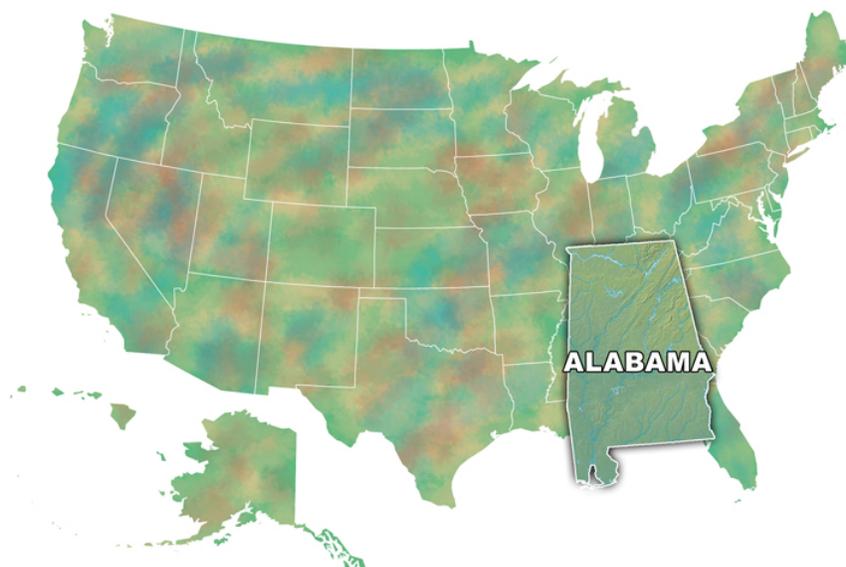


State Report

Alabama

This document is excerpted from:

The June 2015 Report to Congress on the Prevention and Reduction of Underage Drinking



Alabama

State Profile and Underage Drinking Facts*

State Population: 4,822,023
Population Ages 12-20: 594,000

| | Percentage | Number |
|--|---|---------------|
| Ages 12–20 | | |
| Past-Month Alcohol Use | 20.4 | 121,000 |
| Past-Month Binge Alcohol Use | 12.3 | 73,000 |
| Ages 12–14 | | |
| Past-Month Alcohol Use | 4.8 | 9,000 |
| Past-Month Binge Alcohol Use | 2.2 | 4,000 |
| Ages 15–17 | | |
| Past-Month Alcohol Use | 18.1 | 35,000 |
| Past-Month Binge Alcohol Use | 12.3 | 24,000 |
| Ages 18–20 | | |
| Past-Month Alcohol Use | 35.9 | 77,000 |
| Past-Month Binge Alcohol Use | 21.1 | 45,000 |
| Alcohol-Attributable Deaths (under 21) | | 94 |
| Years of Potential Life Lost (under 21) | | 5,662 |
| | Percentage of All Traffic Fatalities | Number |
| Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01 | 20.0 | 29 |

* 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 prohibited—no explicit exceptions noted in the law.

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 retailers

- No statutory affirmative defense—statutes do not provide an affirmative defense related to retailer’s belief that the minor was 21 years old or older.

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: 90 days
- Maximum: 180 days

Graduated Driver’s License

Learner stage

- Minimum entry age: 15
- Minimum learner stage period: 6 months
- No minimum supervised driving requirement with driver education; 30 hours without

Intermediate stage

- Minimum age: 16
- Unsupervised night driving
 - Prohibited after: 12 a.m.
 - No primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one passenger who is not a parent, guardian, family member, or person at least 21 years old
 - No primary enforcement of the passenger-restriction rule

License stage

- Minimum age to lift restrictions: 17

Laws Targeting Alcohol Suppliers

Furnishing of Alcohol to Minors

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

Compliance Check Protocols

Age of decoy

- Minimum: 16
- Maximum: 19

Appearance requirements

- Male: No beard
- Female: No heavy makeup

ID possession

- Discretionary—not required on detail but must tell true age if asked

Verbal exaggeration of age

- Prohibited

Decoy training

- Mandated

Penalty Guidelines for Sales to Minors

- Time period/conditions: 4 years
- First offense: \$750 fine and no hearing
- Second offense: \$1,000 fine and no hearing
- Third offense: Hearing required

Note: Board has the authority to impose fines up to \$1,000 or invoke a suspension/revocation of up to 1 year. For establishments certified under the Responsible Vendor Act, fines may

potentially be mitigated by approximately one half if all training/prevention requirements of the Act are met.

Responsible Beverage Service

Voluntary beverage service training

- Applies to both on-sale and off-sale establishments
- Applies to both new and existing outlets
- Mitigation of fines or other administrative penalties for sales to minors
- Protection against license revocation for sales to minors

Minimum Ages for Off-Premises Sellers

- Beer: Not specified
- Wine: Not specified
- Spirits: 21

Condition(s) that must be met in order for an underage person to sell alcoholic beverages

- Manager/supervisor is present.

Note: A minor employee of an off-premises retail licensee may handle, transport or sell beer or table wine, provided there is an adult employee in attendance at all times.

Minimum Ages for On-Premises Sellers

- Beer: 19 for servers and 21 for bartenders
- Wine: 19 for servers and 21 for bartenders
- Spirits: 19 for servers and 21 for bartenders

Condition(s) that must be met in order for an underage person to sell alcoholic beverages

- Manager/supervisor is present.

Distance Limitations for New Alcohol Outlets near Universities and Schools

Colleges and universities

- Limitations on outlet siting:
 - Off-premises outlets: Yes—within one mile.
 - On-premises outlets: Yes—within one mile.
 - Alcohol products: Beer, wine, spirits

Primary and secondary schools

- No distance limitation

Dram Shop Liability

Statutory liability exists.

Social Host Liability Laws

Statutory liability exists.

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, other
- Standard for hosts' knowledge or action regarding the party: Knowledge—host must have actual knowledge of the occurrence.
- Preventive action by the host negates the violation.

Note: Alabama's provision requires that the adult social host be in attendance at the gathering or party in order for a violation to occur. The "preventive action" provision in Alabama requires the prosecution to prove that the host failed to take preventive action.

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

Registration is not required.

Home Delivery

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

Alcohol Pricing Policies

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$1.05 per gallon

Wine (12 percent alcohol)

- Control state

Spirits (40 percent alcohol)

- Control state

Drink Specials

- Free beverages: Not prohibited
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price, specified day or time: Not prohibited—not permitted before 10 a.m. or after 9 p.m.
- Unlimited beverages: Not prohibited
- Increased volume: Not prohibited

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Retailer credit: Not permitted

Wine (12 percent alcohol)

- Retailer credit: Not permitted

Spirits (40 percent alcohol)

- Control state

Alabama State Survey Responses

| State Agency Information | |
|---|--------------------------------------|
| <i>Agency with primary responsibility for enforcing underage drinking laws:</i> Alabama Alcoholic Beverage Control Board | |
| Enforcement Strategies | |
| <i>State law enforcement agencies use:</i> | |
| Cops in Shops | Yes |
| 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 | No |
| Party Patrol Operations or Programs | No |
| 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/shippments of alcohol to minors | Not applicable |
| Such laws are also enforced by local law enforcement agencies | Not applicable |
| 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 | 1,096 |
| Number pertains to the 12 months ending | 9/30/2012 |
| Data include arrests/citations issued by local law enforcement agencies | No |
| <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 retail licensees in state ³ | 8,500 |
| Number of licensees checked for compliance by state agencies (including random checks) | 4,477 |
| Number of licensees that failed state compliance checks | 384 |
| Numbers pertain to the 12 months ending | 9/30/2012 |
| Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments | Both on- and off-sale establishments |
| <i>State conducts random underage compliance checks/decoy operations</i> | |
| Number of licensees subject to random state compliance checks/decoy operations | 4,477 |
| Number of licensees that failed random state compliance checks | 384 |
| <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 | Not applicable |
| Number of licensees that failed local compliance checks | Not applicable |
| Numbers pertain to the 12 months ending | Not applicable |
| Sanctions | |
| <i>State collects data on fines imposed on retail establishments that furnish minors</i> | |
| Number of fines imposed by the state ⁴ | Don't know |
| Total amount in fines across all licensees | Not applicable |
| Smallest fine imposed | Not applicable |
| Largest fine imposed | Not applicable |
| Numbers pertain to the 12 months ending | Not applicable |

| | |
|---|-----------|
| <i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i> | Yes |
| Number of suspensions imposed by the state ⁵ | 2 |
| Total days of suspensions across all licensees | 365 |
| Shortest period of suspension imposed (in days) | 30 |
| Longest period of suspension imposed (in days) | 180 |
| Numbers pertain to the 12 months ending | 9/30/2012 |
| <i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i> | Yes |
| Number of license revocations imposed ⁶ | 1 |
| Numbers pertain to the 12 months ending | 9/30/2012 |
| Additional Clarification | |
| No data | |

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 Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

Baldwin County Mental Health Center

| | |
|---|--------------------|
| Program serves specific or general population | General population |
| Number of youth served | Not applicable |
| Number of parents served | Not applicable |
| Number of caregivers served | Not applicable |
| Program has been evaluated | No |
| Evaluation report is available | Not applicable |
| URL for evaluation report: | Not applicable |
| URL for more program information: | |
| http://www.bcmhcal.com/children.asp | |

Program Description: Information Dissemination Goal: Educate Baldwin County residents to decrease access and availability of alcohol and prescription drugs to Baldwin County youth through media efforts by September 30, 2012. Objective #3: Distribute at least 200 brochures about the dangers of underage drinking at the high schools by May 2013. Brochures, pamphlets, posters, and flyers – distribute during town hall meetings and DEA National Prescription Drug Take-Back Days, and via underage drinking tip line on pharmacy bags, local police departments, Sheriff's Office, middle and high schools, community agencies, and community centers. Clearinghouse/information resource centers – will use pamphlets for town hall meetings, parent resources, and community resources. Community resource directories – distribute these during town hall meetings, DEA Prescription Drug Take-Back Days, and Baldwin Star Search county-wide event, and post on the Baldwin County Community Alliance (BCCA) website (<http://www.proudtobefreebaldwin.org>). Information lines/Hot lines – underage drinking tip line 251-580-1TIP would be advertised through radio and TV PSAs, pamphlets, websites, pharmacy bags, student pledge card, and posters. Information through websites – The BCCA website will list student and parent resources for education on underage drinking prevention and prescription drug. This website will also list community DEA Prescription Drug Take-Back Day locations, events, activities, contests and winners; 30-second winning commercials; previous segments on local TV station housed by topic; newspaper articles; Alliance members contact information; underage drinking tip line; and ABC Board and Sheriff's Office numbers for alcohol-related reports. Media campaigns – would include radio and TV PSAs, billboards, websites, newspaper articles submissions, posters, pamphlets, informational cards, and brochures. Newspaper and newsletter articles – the BCCA will submit newspaper articles throughout the year to highlight town hall meetings, DEA Prescription Drug Take-Back Days, underage drinking tip line, events and activities, county-wide youth substance use data, parent and teen resources, educational information for residents, and

underage drinking prevention-related youth contest winners. Radio and TV public service announcements – the BCCA will air radio and TV PSAs on the underage drinking tip line, DEA Prescription Drug Take-Back Days, underage drinking prevention and prescription drugs educational spots, town hall meeting date, and Baldwin Star Search county-wide drug-free event. Speaking engagements – BCCA members will conduct presentations in their respective communities using a unified packet developed by Alliance members. Packets would include Fast Fact on Social Hosting, decreasing access and availability of underage drinking and prescription drugs by youth, and environmental safe disposal of prescription drugs.

| Drug Education Council | |
|---|---------------------|
| Program serves specific or general population | Specific population |
| Number of youth served | No data |
| Number of parents served | No data |
| Number of caregivers served | No data |
| Program has been evaluated | No data |
| Evaluation report is available | No data |
| URL for evaluation report: | No data |
| URL for more program information: | No data |

Program Description: The Chemical Abuse Prevention Program (CAPP) is offered to students who are nonviolent first-time offenders for offenses such as under the influence or found in possession of alcohol, marijuana, or prescription drugs while on school campuses or during school events. It is a 5-week program mandating attendance of both student and a parent and is an alternative to expulsion.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

No data
 URL for more program information: No data

Program description: No data

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

| | |
|--|-----|
| <i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i> | No |
| Description of collaboration: Not applicable | |
| <i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i> | No |
| Description of program: Not applicable | |
| <i>State has adopted or developed best practice standards for underage drinking prevention programs</i> | Yes |
| Agencies/organizations that established best practices standards: | |
| Federal agency(ies): OJJDP | Yes |
| Agency(ies) within your state: | No |
| Nongovernmental agency(ies): | No |
| Other: | No |
| Best practice standards description: Restrict the age of alcohol servers and sellers. Restrict minors' access to bars and nightclubs. Responsible beverage service programs. Carry out compliance check programs. Penalties for commercial violations. Establish alcohol restrictions in public locations. | |

Additional Clarification

No data

| State Interagency Collaboration | |
|---|-----|
| <i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i> | Yes |
| <i>Committee contact information:</i> Name: Maranda Brown E-mail: maranda.brown@mh.alabama.gov Address: 100 N. Union St. Montgomery, AL 36130 Phone: 334-353-8969 | |
| <i>Agencies/organizations represented on the committee:</i> Elmore County Court University of Alabama Birmingham Big Lots Distribution Center, Inc. United States Armed Forces Mental Health Center Alabama Coalition Against Domestic Violence Sheriff's Office Public Safety - State Trooper State AARP Attorney General Office Southern Prevention Associates Alabama Campaign to Prevent Teen Pregnancy Homewood City Schools South & North Regional Clearinghouses Calhoun County Health Department Department of Human Resources Partnership for a Drug Free Community (coalition) Jacksonville State University Alabama State Dept. of Education Foster Care Association Eve's Circle | |
| <i>A website or other public source exists to describe committee activities</i> | Yes |
| URL or other means of access: http://www.mh.alabama.gov/SAPV/?sm=d_d | |

| Underage Drinking Reports | |
|--|----------|
| <i>State has prepared a plan for preventing underage drinking in the last 3 years</i> | Not sure |
| Prepared by: Not applicable Plan can be accessed via: Not applicable | |
| <i>State has prepared a report on preventing underage drinking in the last 3 years</i> | Yes |
| Prepared by: Alabama Department of Mental Health - Epidemiologist Plan can be accessed via: Abbreviated report derived from epidemiological profile and can be found at http://www.mh.alabama.gov/Downloads/SAPV/Media/Factsheets/UnderageDrinking.pdf | |
| Additional Clarification | |
| No data | |

| State Expenditures for the Prevention of Underage Drinking | |
|---|--------------------|
| <i>Compliance checks 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 | \$7,000 |
| Estimate based on the 12 months ending | 05/23/2013 |
| <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: Agency for Substance Abuse Prevention Clearinghouse, Elmore County Partnership for Children, Council on Substance Abuse, Drug Education Clearinghouse, Selma Dallas Collaborative | |
| Estimate of state funds expended | \$300,000 |
| Estimate based on the 12 months ending | 05/23/2013 |

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue streams:

| | |
|---------------|---------|
| Taxes | No data |
| Fines | No data |
| Fees | No data |
| Other: Unsure | No data |

Description of funding streams and how they are used:

No data

Additional Clarification

No data