

State Report

Wyoming

This document is excerpted from:

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



Wyoming

State Profile and Underage Drinking Facts*

State Population: 576,412
Population Ages 12–20: 69,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	27.7	19,000
Past-Month Binge Alcohol Use	19.1	13,000
Ages 12–14		
Past-Month Alcohol Use	7.7	2,000
Past-Month Binge Alcohol Use	4.3	1,000
Ages 15–17		
Past-Month Alcohol Use	24.2	5,000
Past-Month Binge Alcohol Use	15.9	3,000
Ages 18–20		
Past-Month Alcohol Use	46.0	12,000
Past-Month Binge Alcohol Use	33.2	9,000
Alcohol-Attributable Deaths (under 21)		10
Years of Potential Life Lost (under 21)		591
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	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.

Provision(s) 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, of which 10 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 passenger under 18 who is not an immediate family member, 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 of 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. For purposes of this report, the phrase “immediate family” is interpreted as including a spouse.

Compliance Check Protocols***Age of decoy***

- Minimum: 18
- Maximum: 20

Appearance requirements

- Casual attire
- Average height and build
- Male: No facial hair
- Female: Little or no makeup

ID possession

- Discretionary

Verbal exaggeration of age

- Prohibited

Decoy training

- Mandated

Penalty Guidelines for Sales to Minors

No data

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

Home Delivery

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

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

- Specific excise tax: \$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: Not permitted

Wine (12 percent alcohol)

- Control state

Spirits (40 percent alcohol)

- Control state

is a criminal offense.through a judicial procedure.are permitted to seize apparently false IDs.

Wyoming State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
Local law enforcement	
Enforcement Strategies	
<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	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>	Don't know
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>	Yes
Number of minors found in possession by state law enforcement agencies	851
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 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	1,300 est.
Number of licensees checked for compliance by state agencies (including random checks)	1,398
Number of licensees that failed state compliance checks	234
Numbers pertain to the 12 months ending	6/30/2012
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>	No
Number of licensees subject to random state compliance checks/decoy operations	Not applicable
Number of licensees that failed random state compliance checks	Not applicable
<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	Yes
Number of licensees checked for compliance by local agencies	1,398
Number of licensees that failed local compliance checks	234
Numbers pertain to the 12 months ending	6/30/2012
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	No
Number of fines imposed by the state ⁴	Not applicable
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</i>	No

<i>specifically for furnishing minors</i>	
Number of suspensions imposed by the state ⁵	Not applicable
Total days of suspensions across all licensees	Not applicable
Shortest period of suspension imposed (in days)	Not applicable
Longest period of suspension imposed (in days)	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	
Number of license revocations imposed ⁶	Don't know
Numbers pertain to the 12 months ending	Not applicable
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	
Wyoming Core Prevention Program	
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.health.wyo.gov/phsd/prevention/coreprevention.html	
<p>Program Description: The Core Prevention Program administered by the Wyoming Department of Health's Public Health Division (PHD) succeeded the state's Strategic Prevention Framework State Incentive Grant (SPF SIG), which ended in 2010. Core Prevention was the state's attempt to maintain state and local prevention capacity and infrastructure despite an approximate two-thirds reduction in funding resulting from the end of the 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. Also, Core Prevention integrates substance abuse prevention and mental health promotion/suicide prevention into a single prevention initiative that enables communities 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 most of the 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. In July 2012, tobacco cessation and prevention were integrated into Core Prevention, along with a complete transformation of its prevention business model. Specifically, the Wyoming Department of Health contracted 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, under 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 from multiple contracts and to provide community coalitions with the ability to participate fully in prevention decisions made in communities. The PMO employs 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, of the University of Wyoming. The PMO provides technical assistance in identification and utilization of evidence-based programs and environmental strategies.</p>	

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 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
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, CDC	Yes
Agency(ies) within your state: Wyoming Department of Health	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: The Wyoming Department of Health Public Health Division requires that all programs implemented with state and federal funds either incorporate a recognized environmental strategy 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	
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: Keith Hotle	
Email: keith.hotle@wyo.gov	
Address: 6101 Yellowstone Road, Cheyenne, WY 82002	
Phone: 307-777-3318	
<i>Agencies/organizations represented on the committee:</i>	
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
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
Prepared by: Through collaboration and partner the Wyoming Prevention Management Organization	
Plan can be accessed via: N/A	

<p><i>State has prepared a report on preventing underage drinking in the last 3 years</i> Yes</p> <p>Prepared by: Wyoming Survey and Analysis Center, as the evaluator to the Wyoming Department of Health</p> <p>Plan can be accessed via: http://wysac.uwyo.edu/Default.aspx</p>
Additional Clarification
<p>The federal Block Grant annual evaluation can be located at this website. In addition, the Public Health Division can provide the evaluation reports prepared for the SPF SIG program. Evaluation for the Core Prevention Program can be provided as well.</p>

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	\$1,434,000
Estimate based on the 12 months ending	6/30/2013
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	We provide federal funding for this. State funding runs through the WY Dept. of Education
Estimate based on the 12 months ending	No data
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	Federal funding
Estimate based on the 12 months ending	No data
<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: Compliance checks/decoy operations in retail outlets	
Estimate of state funds expended	\$434,000
Estimate based on the 12 months ending	6/30/2014

Funds Dedicated to Underage Drinking	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No
Fees	No
Other:	No
<i>Description of funding streams and how they are used:</i>	
Not applicable	
Additional Clarification	
No data	