

State Report

Idaho

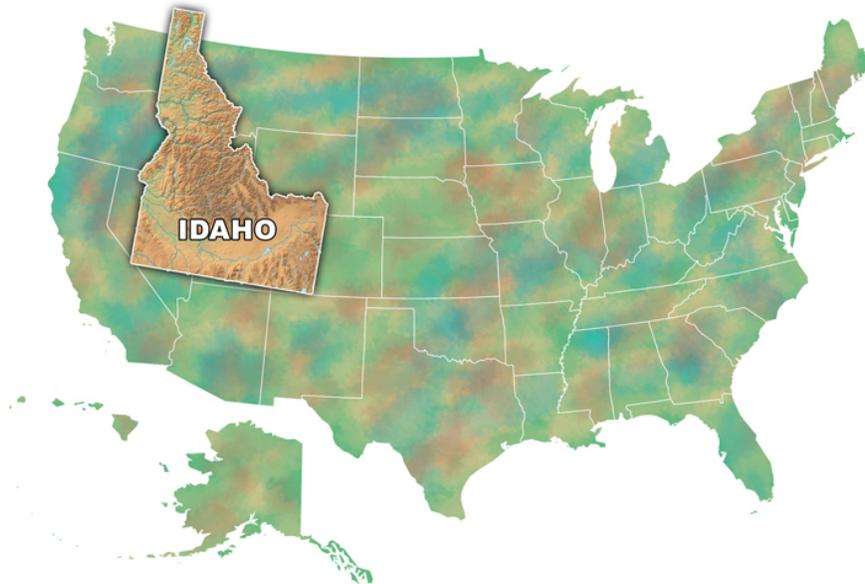
This state report is excerpted from:

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>



Idaho

State Profile and Underage Drinking Facts*

State Population: 1,584,985
Population Ages 12–20: 201,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	23.1	46,000
Past-Month Binge Alcohol Use	15.1	30,000
Ages 12–14		
Past-Month Alcohol Use	4.5	3,000
Past-Month Binge Alcohol Use	2.1	2,000
Ages 15–17		
Past-Month Alcohol Use	22.1	13,000
Past-Month Binge Alcohol Use	15.6	10,000
Ages 18–20		
Past-Month Alcohol Use	44.2	30,000
Past-Month Binge Alcohol Use	28.8	19,000
Alcohol-Attributable Deaths (under 21)		24
Years of Potential Life Lost (under 21)		1,426
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	29.0	10

* See Appendix C for data sources.

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited with the following exception(s):

- Private residence AND
- Parent/guardian

Note: Idaho’s exceptions relate specifically to the possession of beer or wine.

Underage Consumption of Alcohol

Consumption is prohibited—no explicit exceptions noted in the law.

Internal Possession by Minors

Internal possession is not explicitly prohibited.

Note: Although Idaho does not prohibit Internal Possession, it has a statutory provision that makes it unlawful “[f]or any person under the age of twenty-one (21) years to purchase, attempt to purchase, possess, serve, dispense, or consume beer, wine or other alcoholic liquor” such that “[a] person shall also be deemed to “possess” alcohol that has been consumed by the person, without regard to the place of consumption” (Idaho Code § 23-949). Laws that prohibit minors from having alcohol in their bodies, but do so without reference to a blood, breath, or urine test, are not considered as prohibiting internal possession, for purposes of this report.

Underage Purchase of Alcohol

Purchase is prohibited and there is NO ALLOWANCE for youth purchase for law enforcement purposes.

False Identification for Obtaining Alcohol

Provision(s) Targeting Minors

- Use of a false ID to obtain alcohol is a criminal offense.
- Penalty may include driver’s license suspension through a judicial procedure.

Provision(s) Targeting Suppliers

- It is a criminal offense to lend, transfer, or sell a false ID.
- It is a criminal offense to manufacture or distribute a false ID.

Provisions Targeting Retailers

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- No statutory affirmative defense—statutes do not provide an affirmative defense related to retailer’s belief that the minor was age 21 or older.

Note: Retailers are only required to deliver documents to law enforcement that have been lost or voluntarily surrendered; however, when presented with identification documents that appear to be mutilated, altered, or fraudulent, they must contact law enforcement and refuse service.

Laws Targeting Underage Drinking and Driving

BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)

- BAC limit: 0.02
- BAC level at or above the limit is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)

Use/lose penalties apply to minors under age 21.

Type(s) of Violation Leading to Driver’s License Suspension, Revocation, or Denial

- Underage purchase
- Underage possession
- Underage consumption

Authority To Impose Driver’s License Sanction

- Mandatory

Length of Suspension/Revocation

- Minimum: Not specified
- Maximum: 365 days

Graduated Driver’s License

Learner Stage

- Minimum entry age: 14 years, 6 months—upon completion of driver education, instruction permit signed over to allow driving with adult over 21
- Minimum learner stage period: 6 months
- Minimum supervised driving requirement: 50 hours—10 of which must be at night

Intermediate Stage

- Minimum age: 15
- Unsupervised night driving
 - Night driving is not restricted—no unsupervised driving ½ hour after sunset
 - Primary enforcement of the night-driving rule
- Passenger restrictions exist: Any licensee under 17 shall have no more than one passenger under 17, except relatives
 - Primary enforcement of the passenger-restriction rule

License Stage

- Minimum age to lift restrictions: 16—passenger restrictions expire 6 months after issuance of license; unsupervised night-driving restrictions remain until age 16

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors

Furnishing is prohibited—no explicit exceptions noted in the law.

Compliance Check Protocols

Age of Decoy

- Minimum: 16
- Maximum: 20.5

Appearance Requirements

- Age-appropriate appearance
- Male: Not large in stature; no excessive facial hair
- Female: Minimal makeup and jewelry

ID Possession

- Required

Verbal Exaggeration of Age

- Not specified

Decoy Training

- Not specified

Penalty Guidelines for Sales to Minors

Time period/conditions: No guidelines provided

Responsible Beverage Service

No beverage service training requirement

Minimum Ages for Off-Premises Sellers

- Beer: 19
- Wine: 19
- Spirits: 19

Minimum Ages for On-Premises Sellers

- Beer: 19 for both servers and bartenders
- Wine: 19 for both servers and bartenders
- Spirits: 19 for both servers and bartenders

Distance Limitations for New Alcohol Outlets Near Universities and Schools

Colleges and Universities

Limitations on outlet siting:

- Off-premises outlets: Yes—on campus grounds. College or university has authority to override state restrictions.
- On-premises outlets: Yes—on campus grounds. College or university has authority to override state restrictions.
- Alcohol products: Beer, wine, spirits

Primary and Secondary Schools

Prohibitions against outlet siting:

- Off-premises outlets: Yes—within 300 feet. Local government has authority to override state restrictions.

- On-premises outlets: Yes—within 300 feet. Local government has authority to override state restrictions.
- Alcohol products: Beer, wine, spirits

Dram Shop Liability

Statutory liability exists.

Social Host Liability Laws

Statutory liability exists.

Host Party Laws

No state-imposed liability for hosting underage drinking parties

Retailer Interstate Shipments of Alcohol

Prohibition against retailer interstate shipments:

- Beer: Prohibited
- Wine: Uncertain
- Spirits: Prohibited

Note: A licensee that holds a license for the retail sale of wine for consumption off the licensed premises may ship not more than two cases of wine, containing not more than 9 liters per case, per shipment, for personal use and not for resale, directly to a resident of another state if the state to which the wine is sent allows residents of this state to receive wine sent from that state without payment of additional state tax, fees, or charges. The sale shall be considered to have occurred in this state.

Direct Sales/Shipments of Alcohol by Producers

Direct sales/shipments from producers to consumers are permitted for wine with the following restrictions:

Age Verification Requirements: None

State Approval/Permit Requirements

- Producer/shipper must obtain state permit.

Reporting Requirements

- Common carrier must record/report purchaser's name.

Shipping Label Statement Requirements

- Contains alcohol
- Recipient must be 21

Keg Registration

- Keg definition: 7.75 gallons or more
- Prohibited: Possessing unregistered, unlabeled keg—maximum fine/jail: \$1,000/6 months
- Purchaser information collected: Purchaser's name and address
- Warning information to purchaser: Not required
- Deposit: Not required
- Provisions do not specifically address disposable kegs

Alcohol Pricing Policies

Home Delivery

- Beer: No law
- Wine: No law
- Spirits: No law

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: 0.15 per gallon

\$0.45 per gallon applies to beer over 5 percent alcohol. Beer with 5 percent or less alcohol is sold by license. Beer greater than 5 percent but less than 7.5 percent alcohol is sold by both license and the state.

Wine (12 percent alcohol)

- Control state

Spirits (40 percent alcohol)

- Control state

Drink Specials

No law

Wholesale Pricing

Restrictions exist.

Beer (5 percent alcohol)

- Volume discounts: Banned
- Price posting requirements: Post and hold—6 months minimum
- Retailer credit: Not permitted

Wine (12 percent alcohol)

Control state

Spirits (40 percent alcohol)

Control state

Idaho State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Idaho State Police Alcohol Beverage Control (ISP-ABC)	
<i>Methods by which local and state enforcement agencies coordinate their efforts to enforce laws prohibiting underage drinking:</i> ISP-ABC enters into a memorandum of understanding (MOU) with local law enforcement agencies; organizes, coordinates, and using EUDL grant funds to pay for costs related to underage compliance checks and other underage drinking enforcement activities. Minigrants are also issued to local agencies from the Department of Juvenile Corrections for local enforcement efforts.	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Not applicable
Such laws are also enforced by local law enforcement agencies	No
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession by state law enforcement agencies	Data not collected
Number pertains to the 12 months ending	Data not collected
Data include arrests/citations issued by local law enforcement agencies	Data not collected
<i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by state agencies	229
Number of licensees that failed State compliance checks	38
Numbers pertain to the 12 months ending	12/31/2011
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	No
Number of licensees checked for compliance by local agencies	Data not collected
Number of licensees that failed local compliance checks	Data not collected
Numbers pertain to the 12 months ending	Data not collected
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state ³	96
Total amount in fines across all licensees	\$128,500
Numbers pertain to the 12 months ending	12/31/2011
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	
Number of suspensions imposed by the state ⁴	No data
Total days of suspensions across all licensees	No data
Numbers pertain to the 12 months ending	No data

<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	No
Number of license revocations imposed ⁵	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Additional Clarification	
None given	

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Does not include fines imposed by local agencies.

⁴ Does not include suspensions imposed by local agencies.

⁵ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State: Programs SPECIFIC TO Underage Drinking	
<i>Idaho Liquor Division Education Fund</i>	
Number of youth served	No response
Number of parents served	No response
Number of caregivers served	No response
Numbers pertain to the 12 months ending	No response
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	http://www.liquor.idaho.gov
Program description: \$3,500 from liquor profits goes toward maintenance and further development of the Office of Drug Policies underage drinking prevention website: http://www.betheparents.org .	
<i>Dept. of Health and Welfare Media campaign</i>	
Number of youth served	No response
Number of parents served	No response
Number of caregivers served	No response
Numbers pertain to the 12 months ending	No response
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	http://www.healthandwelfare.idaho.gov
Program description: \$50,000 is set aside for a media campaign to reduce underage drinking.	
<i>Enforcing Underage Drinking Laws Program</i>	
Number of youth served	80,000
Number of parents served	No response
Number of caregivers served	No response
Numbers pertain to the 12 months ending	07/01/2011
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	http://www.idjc.idaho.gov

Program description: The EUDL program provides funding to state agencies and local organizations (through a minigrant process) to reduce underage drinking. Strategies include enforcement, education, and task force development. Recipients include Alcohol Beverage Control, the state film library, the Idaho College Health Coalition, the statewide Community Coalitions of Idaho organization, local law enforcement agencies, and local community coalitions. Funds totaling \$300,000 are received by the Idaho Department of Juvenile Corrections and coordinated with other Office of Juvenile Justice and Delinquency Prevention (OJJDP) funding.

**Underage Drinking Prevention Programs Operated or Funded by the State:
Programs RELATED TO Underage Drinking**

Idaho State Treasurer’s Office Millenium Fund

URL for more program information: [http:// www.sto.idaho.gov](http://www.sto.idaho.gov)

Program description: This fund provides funding for applicant programs, including public health districts, tobacco countermarketing, nicotine replacement therapy, Idaho Supreme Court, Department of Health and Welfare Substance Abuse Prevention and Treatment (\$1.5 million for prevention), American Lung Association, Idaho Meth Project, and Idaho Drug-Free Youth i2i Program. Fiscal Year 2013 funds requested total \$5,064,400.

Idaho Dept. of Health and Welfare Prevention Block Grant

URL for more program information: <http://www.healthandwelfare.idaho.gov>

Program description: \$1.6 million is allocated to best-practice community prevention programs and coalition development.

Additional Information Related to Underage Drinking Prevention Programs

State collaborates with federally recognized Tribal governments in the prevention of underage drinking Yes

Description of collaboration: Program description: EUDL funding is sometimes awarded to Tribal applicants. Furthermore, the EUDL coordinator is a member of the State Advisory Group for juvenile justice (JJ) and a chair of one of Idaho’s eight local JJ councils. Another of the councils is made up of representatives from Idaho’s Tribes. There are quarterly collaborative meetings.

State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing No

Program description: Not applicable

State has adopted or developed best practice standards for underage drinking prevention programs No

Best practice standards description: Not applicable

Additional Clarification

Although there is no requirement that EUDL programs be certified as “best practice,” recipients of funds are required to identify the research basis of their proposed strategies.

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

Committee contact information:

Name: Elisha Figueroa
E-mail: Elisha.figueroa@odp.idaho.gov
Address: 304 N. 8th Street, Suite 455, Boise, ID 83702
Phone: 208-854-3040

Agencies/organizations represented on the committee:

Office of Drug Policy
Department of Juvenile Corrections

State Department of Education Department of Transportation Idaho State Police Bureau of Alcohol Beverage Control Drug Free Idaho Community Coalitions of Idaho Parent-Teacher Association Idaho Liquor Division Idaho RADAR Center Idaho Department of Health and Welfare Project Filter Idaho Meth Project Idaho Drug Free Youth District V Alcohol Project Local coalitions	
A website or other public source exists to describe committee activities URL or other means of access: http://www.odp.idaho.gov	Yes

Underage Drinking Reports	
State has prepared a plan for preventing underage drinking in the last 3 years Prepared by: Strategic State Prevention Planning Committee Plan can be accessed via: Plan is in progress.	Yes
State has prepared a report on preventing underage drinking in the last 3 years Prepared by: Idaho Department of Juvenile Corrections Plan can be accessed via: The report is part of the annual EUDL application process.	Yes
Additional Clarification	
None given	

State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks/decoy operations in retail outlets:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable

<i>Other programs:</i>	
Programs or strategies included: Department of Health and Welfare campaign to reduce underage drinking	
Estimate of state funds expended	\$50,000
Estimate based on the 12 months ending	06/30/2012

Funds Dedicated to Underage Drinking	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No
Fees	No
Other	No data
<i>Description of funding streams and how they are used:</i>	
This revenue goes largely into the general funds and is then reallocated; therefore, the funds reach programs aimed at reducing underage drinking in an indirect way.	
Additional Clarification	
<p>Additional answer to “Other programs” above: Enforcing Underage Drinking Laws program. The EUDL program provides funding to other state agencies and to local organizations (through a minigrant process) to reduce underage drinking. Strategies include enforcement, education, and task force development. Recipients include Alcohol Beverage Control, the state film library, the Idaho College Health Coalition, the Community Coalitions of Idaho, local law enforcement agencies, and local community coalitions. The funding of \$354,000 is received by the Idaho Department of Juvenile Corrections and coordinated with other OJJDP funding.</p> <p>Additional comment: It is difficult to identify purely underage drinking funding to community-based, school-based, and other systems, as the money may be distributed to them by the state for a multitude of purposes.</p>	