the states with restrictions on colleges and universities and shows whether the restrictions apply to off-premises or on-premises outlets.

Primary and Secondary Schools

Many more states have laws restricting outlet location near primary and secondary schools: 34 states have some restriction, while 17 states have none. Out of the 34 states restricting outlet location, 26 apply restrictions to both off-premises locations and on-premises locations. The restrictions apply only to on-premises locations in six states: California, Florida, Hawaii, Maine, Montana, and West Virginia. Arkansas and Kansas restrict only off-premises locations.

Most of the restrictions apply to beer, wine, and spirits. New York, Wisconsin, and Mississippi restrictions apply to wine and spirits; Ohio and North Carolina restrictions apply only to beer and wine, and West Virginia restrictions apply only to beer. Exhibit 4.3.28 shows the states with restrictions on primary and secondary schools and shows whether the restrictions apply to off-premises or on-premises outlets.

Exhibit 4.3.27: States with Restrictions on Placement of Retail Outlets Near Colleges and Universities



References and Further Information

Legal research and data collection for this topic are planned and managed by SAMHSA and conducted under contract by The CDM Group, Inc. To see definitions of the variables for this policy, go to Appendix B. For further information and background see:

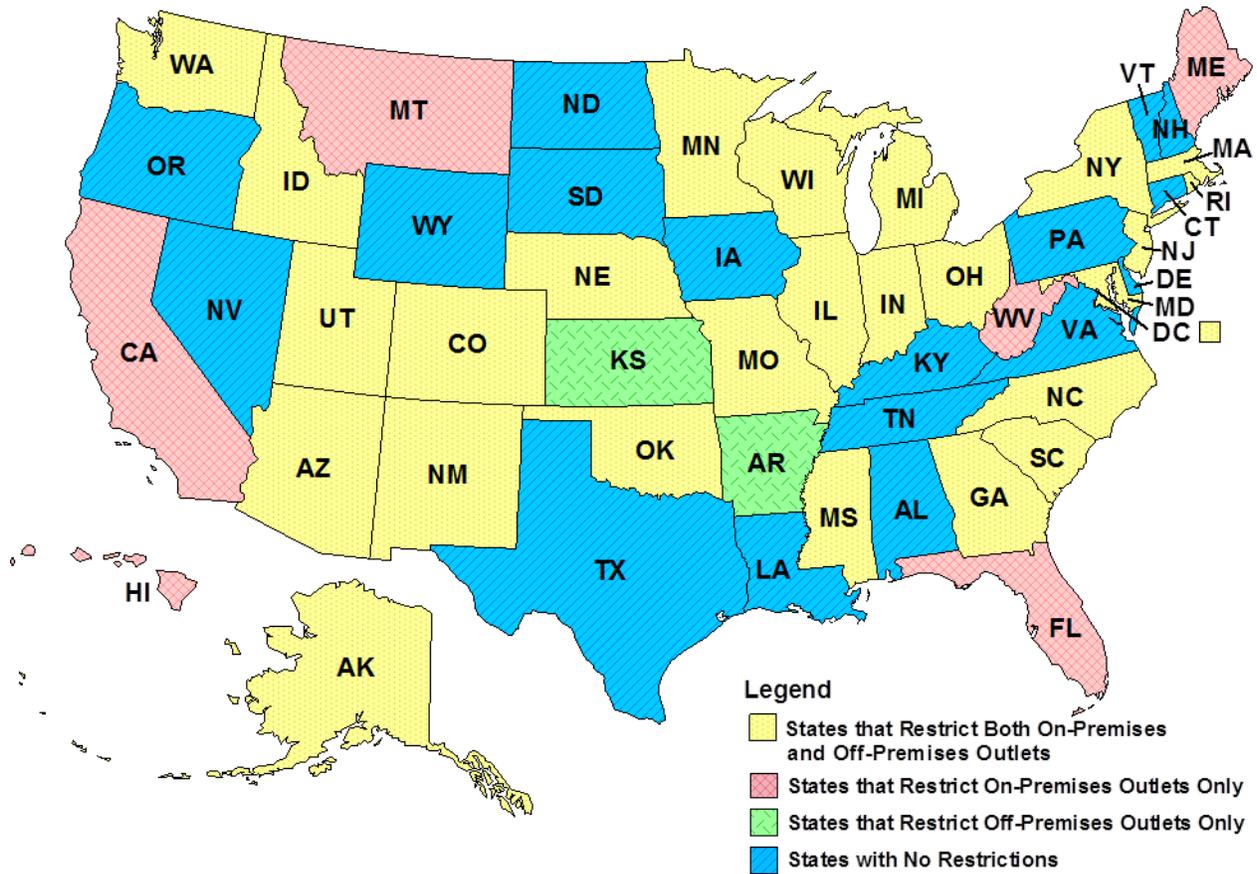
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Exhibit 4.3.28: States with Restrictions on Placement of Retail Outlets Near Primary and Secondary Schools



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