

State Report

Oklahoma

This document is excerpted from:

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



Oklahoma

State Profile and Underage Drinking Facts*

State Population: 3,814,820
Population Ages 12–20: 461,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	23.7	109,000
Past-Month Binge Alcohol Use	15.5	71,000
Ages 12–14		
Past-Month Alcohol Use	4.4	7,000
Past-Month Binge Alcohol Use	2.5	4,000
Ages 15–17		
Past-Month Alcohol Use	20.3	31,000
Past-Month Binge Alcohol Use	13.2	20,000
Ages 18–20		
Past-Month Alcohol Use	44.2	72,000
Past-Month Binge Alcohol Use	29.3	48,000
Alcohol-Attributable Deaths (under 21)		71
Years of Potential Life Lost (under 21)		4,326
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	18.0	15

* 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

Note: In Oklahoma, persons under 21 may possess with intent to consume low-point beer (defined as beer or malt beverages not more than 3.2 percent ABW) if under the direct supervision of their parent or guardian.

Underage Consumption of Alcohol

Consumption is not explicitly prohibited.

Note: Although Oklahoma law contains no prohibition against underage consumption of alcoholic beverages generally, the state does prohibit consumption of “low-point beer” (defined as containing not more than 3.2 percent ABW) by persons under 21 unless under the direct supervision of a parent or guardian. This exception does not allow persons under 21 to consume such beverages on premises licensed to dispense low-point beer.

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: In Oklahoma, persons under 21 may purchase or attempt to purchase low-point beer (defined as beer or malt beverages not more than 3.2 percent ABW) if under the direct supervision of their parent or guardian.

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

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

Note: Oklahoma provides retailers a defense in criminal prosecutions for furnishing minors with “low-point beer” (defined as all beverages containing more than 0.5 percent alcohol by volume and not more than 3.2 percent alcohol by weight).

Laws Targeting Underage Drinking and Driving

BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)

- BAC limit: 0.00
- Any detectable alcohol in the blood 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 18.

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

- 180 days

Note: In Oklahoma, the denial of driving privileges is a consequence imposed on those under 18 years who have possessed an intoxicating beverage or purchased, possessed, or consumed low-point beer (defined as containing not more than 3.2 percent ABW).

Graduated Driver’s License

Learner stage

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

Intermediate stage

- Minimum age: 16
- Unsupervised night driving
 - Prohibited after: 10 p.m.
 - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one passenger who is not a household member, unless accompanied by driver at least 21
 - Primary enforcement of the passenger-restriction rule

License stage

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

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: 21

Appearance requirements

- Male: No facial hair
- Female: Light on makeup and no revealing clothing

ID possession

- Not specified

Verbal exaggeration of age

- Prohibited

Decoy training

- Not specified

Penalty Guidelines for Sales to Minors

No data

Responsible Beverage Service

No beverage service training requirement

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

- Limitations on outlet siting:
 - Off-premises outlets: Yes—within 300 feet. College or university located within an improvement district may override state restriction.
 - On-premises outlets: Yes—within 300 feet. College or university located within an improvement district may override state restriction.
 - Alcohol products: Beer, wine, spirits

Primary and secondary schools

- Prohibitions against outlet siting:
 - Off-premises outlets: Yes—within 300 feet
 - On-premises outlets: Yes—within 300 feet
 - Alcohol products: Beer, wine, spirits

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.

Host Party Laws

Social host law is not 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
- Exception(s): Resident

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: Not less than 4 gallons
- Prohibited: Destroying the label on a keg—maximum fine/jail \$500/6 months
- 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

Home Delivery

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

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

- Specific excise tax: \$0.40 per gallon

Wine (12 percent alcohol)

- Specific excise tax: \$0.72 per gallon

Spirits (40 percent alcohol)

- Specific excise tax: \$5.56 per gallon
- Ad valorem excise tax (on-premises retail): 13.5 percent

Drink Specials

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

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Volume discounts: Banned
- Price posting requirements: Post and hold—1 month minimum
- Retailer credit: Not permitted

Wine (12 percent alcohol)

- Volume discounts: Banned
- Price posting requirements: Post and hold—2 months minimum
- Retailer credit: Not permitted

Spirits (40 percent alcohol)

- Volume discounts: Banned
- Price posting requirements: Post and hold—2 months minimum
- Retailer credit: Not permitted

Oklahoma State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) Commission	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	Yes
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	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	No data
Number pertains to the 12 months ending	No data
Data include arrests/citations issued by local law enforcement agencies	Yes
<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	2,827
Number of licensees checked for compliance by state agencies (including random checks)	328
Number of licensees that failed state compliance checks	155
Numbers pertain to the 12 months ending	6/04/2013
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	2,827
Number of licensees that failed random state compliance checks	Unknown
<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	53
Total amount in fines across all licensees	\$76,000
Smallest fine imposed	\$1,000
Largest fine imposed	\$6,000
Numbers pertain to the 12 months ending	6/04/2013

<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	240
Shortest period of suspension imposed (in days)	30
Longest period of suspension imposed (in days)	60
Numbers pertain to the 12 months ending	6/04/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed ⁶	3
Numbers pertain to the 12 months ending	6/04/2013
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	
<i>Too Much To Lose (2M2L) Youth Leadership Initiative</i>	
Program serves specific or general population	General population
Number of youth served	3424
Number of parents served	No data
Number of caregivers served	118
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	http://ok.gov/odmhsas/2M2L.html
Program Description: The 2M2L Initiative encompasses school-level clubs, a state Youth Council, and youth leadership development. 2M2L clubs are youth-led groups at the local level that implement environmental strategies to change the way their community perceives alcohol advertising, youth access to alcohol, and social norms that contribute to underage drinking. With guidance from adult allies, youth leaders educate and inform their peers, adults, and community members about social attitudes pertaining to underage drinking. In addition, the youth often partner with local law enforcement in conducting alcohol compliance checks and other activities. The state Youth Council consists of 8 to 10 members who are nominated, interviewed, and selected annually. Council members work hand in hand with the established clubs in their schools or community and engage other youth throughout the state to help them implement environmental prevention strategies (i.e., local ordinances, compliance checks, media advocacy) in their communities. The council helps lead and plan an annual 2M2L Youth Leadership Academy. The academy helps develop leadership skills and increase knowledge about underage drinking prevention and is designed to train club leaders on the environmental prevention model, leadership/team building, and action planning.	
<i>2M2L Law Enforcement Task Forces</i>	
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: URL for more program information:	Not applicable No data
<p>Program Description: Specialized law enforcement task forces have been established in Oklahoma County and Tulsa County. The County Sheriff’s Office coordinates each task force, which represents local, county, and state law enforcement agencies working collaboratively to reduce underage drinking and youth access to alcohol. The task forces conducted over 100 compliance checks for underage sales (direct or third-party sales) at retail establishments, restaurants, and liquor stores in the past 12 months. The task forces also conduct compliance checks for underage sales at community events and implement party patrol/dispersal mobilizations. The task forces produce earned media to elevate the visibility of enforcement operations within the counties.</p>	
<p>2M2L Regional Coordinators</p>	
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:	No data
<p>Program Description: The 2M2L regional coordinators conduct law enforcement and community trainings that provide an in-depth look at Oklahoma’s alcohol laws and environmental prevention strategies to reduce underage drinking as well as specialized tactical instruction in controlled party dispersals, compliance checks, and shoulder taps. The coordinators serve as liaisons between communities and law enforcement agencies and promote cross-agency collaboration and strategic partnership development while providing technical assistance to coalitions, youth clubs, and law enforcement agencies committed to addressing the problem of underage drinking. The coordinators promote the 2M2L initiative and educate the public through earned media outputs and other information dissemination efforts.</p>	
<p>Regional Prevention Coordinators (RPCs)</p>	
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	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: http://ok.gov/odmhsas/Prevention/Prevention_Initiatives/Regional_Prevention_Coordinators_(RPC)/index.html	
<p>Program Description: The primary purpose of the RPCs is to provide regional prevention services by engaging community members, local organizations, public agencies, youth, and the media to change community conditions that contribute to alcohol-, tobacco-, and drug-related problems. A major goal of the RPCs is to prevent the onset and reduce the problems associated with the use of alcohol by those under age 21. All contracted RPCs are minimally required to ensure alcohol compliance checks are completed each year, conduct Responsible Beverage Sales and Service training, and complete alcohol outlet risk assessments in their service regions.</p>	
<p>Social Host Media Campaign</p>	
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	Yes

Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: http://www.oklahomasocialhost.com	
Program Description: The Social Host Media Campaign highlights issues related to underage and binge drinking and to home parties in particular. Oklahoma’s social host law holds adults responsible for parties where alcohol is served to underage people. The adult who owns or rents the property is responsible, no matter who provides the alcohol. The media campaign aims to make the public aware of the social host law and their responsibility/liability regarding underage drinking at home parties.	
AlcoholEdu for Oklahoma High Schools	
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.everfi.com	
Program Description: AlcoholEdu is an online alcohol prevention course designed to impact entire student populations by engaging today’s teens using the tools they love, the internet, videos, and project-based learning. AlcoholEdu is currently available free of charge to all Oklahoma high schools.	

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: The state has active collaborations with several Tribal nations, including Cherokee Nation, Osage Tribe, Choctaw Nation, and the Cheyenne-Arapaho Tribes. These collaborations include Tribal representatives serving as Responsible Beverage Sales and Service (RBSS) trainers, facilitators for the statewide 2M2L Youth Leadership Academy, and members of state advisory groups and workgroups. In addition, Tribal representatives participate in and host 2M2L youth and adult training opportunities throughout the year, and Cherokee Nation is a prevention service provider under Oklahoma’s Substance Abuse Prevention Block Grant and SPF SIG. At least two Tribes work with state-funded Regional Prevention Coordinators to require mandatory RBSS training for all casino employees.	
<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):	No
Agency(ies) within your state: Oklahoma Evidence-Based Practices Workgroup through Oklahoma Department of Mental Health and Substance Abuse Services	Yes
Nongovernmental agency(ies):	No
Other:	No

Best practice standards description: Oklahoma's priority is to fund and implement evidence-based environmental strategies for the prevention of underage drinking. A strategy is considered a best practice if:

- Definition 1: It is included on federal lists or registries of evidence-based strategies.
- Definition 2: It is reported (with positive effects) in peer-reviewed journals.
- Definition 3: Documented effectiveness is supported by other sources of information and the consensus judgment of informed experts as specified by the Oklahoma Evidence Based Workgroup.

Additional Clarification

No data

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

Committee contact information:

Name: Jessica Hawkins
 E-mail: jhawkins@odmhsas.org
 Address: 1200 NE 13th, Oklahoma City, OK 73152
 Phone: 405-522-5952

Agencies/organizations represented on the committee:

Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) Commission
 Oklahoma Turning Point
 Oklahoma State Department of Education
 Oklahoma Department of Mental Health and Substance Abuse Services
 Oklahoma Highway Safety Office
 Oklahoma Department of Public Safety
 Oklahoma State Department of Health
 Oklahoma Commission on Children and Youth
 Oklahoma Institute for Child Advocacy
 University of Oklahoma
 Oklahoma State Legislature
 2M2L State Youth Council
 Oklahoma Prevention Policy Alliance

A website or other public source exists to describe committee activities Yes

URL or other means of access:

http://www.ok.gov/odmhsas/Prevention_Programs/Initiatives/Underage_Drinking_Prevention_Initiative/index.htm

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years Yes

Prepared by: Oklahoma Dept of Mental Health and Substance Abuse Services
 Plan can be accessed via: <http://ok.gov/odmhsas/>

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

No data

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	\$0
Estimate based on the 12 months ending	5/31/2013
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	5/31/2013
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	5/31/2013
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	5/31/2013
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	5/31/2013
<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

<i>streams:</i>	
Taxes	No
Fines	No
Fees	No
Other:	No

Description of funding streams and how they are used:

Not applicable

Additional Clarification

No data