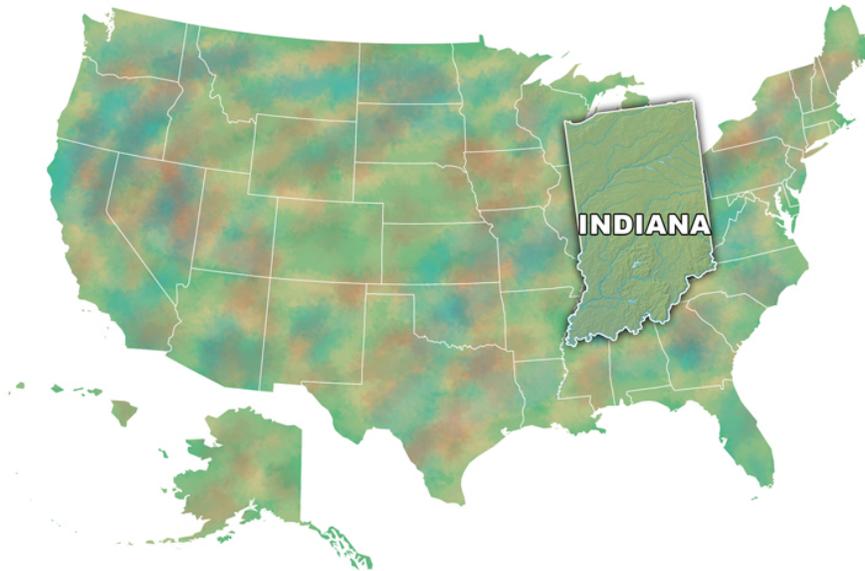


State Report

Indiana

This document is excerpted from:

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



Indiana

State Profile and Underage Drinking Facts*

State Population: 6,537,334
Population Ages 12–20: 825,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	22.4	185,000
Past-Month Binge Alcohol Use	15.5	128,000
Ages 12–14		
Past-Month Alcohol Use	4.1	11,000
Past-Month Binge Alcohol Use	1.2	3,000
Ages 15–17		
Past-Month Alcohol Use	16.6	45,000
Past-Month Binge Alcohol Use	11.7	32,000
Ages 18–20		
Past-Month Alcohol Use	44.3	129,000
Past-Month Binge Alcohol Use	31.9	93,000
Alcohol-Attributable Deaths (under 21)		92
Years of Potential Life Lost (under 21)		5,613
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	18.0	23

* 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

Note: Indiana does not have a statute that specifically prohibits purchase, but it does prohibit purchasing or attempting to purchase alcohol in connection with making a false statement or using false evidence of majority or identity.

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.
- General affirmative defense—the retailer came to a good faith or reasonable decision that the purchaser was 21 years or older; inspection of an identification card not required.

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

- Minimum: 90 days
- Maximum: 365 days

Graduated Driver’s License

Learner stage

- Minimum entry age: 15
- Minimum learner stage period: 6 months
- Minimum supervised driving requirement: 50 hours, of which 10 must be at night

Intermediate stage

- Minimum age: 16 years, 6 months—16 years, 9 months without driver education
- Unsupervised night driving
 - Prohibited after: 10 p.m.—first 180 days, 10 p.m.; then, 11 p.m. Sunday through Friday and 1 a.m. on Saturday and Sunday
 - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No passengers except immediate family, unless accompanied by parent or a licensed driver at least 21 years old
 - Primary enforcement of the passenger-restriction rule

License stage

- Minimum age to lift restrictions: 18—passenger restrictions expire 180 days after issuance of intermediate license; unsupervised night-driving restrictions remain until age 18.

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: 18
- Maximum: 20.75

Appearance requirements

- Age-appropriate dress and grooming.

ID possession

- Prohibited

Verbal exaggeration of age

- Prohibited

Decoy training

- Mandated

Penalty Guidelines for Sales to Minors

No data

Responsible Beverage Service

Mandatory beverage service training for licensees, managers, servers

- Applies to both on-sale and off-sale establishments
- Applies to both new and existing outlets

Minimum Ages for Off-Premises Sellers

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

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

- Manager/supervisor is present.

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

- No distance limitation

Primary and secondary schools

- Prohibitions against outlet siting:
 - Off-premises outlets: Yes—within 200 feet. School has authority to override state prohibition for grocery or drug stores.
 - On-premises outlets: Yes—within 200 feet. School has authority to override state prohibition for grocery or drug stores.
 - Alcohol products: Beer, wine, spirits.

Note: Exceptions include (1) restaurants in historic places or districts; (2) shopping malls and city markets.

Dram Shop Liability

Statutory liability exists subject to the following conditions:

- Limitations on elements/standards of proof: Knowledge of visible intoxication

Social Host Liability Laws

Statutory liability exists subject to the following conditions:

- Limitations on elements/standards of proof: Knowledge of visible intoxication

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: Consumer must make at least one trip to producer's place of business to verify age before any direct shipments are permitted.

Age verification requirements

- Producer must verify age of purchaser.
- Common carrier must verify age of recipient.

State approval/permit requirements

- Producer/shipper must obtain state permit.
- State must approve common carrier.

Reporting requirements

- Producer must record/report purchaser's name.

Shipping label statement requirements

- Contains alcohol
- Recipient must be 21

Note: Brewers who manufacture not more than 30,000 barrels of beer in a single calendar year may ship up to one half barrel of beer directly to Indiana consumers without being subject to the restrictions placed on wine shipments.

Keg Registration

- Keg definition: At least 7³/₄ gallons
- Prohibited: Possessing an unregistered, unlabeled keg—maximum fine/jail \$1,000
- Purchaser information collected:
 - Purchaser's name and address
 - Verified by a government-issued ID
- Warning information to purchaser: Not required
- Deposit: Not required
- Provisions do not specifically address disposable kegs.

Home Delivery

- Beer: Permitted—6.75 to 15.75 gallons in a single transaction depending on the type of retail license
- Wine: Permitted
- Spirits: Permitted—4 to 12 quarts in a single transaction depending on the type of retail license

Alcohol Pricing Policies

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$0.12 per gallon

Wine (12 percent alcohol)

- Specific excise tax: \$0.47 per gallon

Spirits (40 percent alcohol)

- Specific excise tax: \$2.68 per gallon
- Additional taxes: \$0.47 per gallon applies to an alcoholic beverage that contains 15 percent or less.

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: Prohibited
- Unlimited beverages: Not prohibited
- Increased volume: Not prohibited

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Price posting requirements: Post—all prices, discounts, or allowances offered by wholesalers shall be disseminated to customers in such a manner and for such a period of time as to ensure that customers are afforded reasonable opportunity to secure the discount. For dissemination purposes, the customer is anyone the wholesaler has sold alcoholic beverages to within the last 30 days. For the purposes of this rule, a reasonable opportunity to secure the discount shall be presumed when offer is extended for no fewer than 7 days after dissemination of the price list.
- Retailer credit: Not permitted

Wine (12 percent alcohol)

- Price posting requirements: Post—all prices, discounts, or allowances offered by wholesalers shall be disseminated to customers in such a manner and for such a period of time as to ensure that customers are afforded reasonable opportunity to secure the discount. For dissemination purposes, the customer is anyone the wholesaler has sold alcoholic beverages to within the last 30 days. For the purposes of this rule, a reasonable opportunity to secure the discount shall be presumed when offer is extended for no fewer than 7 days after dissemination of the price list.
- Retailer credit: Restricted—15 days maximum

Spirits (40 percent alcohol)

- Price posting requirements: Post—all prices, discounts, or allowances offered by wholesalers shall be disseminated to customers in such a manner and for such a period of

time as to ensure that customers are afforded reasonable opportunity to secure the discount. For dissemination purposes, the customer is anyone the wholesaler has sold alcoholic beverages to within the last 30 days. For the purposes of this rule, a reasonable opportunity to secure the discount shall be presumed when offer is extended for no fewer than 7 days after dissemination of the price list.

- Retailer credit: Restricted—15 days maximum

Indiana State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Indiana State Excise Police	
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	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	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/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	3,172
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>	
Data are collected on these activities	Yes
Number of retail licensees in state ³	10,000
Number of licensees checked for compliance by state agencies (including random checks)	9,978
Number of licensees that failed state compliance checks	366
Numbers pertain to the 12 months ending	12/31/2012
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	On-sale establishments only
<i>State conducts random underage compliance checks/decoy operations</i>	
Number of licensees subject to random state compliance checks/decoy operations	10,000
Number of licensees that failed random state compliance checks	366
<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	Don't know/ No answer
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	Yes
Total amount in fines across all licensees	No data
Smallest fine imposed	No data
Largest fine imposed	No data
Numbers pertain to the 12 months ending	No data

<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	No data
Total days of suspensions across all licensees	No data
Shortest period of suspension imposed (in days)	No data
Longest period of suspension imposed (in days)	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>	Yes
Number of license revocations imposed ⁶	No data
Numbers pertain to the 12 months ending	No data
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	
Indiana Coalition to Reduce Underage Drinking (ICRUD)	
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.icrud.org/about	
Program Description: ICRUD is a program of Mental Health America of Indiana whose mission is to create healthier and safer environments by reducing the accessibility and availability of alcohol to underage persons. It aims to reduce youth access to alcohol by educating policymakers and the public about underage drinking and advocating for effective alcohol policies and laws. ICRUD believes that all young people have the right to live and learn in environments that do not promote, condone, or allow underage drinking. The program provides minigrants to K-12 organizations and universities for on-campus prevention activities, and also organizes a legislative action group made up of college-level administrators to address issues of high-risk campus drinking as well as providing statewide training and policy academies.	
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	
Fines and forfeitures collected for alcohol- or drug-related offenses are given to coalitions in all 92 counties for alcohol and drug prevention efforts. Because each county is given a different allotment based on the amount of fines collected in the county, and each coalition provides grant funding to various agencies and priorities in their county, it is difficult to determine the exact amount being spent solely on underage drinking prevention from these funds. Typically, these funds go to multiple initiatives or programs targeting multiple areas and are billed by cohorts, making it difficult to distinguish exact amounts. The Division of Mental Health and Addiction also provides grant funding to agencies for	

prevention efforts. As these efforts often target multiple domains and risk factors, it is difficult to determine an exact amount of funding going solely to underage drinking efforts.

Additional Information Related to Underage Drinking Prevention Programs

State collaborates with federally recognized Tribal governments in the prevention of underage drinking No recognized Tribal governments

Description of collaboration: Not applicable

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

Description of program: Not applicable

State has adopted or developed best practice standards for underage drinking prevention programs Yes

Agencies/organizations that established best practices standards:

Federal agency(ies): Center for Substance Abuse Prevention Yes

Agency(ies) within your state: No

Nongovernmental agency(ies): No

Other: No

Best practice standards description: Funded communities must have identified problem gambling as an issue in their Needs Assessment, and select an evidence-based program/strategy and implement it with fidelity.

Additional Clarification

No data

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities No

Committee contact information:

Not applicable

Agencies/organizations represented on the committee:

Not applicable

A website or other public source exists to describe committee activities Not applicable

URL or other means of access: Not applicable

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years No

Prepared by: Not applicable

Plan can be accessed via: Not applicable

State has prepared a report on preventing underage drinking in the last 3 years No

Prepared by: Not applicable

Plan can be accessed via: Not applicable

Additional Clarification

The Annual State Epidemiological Profile provides an overview of the state of underage drinking and alcohol use in Indiana:

<http://www.healthpolicy.iupui.edu/PubsPDFs/2012%20State%20Epidemiological%20Profile.pdf>

The State recently completed a new state strategic plan for prevention detailing the substance abuse prevention targets for the state including alcohol use and underage drinking:

[http://www.in.gov/fssa/dmha/files/InStratPlanFinalFormat\(2\).pdf](http://www.in.gov/fssa/dmha/files/InStratPlanFinalFormat(2).pdf)

State Expenditures for the Prevention of Underage Drinking

Compliance checks in retail outlets:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

Checkpoints and saturation patrols:

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	Data not available
Estimate based on the 12 months ending	Data not available
<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:	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue

streams:

Taxes	No data
Fines	Yes
Fees	No data
Other:	No data

Description of funding streams and how they are used:

Fines and forfeitures collected for alcohol- or drug-related offenses are given to coalitions in all 92 counties for alcohol and drug prevention efforts. As each county is given a different allotment, based on the amount of fines collected in the county, and each coalition provides grant funding to various agencies and priorities in their count, it is difficult to determine the exact amount being spent solely on underage drinking prevention from these funds. Typically, these funds go to multiple initiatives or programs targeting multiple areas.

Additional Clarification

Other than the funds the Local Coordinating Councils receive from fines and forfeitures, all other underage drinking prevention initiatives are funded with federal dollars, either from the SAPT Block Grant or from EUDL funds. No other state dollars are dedicated to prevention efforts.