

Policy Summary

Loss of Driving Privileges for Alcohol Violations by Minors (“use/lose” laws)

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.

To obtain more information and a copy of the full Report to Congress go to:
<https://www.stopalcoholabuse.gov>

Loss of Driving Privileges for Alcohol Violations by Minors (“use/lose” laws)

Policy Description

Use/lose laws authorize suspension or revocation of driving privileges as a penalty for underage purchase, possession, or consumption of alcoholic beverages. States began enacting these statutes in the mid-1980s to deter underage drinking by imposing a punishment that young people would consider significant: the loss of a driver’s license. In most states, use/lose laws make it mandatory to impose driver’s license sanctions in response to underage alcohol violations. State laws vary as to the type of violation (purchase, possession, or consumption of alcohol) that leads to these sanctions and how long suspensions or revocations stay in effect.

State laws specific to minors (purchase, possession, and consumption of alcoholic beverages) are described in the “Underage Purchase and Attempted Purchase,” “Underage Possession,” “Underage Consumption,” and “Internal Possession by Minors” sections of this report.

Status of Loss of Driving Privileges Policies

Upper Age Limit

Twenty-five states and the District of Columbia set age 21 as the upper limit for which use/lose laws apply. Ten states set the upper limit at age 18, and one state (Wyoming) sets the limit at age 19. In four states (Arkansas, Hawaii, Tennessee, and Virginia), some sanction conditions vary depending on whether the violator is under age 18 or under age 21.

Authority To Impose License Sanction

The vast majority of jurisdictions (36 states and the District of Columbia) have made license suspension or revocation mandatory in cases of underage alcohol violations (see Exhibit 4.3.13). Nine states have made this a discretionary penalty for such violations, and 10 states have no use/lose law. One state (Hawaii) makes this a discretionary penalty for minors below age 18, but mandatory for violators ages 18 through 20. (The total of states is greater than 51 because some have both mandatory and discretionary laws.)

Trends in Loss of Driving Privileges Policies

Between 1998 and 2012, the number of jurisdictions that made license suspension or revocation mandatory in cases of underage alcohol violations increased from 25 to 34 (see Exhibit 4.3.14). During this same time period, the number of jurisdictions with no use/lose laws decreased from 17 to 10, and the number with discretionary authority to impose use/lose sanctions dropped from 10 to 9.

References and Further Information

Data for this policy were obtained from APIS at <http://www.alcoholpolicy.niaaa.nih.gov>. Follow links to the policy entitled “Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws).” APIS provides further descriptions of this policy and its variables, details regarding state policies, and a review of the limitations associated with the reported data. To see definitions of the variables for this policy, go to Appendix B.

Exhibit 4.3.13: License Suspension/Revocation for Alcohol Violations by Minors as of January 1, 2012

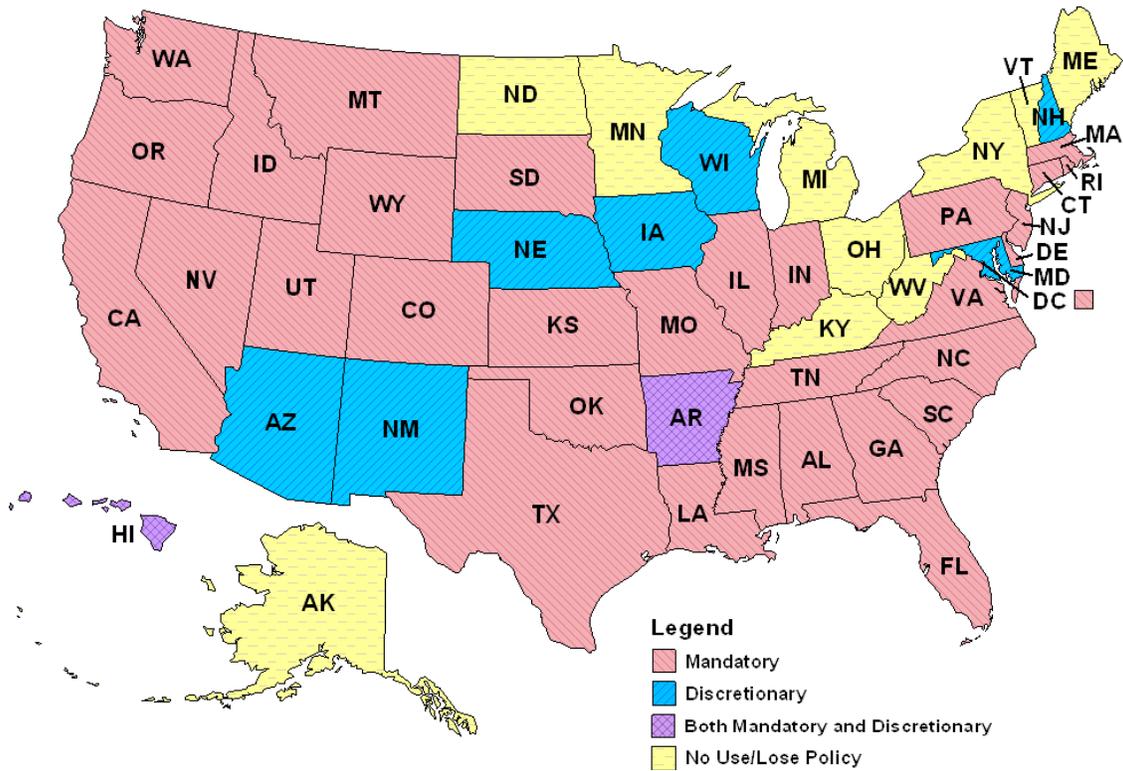


Exhibit 4.3.14: Distribution of License Suspension/Revocation Procedures for Alcohol Violations by Minors, January 1, 1998, through January 1, 2012

