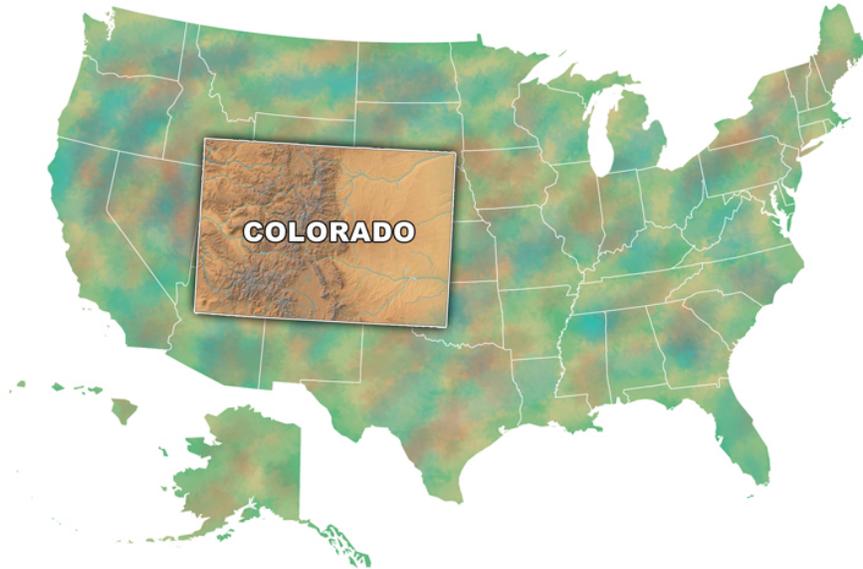


State Report

Colorado

This document is excerpted from:

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



Colorado

State Profile and Underage Drinking Facts*

State Population: 5,187,582
Population Ages 12–20: 574,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	28.5	163,000
Past-Month Binge Alcohol Use	15.7	90,000
Ages 12–14		
Past-Month Alcohol Use	7.5	14,000
Past-Month Binge Alcohol Use	2.1	4,000
Ages 15–17		
Past-Month Alcohol Use	25.2	49,000
Past-Month Binge Alcohol Use	14.6	29,000
Ages 18–20		
Past-Month Alcohol Use	54.0	100,000
Past-Month Binge Alcohol Use	31.1	57,000
Alcohol-Attributable Deaths (under 21)		61
Years of Potential Life Lost (under 21)		3,715
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	30.0	22

* 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 location AND
- Parent/guardian

Note: Colorado’s exception requires the knowledge and consent of the owner of the private property when minors possess alcohol (in addition to the consent and presence of a parent or guardian).

Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s):

- Private location AND
- Parent/guardian

Note: Colorado’s exception requires the knowledge and consent of the owner of the private property when minors consume alcohol (in addition to the consent and presence of a parent or guardian).

Internal Possession by Minors

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

- Private location AND
- Parent/guardian

Note: Colorado’s exception requires the knowledge and consent of the owner of the private property when minors possess or consume alcohol (in addition to the consent and presence of a parent or guardian).

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.

Provision(s) 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.

- Retailer has the authority to detain a minor suspected of using a false ID in connection with the purchase of alcohol.

Note: In Colorado, the license revocation period for a first conviction of obtaining or attempting to obtain an alcoholic beverage by misrepresentation of age is 24 hours of public service, if ordered by the court, or 3 months.

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: 90 days

Graduated Driver’s License

Learner stage

- Minimum entry age: 15
- Minimum learner stage period: 12 months
- Minimum supervised driving requirement: 50 hours, of which 10 must be at night

Intermediate stage

- Minimum age: 16
- Unsupervised night driving
 - Prohibited after: 12 a.m.
 - No primary enforcement of the night-driving rule
- Passenger restrictions exist: For first 6 months, no passenger under 21 who is not an immediate family member unless accompanied by driver’s parent or guardian; second 6 months, only one passenger under 21 who is not an immediate family member unless accompanied by driver’s parent or guardian
 - 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 with the following exception(s):

- Private location AND
- Parent/guardian

Compliance Check Protocols

Age of decoy

- Minimum: 18
- Maximum: 20

Appearance requirements

- Age-appropriate appearance with no age enhancements

ID possession

- Discretionary

Verbal exaggeration of age

- Permitted: Decoy is allowed to tell seller/server he/she is 21, but if seller/server requests ID, decoy must produce own ID.

Decoy training

- Not specified

Penalty Guidelines for Sales to Minors

- Time period/conditions: 1 year (2 years for fourth offense).
- First offense: Written warning up to 15-day license suspension. Licensee may pay a fine in lieu of up to 14 days of suspension.
- Second offense: 5- to 30-day license suspension. Licensee may pay fine in lieu of suspension, or suspension may be held in abeyance if no fine was paid or suspension served at time of first offense.
- Third offense: 20- to 45-day license suspension.
- Fourth offense: 45-day or more license suspension or license revocation.

Note: List of aggravating and mitigating factors is provided.

Responsible Beverage Service

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

- Mitigation of fines or other administrative penalties for sales to minors

Minimum Ages for Off-Premises Sellers

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

Note: Although employees must be at least 21 years old to sell malt, vinous, or spirituous liquors in a retail liquor store, employees at least 18 years old may sell fermented malt beverages containing not more than 3.2 percent alcohol by weight in establishments where fermented malt beverages are sold at retail in containers for off-premises consumption.

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

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

- Manager/supervisor is present.

Note: Persons under 21 years old employed to sell or dispense malt, vinous, or spirituous liquors are required to be supervised by another person who is on premise and has attained 21 years of age.

Distance Limitations for New Alcohol Outlets near Universities and Schools

Colleges and universities

- Limitations on outlet siting:
 - Off-premises outlets: Yes—within 500 feet
 - On-premises outlets: Yes—within 500 feet
 - Alcohol products: Beer, wine, spirits

Primary and secondary schools

- Prohibitions against outlet siting:
 - Off-premises outlets: Yes—within 500 feet
 - On-premises outlets: Yes—within 500 feet
 - Alcohol products: Beer, wine, spirits

Dram Shop Liability

Statutory liability exists subject to the following conditions:

- Limitations on damages: \$280,810 per person
- Limitations on elements/standards of proof: Knowledge of underage status

Social Host Liability Laws

Statutory liability exists subject to the following conditions:

- Limitations on damages: \$280,810 per person
- Limitations on elements/standards of proof: Knowledge of underage status

Host Party Laws

No state-imposed liability for hosting underage drinking parties

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 permitted for wine with the following restrictions:

Age verification requirements

- Common carrier must verify age of recipient.

State approval/permit requirements

- Producer/shipper must obtain state permit.

Reporting requirements

- Producer must record/report purchaser's name.

Shipping label statement requirements

- Contains alcohol
- Recipient must be 21

Keg Registration

Registration is not required.

Home Delivery

- Wine: Permitted—state permit required
- Spirits: Permitted—state permit required

Alcohol Pricing Policies**Alcohol Tax*****Beer (5 percent alcohol)***

- Specific excise tax: \$0.08 per gallon

Wine (12 percent alcohol)

- Specific excise tax: \$0.32 per gallon

Spirits (40 percent alcohol)

- Specific excise tax: \$2.28 per gallon

Drink Specials

No law

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Minimum markup/maximum discount: Yes—no sales below cost
- Retailer credit: Restricted—30 days maximum

Wine (12 percent alcohol)

- Minimum markup/maximum discount: Yes—no sales below cost
- Retailer credit: Restricted—30 days maximum

Spirits (40 percent alcohol)

- Minimum markup/maximum discount: Yes—no sales below cost
- Retailer credit: Restricted—30 days maximum

Colorado State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Liquor Enforcement Division, Colorado Department of Revenue	
Enforcement Strategies	
<i>State 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>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>	
	Yes
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Liquor Enforcement Div., Colorado Dept. of Revenue
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>	
	Yes
Number of minors found in possession by state law enforcement agencies	658
Number pertains to the 12 months ending	12/31/2012
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>	
	Yes
Data are collected on these activities	Yes
Number of retail licensees in state ³	14,000
Number of licensees checked for compliance by state agencies (including random checks)	2,119
Number of licensees that failed state compliance checks	326
Numbers pertain to the 12 months ending	12/31/2012
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>	
	Yes
Number of licensees subject to random state compliance checks/decoy operations	2,119
Number of licensees that failed random state compliance checks	326
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
	Yes
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>	Yes
Number of fines imposed by the state ⁴	284
Total amount in fines across all licensees	\$174,789.07
Smallest fine imposed	\$200
Largest fine imposed	\$5,000
Numbers pertain to the 12 months ending	12/31/2012
<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	326
Total days of suspensions across all licensees	3,335
Shortest period of suspension imposed (in days)	7
Longest period of suspension imposed (in days)	60
Numbers pertain to the 12 months ending	12/31/2012
<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	12/31/2012
Additional Clarification	
Data are not available for enforcement by local law enforcement agencies. A statewide website for collecting and displaying data on MIP citations and compliance checks became operational in December 2012. Local agencies are being encouraged to enter their data, and it is hoped that this website will become a primary source of local data in the future.	

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	
Colorado Prevention Partnership for Success (CPPS)	
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	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	
http://www.colorado.gov/cs/Satellite/CDHS-BehavioralHealth/CBON/1251581785633	
Program Description: This program is designed to help reduce statewide substance abuse rates by addressing gaps in current prevention services and increasing the ability to reach out to specific populations or geographic areas with serious, emerging substance abuse problems. The CPPS project employs a public health model to demonstrate positive statewide change in underage and binge drinking rates and disparity for high school Latino youth. CPPS will continue to integrate the Strategic Prevention Framework within Colorado’s State Prevention System to ensure measurable and sustainable substance abuse prevention outcomes.	

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>	Yes
Description of collaboration: Ignacio, CO, a multiethnic community with a Native American presence, has undertaken a 5-year approach affirming a course correction in its prevention strategy. With the Boys and Girls Club (BGC) of the Southern Ute Indian Tribe and the Ignacio School District, Southern Ute Community Action Programs (SUCAP) conducts evidence-based programming covering a younger age group. The BGC Stay Smart program targets youth ages 9 to 11, with a Native Hip Hop adaptation of the Smart Leaders program creating a role for youth ages 12 and older. SUCAP continues to operate Project Venture, an after-school activity combining classroom concept-building with challenging outdoor activities developed for Native communities. Outreach is based on relationship-building with youth in the schools and the Ignacio Teen Center to create a continuum of contacts and dosage along with process and outcome evaluation.	
<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): SAMHSA	Yes
Agency(ies) within your state: Colorado State University, University of Colorado	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: Each funded agency is required to present and follow programs that are evidence based and data driven. They are allowed to choose from many different evidence-based curriculums with the intention of reducing the percentage of underage drinking in their particular community. Data are collected from each provider every month. At the end of the fiscal year, evaluation reports with aggregate data will be collected to determine the overall effectiveness of each individual program as well as the underage drinking prevention program as a whole.	
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: Sharon Liu	
E-mail: Sharon.Liu1@state.co.us	
Address: 3824 W. Princeton Circle, Denver, CO 80236	
Phone: 303-866-7507	
<i>Agencies/organizations represented on the committee:</i>	
No data	
<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: http://speaknowcolorado.org	

Underage Drinking Reports	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Colorado Partnership for Success Committee Plan can be accessed via: http://www.colorado.gov/cs/Satellite?c=Page&childpagename=CDHS-BehavioralHealth%2FCBONLayout&cid=1251581449373&pagename=CBONWrapper	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Healthy Kids Colorado Survey prepared and analyzed by Omni, 899 Logan St., Denver, CO, and Colorado Department of Human Services/Division of Behavioral Health Plan can be accessed via: http://collaboration.omni.org/sites/hkc/Pages/default.aspx	
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	\$4,096,279
Estimate based on the 12 months ending	6/30/2012
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$1,380,279
Estimate based on the 12 months ending	6/30/2012
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$216,000
Estimate based on the 12 months ending	6/30/2012
<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: Colorado Prevention Partnership for Success (CPPS): This program is designed to help reduce statewide substance abuse rates by addressing gaps in current prevention services and increasing the ability to reach out to specific populations or geographic areas with serious, emerging substance abuse problems. The CPPS project employs a public health model to demonstrate positive statewide change in underage and binge drinking rates and disparity for high school Latino youth. CPPS will continue to integrate the Strategic Prevention Framework within Colorado's State Prevention System to ensure measurable and sustainable substance abuse prevention outcomes.	
Estimate of state funds expended	\$2,300,000
Estimate based on the 12 months ending	9/30/2012

Funds Dedicated to Underage Drinking

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

Taxes	Yes
Fines	No data
Fees	No data
Other	No data

Description of funding streams and how they are used:

CPPS funding is a specialized grant award from SAMHSA to combat underage drinking. Only four states were awarded this funding and Colorado was one of them.

Additional Clarification

No data