

## State Report

# Rhode Island

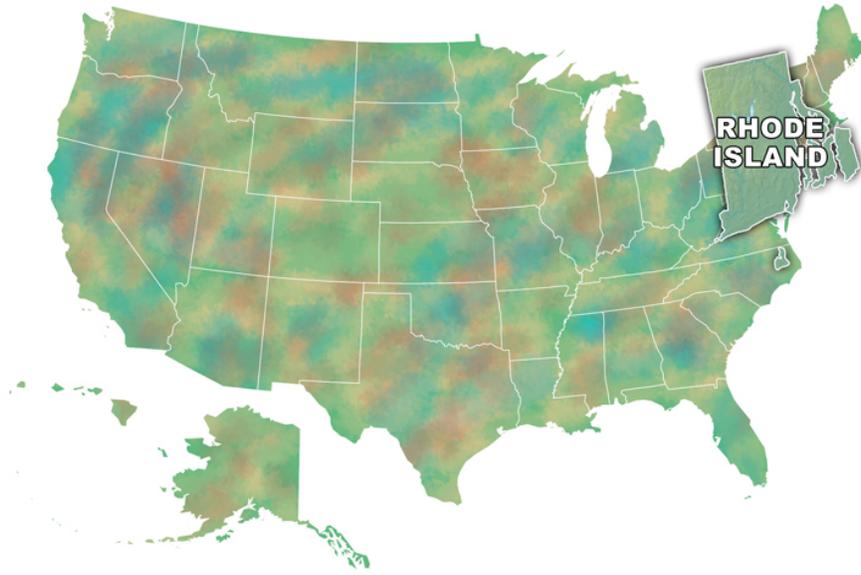
This state report is excerpted from:

**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>



# Rhode Island

## State Profile and Underage Drinking Facts\*

**State Population: 1,051,302**  
**Population Ages 12–20: 129,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	33.3	43,000
Past-Month Binge Alcohol Use	21.3	27,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	5.8	2,000
Past-Month Binge Alcohol Use	2.4	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	26.3	11,000
Past-Month Binge Alcohol Use	13.7	6,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	61.3	30,000
Past-Month Binge Alcohol Use	42.7	21,000
<b>Alcohol-Attributable Deaths (under 21)</b>		11
<b>Years of Potential Life Lost (under 21)</b>		681
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	27.0	2

\* See Appendix C for data sources.

## Laws Addressing Minors in Possession of Alcohol

### Underage Possession of Alcohol

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

### Underage Consumption of Alcohol

Consumption is not explicitly prohibited.

### Internal Possession by Minors

Internal possession is not explicitly prohibited.

### Underage Purchase of Alcohol

Purchase is prohibited, but youth may 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.
- Retailers are permitted to seize apparently false IDs
- Specific affirmative defense—the retailer inspected the false ID and came to a reasonable conclusion based on its appearance that it was valid.

## 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

#### *Authority To Impose Driver’s License Sanction*

- Mandatory

### ***Length of Suspension/Revocation***

- 30 days

*Note:* A mandatory minimum 60-day driver’s license suspension penalty applies to underage possession.

### **Graduated Driver’s License**

#### ***Learner Stage***

- Minimum entry age: 16
- Minimum learner-stage period: 6 months
- Minimum supervised driving requirement: 50 hours—10 of which must be at night

#### ***Intermediate Stage***

- Minimum age: 16 years, 6 months
- Unsupervised night driving
  - Prohibited after: 1 a.m.
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one unrelated passenger under 21
  - Primary enforcement of the passenger-restriction rule

#### ***License Stage***

- Minimum age to lift restrictions: 17 years, 6 months

## **Laws Targeting Alcohol Suppliers**

### **Furnishing Alcohol to Minors**

Furnishing is prohibited with the following exception(s):

- Parent/guardian

### **Compliance Check Protocols**

No data

### **Penalty Guidelines for Sales to Minors**

No data

### **Responsible Beverage Service**

#### **Mandatory Provisions**

##### ***Mandatory Beverage Service Training for Managers, Servers***

- Applies only to on-sale establishments
- Applies only to existing outlets

#### **Voluntary Provisions**

##### ***Voluntary Beverage Service Training***

- The law does not specify on- or off-sale establishments.
- The law does not specify new or existing outlets.

### ***Incentive for Training***

- Defense in dram shop liability lawsuits

### **Minimum Ages for Off-Premises Sellers**

- Beer: 18
- Wine: 18
- Spirits: 18

### **Minimum Ages for On-Premises Sellers**

- Beer: 18 for both servers and bartenders
- Wine: 18 for both servers and bartenders
- Spirits: 18 for both servers and bartenders

### **Distance Limitations for New Alcohol Outlets Near Universities and Schools**

#### ***Colleges and Universities***

- No distance limitation

#### ***Primary and Secondary Schools***

Prohibitions against outlet siting:

- Off-premises outlets: Yes—within 200 feet
- On-premises outlets: Yes—within 200 feet
- Alcohol products: Beer, wine, spirits

*Note:* There are numerous exceptions for specific locations within cities and towns.

### **Dram Shop Liability**

Statutory liability exists.

*Note:* R.I. Gen. Laws § 3-14-12 includes a responsible beverage service defense.

### **Social Host Liability Laws**

There is no statutory liability.

### **Host Party Laws**

Social host law is not specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Consumption
- Property type(s) covered by liability law: Residence, outdoor
- Standard for hosts' knowledge or action regarding the party: Knowledge—host must have actual knowledge of the occurrence.
- Exception(s): Family

### **Retailer Interstate Shipments of Alcohol**

Retailer interstate shipments are prohibited for all types of beverages.

### **Direct Sales/Shipments of Alcohol by Producers**

Direct sales/shipments from producers to consumers are not permitted.

### **Keg Registration**

- Keg definition: Undefined
- Prohibited:
  - Destroying the label on a keg—maximum fine/jail: \$500
- Purchaser information collected:
  - Purchaser’s name and address
  - Verified by a government-issued ID
- Warning information to purchaser: Passive—no purchaser action required
- Deposit: Not required
- Provisions do not specifically address disposable kegs.

*Note:* No particular volume or range of volumes is specified for kegs in Rhode Island.

## **Alcohol Pricing Policies**

### **Home Delivery**

- Beer: Permitted
- Wine Permitted
- Spirits: Permitted

### **Alcohol Tax**

- Beer (5 percent alcohol): Specific excise tax is \$0.10 per gallon.
- Wine (12 percent alcohol): Specific excise tax is \$0.60 per gallon.
- Spirits (40 percent alcohol): Specific excise tax is \$3.75 per gallon.

### **Drink Specials**

- Free beverages: Not prohibited
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price at specified day or time: Prohibited
- Unlimited beverages: Prohibited
- Increased volume: Prohibited

### **Wholesale Pricing**

No pricing restrictions

## Rhode Island State Survey Responses

<b>State Agency Information</b>	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
Rhode Island Department of Behavioral Healthcare, Developmental Disabilities and Hospitals	
<i>Methods by which local and state enforcement agencies coordinate their efforts to enforce laws prohibiting underage drinking:</i>	
Statewide Advisory Committee using Enforcing Underage Drinking Laws (EUDL) funding	
<b>Enforcement Strategies</b>	
<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	No
<i>Local law enforcement agencies use:</i>	
Cops in Shops	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	Unknown
Primary state agency responsible for enforcing laws addressing direct sales/shippments of alcohol to minors	No data
Such laws are also enforced by local law enforcement agencies	Unknown
<b>Enforcement Statistics</b>	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession <sup>1</sup> by state law enforcement agencies	No
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 operations<sup>2</sup> 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 state agencies	Data not collected
Number of licensees that failed state compliance checks	Data not collected
Numbers pertain to the 12 months ending	Data not collected
<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	Yes
Number of licensees checked for compliance by local agencies	325
Number of licensees that failed local compliance checks	39
Numbers pertain to the 12 months ending	09/30/2011
<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state <sup>3</sup>	No
Total amount in fines across all licensees	Data not collected
Numbers pertain to the 12 months ending	Data not collected
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	
Number of suspensions imposed by the state <sup>4</sup>	No
Total days of suspensions across all licensees	Data not collected
Numbers pertain to the 12 months ending	Data not collected
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	
Number of license revocations imposed <sup>5</sup>	No
Numbers pertain to the 12 months ending	Data not collected

<b>Additional Clarification</b>	
None given	

<sup>1</sup> Or having consumed or purchased per state statutes.

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

<sup>3</sup> Does not include fines imposed by local agencies.

<sup>4</sup> Does not include suspensions imposed by local agencies.

<sup>5</sup> Does not include revocations imposed by local agencies.

<b>Underage Drinking Prevention Programs Operated or Funded by the State: Programs SPECIFIC TO Underage Drinking</b>	
<b><i>Enforcing Underage Drinking Laws in Rhode Island</i></b>	
Number of youth served	700
Number of parents served	No data
Number of caregivers served	No data
Numbers pertain to the 12 months ending	12/31/2011
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	Not applicable
Program description: This program is the result of the EUDL formula grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The program consists of an advisory council and subcommittees, a youth committee/advisory council, law enforcement training and funding, technical assistance, and promising programs.	
<b><i>Rhode Island Substance Abuse Prevention Act</i></b>	
Number of youth served	400
Number of parents served	No data
Number of caregivers served	No data
Numbers pertain to the 12 months ending	12/31/2011
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	Not applicable
Program description: The state funds 35 municipal task forces that have collaborated on the development of a common-logic model addressing underage drinking as a priority across communities.	

<b>Underage Drinking Prevention Programs Operated or Funded by the State: Programs RELATED TO Underage Drinking</b>	
<b><i>Student Assistance Program</i></b>	
URL for more program information: <a href="http://www.risas.org">http://www.risas.org</a>	
Program description: Student assistance programs operate in 20 high schools and 22 middle schools in various communities within the state. Student assistance counselors provide consultation to school staff on a variety of issues including underage drinking and provide assessment and early intervention services for students.	

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
State collaborates with federally recognized Tribal governments in the prevention of underage drinking	No
Description of collaboration: Not applicable	

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Program description: Not applicable	
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Best practice standards description: All prevention programs funded by the Single State Agency (SSA), regardless of funding source, are required to implement evidence-based programs, practices, and policies.	
<b>Additional Clarification</b>	
None given	

<b>State Interagency Collaboration</b>	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	No
<i>Committee contact information:</i>	
Not applicable	
<i>Agencies/organizations represented on the committee:</i>	
Not applicable	
<i>A website or other public source exists to describe committee activities</i>	Not applicable
URL or other means of access: Not applicable	

<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Rhode Island Department of Behavioral Healthcare, Developmental Disabilities and Hospitals	
Plan can be accessed via: Not yet available online. A copy is available upon request.	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Paul Florin, Evaluator	
Plan can be accessed via: Not yet available online. A copy is available upon request.	
<b>Additional Clarification</b>	
None given	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks/decoy operations in retail outlets:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$930,500
Estimate based on the 12 months ending	06/30/2011
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	06/30/2011
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	06/30/2011

<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	06/30/2011
<i>Other programs:</i>	
Programs or strategies included: Community based processes, community coalitions, information dissemination	
Estimate of state funds expended	\$232,620
Estimate based on the 12 months ending	06/30/2011

<b>Funds Dedicated to Underage Drinking</b>	
<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>	
No data	
<b>Additional Clarification</b>	
The state uses federal dollars to support alcohol compliance surveys and activities. These activities are carried out by local law enforcement agencies funded with federal dollars.	