

## State Report

# Wyoming

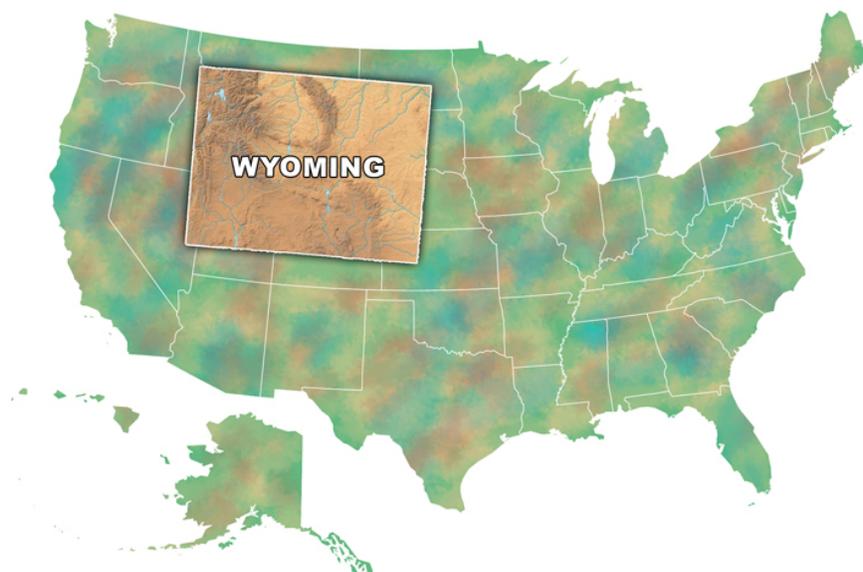
This state report is excerpted from:

**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>



# Wyoming

## State Profile and Underage Drinking Facts\*

**State Population: 568,158**  
**Population Ages 12–20: 68,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	28.0	19,000
Past-Month Binge Alcohol Use	19.5	13,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	7.8	2,000
Past-Month Binge Alcohol Use	4.1	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	25.2	6,000
Past-Month Binge Alcohol Use	17.0	4,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	45.5	12,000
Past-Month Binge Alcohol Use	33.4	9,000
<b>Alcohol-Attributable Deaths (under 21)</b>		11
<b>Years of Potential Life Lost (under 21)</b>		688
	<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>	21.0	3

\* 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): EITHER

- Parent/guardian OR
- Spouse

### Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s): EITHER

- Parent/guardian OR
- Spouse

### Internal Possession by Minors

Internal possession is prohibited with the following exception(s): EITHER

- Parent/guardian OR
- Spouse

### 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.
- No driver's license suspension procedure.

#### *Provisions Targeting Retailers*

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- 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 19.

#### *Type(s) of Violation Leading to Driver's License Suspension, Revocation, or Denial*

- Underage possession

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

- Mandatory

***Length of Suspension/Revocation***

- 90 days

**Graduated Driver’s License**

***Learner Stage***

- Minimum entry age: 15
- Minimum supervised driving requirement: 50 hours—10 of which must be at night

***Intermediate Stage***

- Minimum age: 16
- Unsupervised night driving
  - Prohibited after: 11 p.m.
  - No primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one unrelated passenger under 18, unless accompanied by another driver at least 18
  - No primary enforcement of the passenger-restriction rule

***License Stage***

- Minimum age to lift restrictions: 16 years, 6 months

**Laws Targeting Alcohol Suppliers**

**Furnishing Alcohol to Minors**

Furnishing is prohibited with the following exception(s): EITHER

- Parent/guardian OR
- Spouse

*Note:* Wyoming’s exception allows members of the minor’s “immediate family” to furnish alcohol, which has been interpreted here to include a spouse.

**Compliance Check Protocols**

***Age of Decoy***

- Minimum: 18
- Maximum: 20

***Appearance Requirements***

- Casual attire
- Average height and build
- Males: No facial hair
- Females: Little or no makeup

***ID Possession***

- Discretionary

***Verbal Exaggeration of Age***

- Prohibited

***Decoy Training***

- Mandated

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

Time period/conditions: No guidelines provided.

### **Responsible Beverage Service**

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

- Applies to both on-sale and off-sale establishments.
- The law does not specify new or existing outlets.

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

- Beer: 21
- Wine: 21
- Spirits: 21

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

- Beer: 18 for servers and 21 for bartenders
- Wine: 18 for servers and 21 for bartenders
- Spirits: 18 for servers and 21 for bartenders

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

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

No distance limitation

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

No distance limitation

### **Dram Shop Liability**

- There is no statutory liability.
- The courts recognize common law dram shop liability.

### **Social Host Liability Laws**

- There is no statutory liability.
- The courts recognize common law social host liability.

### **Host Party Laws**

Social host law is specifically limited to underage drinking parties.

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

*Note:* Wyoming's social host statute applies only to possession or consumption by persons under age 18.

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

Prohibition against retailer interstate shipments:

- Beer: Prohibited
- Wine: Permitted
- Spirits: Prohibited

### **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.
- State must approve common carrier.

*Reporting Requirements:* None

#### ***Shipping Label Statement Requirements***

- Contains alcohol
- Recipient must be 21

### **Keg Registration**

- Keg definition: Not less than 7 gallons
- Prohibited:
  - Destroying the label on a keg—maximum fine/jail: \$500
- Purchaser information collected:
  - 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

## **Alcohol Pricing Policies**

### **Home Delivery**

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

### **Alcohol Tax**

- Beer (5 percent alcohol): Specific excise tax is \$0.02 per gallon
- Wine (12 percent alcohol): Control state
- Spirits (40 percent alcohol): Control state

### **Drink Specials**

No law

### **Wholesale Pricing**

Pricing restrictions exist.

- Beer (5 percent alcohol): Retailer credit is not permitted.
- Wine (12 percent alcohol): Control state
- Spirits (40 percent alcohol): Control state

## Wyoming State Survey Responses

<b>State Agency Information</b>	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
No data	
<i>Methods by which local and state enforcement agencies coordinate their efforts to enforce laws prohibiting underage drinking:</i>	
No data	
<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	No
Shoulder Tap Operations	No
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>	
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Yes Wyoming Dept. of Revenue Liquor Division
Such laws are also enforced by local law enforcement agencies	No
<b>Enforcement Statistics</b>	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession by state law enforcement agencies	Yes 1,532
Number pertains to the 12 months ending	12/31/2011
Data include arrests/citations issued by local law enforcement agencies	Yes
<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	Yes
Number of licensees checked for compliance by state agencies	0
Number of licensees that failed state compliance checks	No data
Numbers pertain to the 12 months ending	No data
<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	1,198
Number of licensees that failed local compliance checks	234
Numbers pertain to the 12 months ending	12/31/2011
<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 Data not collected
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 Data not collected
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 Data not collected
Numbers pertain to the 12 months ending	Data not collected

**Additional Clarification**

Data reported on Minor in Possession (MIP) offenses and citations were based on information collected for 17 communities that receive federal Enforcing Underage Drinking Laws (EUDL) funding. While this captures data on the most populous areas of Wyoming, it does not encapsulate the entire population.

- <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.

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

**Wyoming Core Prevention Program**

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Numbers pertain to the 12 months ending	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	<a href="http://www.health.wyo.gov/mhsa/prevention/coreprevention.html">http://www.health.wyo.gov/mhsa/prevention/coreprevention.html</a>

Program description: The Core Prevention Program administered by the Wyoming Department of Health's Public Health Division (PHD) is the successor to the state's Strategic Prevention Framework State Incentive Grant (SPF SIG), which terminated in September 2010. Core Prevention was the state's attempt to maintain state and local prevention capacity and infrastructure in the face of an approximate two-thirds reduction in funding resulting from the end of SPF SIG. Core Prevention braids together state general funds and federal substance abuse prevention block grant funding to provide a single prevention grant to prevention coalitions in each of Wyoming's 23 counties. In addition, Core Prevention integrates substance abuse prevention and mental health promotion/suicide prevention into a single prevention initiative that provides communities with the opportunity to address local substance abuse and mental health issues based on community-level data. Because underage drinking and adult binge drinking remain problems most in need of and appropriate for prevention, those issues receive the largest proportion of prevention funding; however, the Core Prevention grant is designed to provide communities with flexibility to address emergent issues such as prescription drug abuse and the use of "spice" and other forms of synthetic marijuana.

Beginning with the new state biennium (July 1, 2012), tobacco cessation and prevention will be integrated into Core Prevention. Also beginning on July 1, 2012, the state will complete the transformation of its prevention business model. Specifically, the Wyoming Department of Health will contract with a single fiscal agent that will serve as the Prevention Management Organization (PMO) for Wyoming's community-based prevention efforts. This differs from the state's historical model, pursuant to which the Department of Health contracted with separate fiscal agents in each of its 23 counties. The purpose of this new model is to reduce administrative costs and overhead incurred through multiple contracts and to provide community coalitions with the ability to participate fully in prevention decisions made in communities. The PMO will employ local program managers in each funded community to continue directing community-based prevention. Evaluation of local and state prevention efforts is provided by the Wyoming Survey and Analysis Center, an extension of the University of Wyoming. Technical assistance in identification and utilization of evidence-based programs and environmental strategies will be provided by the PMO.

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

 URL for more program information: [wdh.state.wy.us/mhsa/prevention/coreprevention.html](http://wdh.state.wy.us/mhsa/prevention/coreprevention.html)

Program description: Please see description above. The Core Prevention program supports community-based prevention efforts that provide local initiatives related to underage drinking.

**Additional Information Related to Underage Drinking Prevention Programs**

<i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i>	Yes
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Description of collaboration: The Wyoming Department of Health communicates and shares information with both Tribal nations located in Wyoming related to prevention of underage drinking.

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
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Program description: Not applicable

<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
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Best practice standards description: The Public Health Division requires that all programs implemented with state and federal funds either incorporate a recognized environmental strategy designed to reduce underage drinking at the community level, be an established evidence-based program, or adhere to best practice standards. This mandate is reinforced through ongoing technical assistance provided to local program staff and coalitions by the PMO.

**Additional Clarification**

None given

**State Interagency Collaboration**

<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
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**Committee contact information:**

 Name: Wyoming Prevention Consortium (currently being organized)  
 E-mail: keith.hotle@wyo.gov  
 Address: 6101 Yellowstone Road, Room 510, Cheyenne, WY 82002  
 Phone: 307-777-3318

**Agencies/organizations represented on the committee:**

 Office of the Governor  
 Department of Family Services  
 Department of Education  
 Department of Health  
 Department of Corrections  
 Department of Workforce Services

<i>A website or other public source exists to describe committee activities</i>	No
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URL or other means of access: Not applicable

**Underage Drinking Reports**

<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
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Prepared by: A draft of the Wyoming blueprint for substance abuse prevention has been partially prepared by the Mental Health and Substance Abuse Services Division (MHSASD), Wyoming Department of Health; however, it is unknown whether this plan will be finalized. Please note that the Public Health Division is working on a 5-Year Strategic Plan for Substance Abuse Prevention in Wyoming as part of the State Prevention Enhancement grant provided by SAMHSA. This plan will be completed no later than the end of the federal grant term (August 31, 2012). Once completed, the Strategic Plan will be distributed to partners and stakeholders and posted on the PHD website.

Plan can be accessed via: No data

<p><i>State has prepared a report on preventing underage drinking in the last 3 years</i> <span style="float: right;">Yes</span>                  Prepared by: Wyoming Survey and Analysis Center, as evaluator to the Wyoming Department of Health                  Plan can be accessed via: <a href="http://wysac.uwyo.edu/Default.aspx">wysac.uwyo.edu/Default.aspx</a>                  The federal Block Grant annual evaluation can be located at this website. In addition, MHSASD can provide evaluation reports prepared for the SPF SIG Grant program. Evaluation for the Core Prevention program can be provided by MHSASD upon request.</p>
<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	\$868,000
Estimate based on the 12 months ending	06/30/2012
<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	\$2,000,000
Estimate based on the 12 months ending	06/30/2012
<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	Data not available
Estimate based on the 12 months ending	Data not available
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Other programs:</i>	
Programs or strategies included:	No data
Estimate of state funds expended	Not applicable
Estimate based on the 12 months ending	Not applicable

<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>	
None given	