State Report

Wyoming

This state report is excerpted from:

The 2014 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

<table>
<thead>
<tr>
<th>Ages</th>
<th>Past-Month Alcohol Use</th>
<th>Percentage</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ages 12–20</td>
<td>Past-Month Binge Alcohol Use</td>
<td>27.7</td>
<td>19,000</td>
</tr>
<tr>
<td>Ages 12–14</td>
<td>Past-Month Alcohol Use</td>
<td>7.7</td>
<td>2,000</td>
</tr>
<tr>
<td>Ages 15–17</td>
<td>Past-Month Alcohol Use</td>
<td>24.2</td>
<td>5,000</td>
</tr>
<tr>
<td>Ages 18–20</td>
<td>Past-Month Alcohol Use</td>
<td>46.0</td>
<td>12,000</td>
</tr>
<tr>
<td>Ages 12–20</td>
<td>Past-Month Binge Alcohol Use</td>
<td>19.1</td>
<td>13,000</td>
</tr>
<tr>
<td>Ages 12–14</td>
<td>Past-Month Binge Alcohol Use</td>
<td>4.3</td>
<td>1,000</td>
</tr>
<tr>
<td>Ages 15–17</td>
<td>Past-Month Binge Alcohol Use</td>
<td>15.9</td>
<td>3,000</td>
</tr>
<tr>
<td>Ages 18–20</td>
<td>Past-Month Binge Alcohol Use</td>
<td>33.2</td>
<td>9,000</td>
</tr>
</tbody>
</table>

Alcohol-Attributable Deaths (under 21)
Years of Potential Life Lost (under 21)

<table>
<thead>
<tr>
<th>Percentage of All Traffic Fatalities</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</td>
<td>21.0</td>
</tr>
</tbody>
</table>

* 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

**Agency with primary responsibility for enforcing underage drinking laws:**
- Local law enforcement

### Enforcement Strategies

**State law enforcement agencies use:**
- Cops in Shops: No
- Shoulder Tap Operations: No
- Party Patrol Operations or Programs: No
- Underage Alcohol–Related Fatality Investigations: No

**Local law enforcement agencies use:**
- Cops in Shops: Yes
- Shoulder Tap Operations: Yes
- Party Patrol Operations or Programs: Yes
- Underage Alcohol–Related Fatality Investigations: Yes

**State has a program to investigate and enforce direct sales/shipment laws**
- Don’t know

**Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors**
- Not applicable

**Such laws are also enforced by local law enforcement agencies**
- Not applicable

### Enforcement Statistics

**State collects data on the number of minors found in possession**
- 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

**State conducts underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors**
- Yes
  - Data are collected on these activities: Yes
  - Number of retail licensees in state: 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

**State conducts random underage compliance checks/decoy operations**
- 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

**Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors**
- 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

**State collects data on fines imposed on retail establishments that furnish minors**
- No
  - Number of fines imposed by the state: 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

**State collects data on license suspensions imposed on retail establishments**
- No
### State Reports – Wyoming

<table>
<thead>
<tr>
<th>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</th>
<th>Don’t know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of license revocations imposed</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Numbers pertain to the 12 months ending</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

**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 |

**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.
## Additional Underage Drinking Prevention Programs Operated or Funded by the State

<table>
<thead>
<tr>
<th>Program</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>No data</td>
<td>No data</td>
</tr>
<tr>
<td>URL for more program information:</td>
<td>No data</td>
</tr>
<tr>
<td>Program description:</td>
<td>No data</td>
</tr>
</tbody>
</table>

## Additional Clarification

No data

## Additional Information Related to Underage Drinking Prevention Programs

### State collaborates with federally recognized Tribal governments in the prevention of underage drinking

- **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.

### 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): SAMHSA, CDC
  - Agency(ies) within your state: Wyoming Department of Health
  - 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

- **Yes**
- **A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities**
- **Committee contact information:**
  - Name: Keith Hotle
  - Email: keith.hotle@wyo.gov
  - Address: 6101 Yellowstone Road, Cheyenne, WY 82002
  - Phone: 307-777-3318
- **Agencies/organizations represented on the committee:**
  - Office of the Governor
  - Department of Family Services
  - Department of Education
  - Department of Health
  - Department of Corrections
  - Department of Workforce Services
- **A website or other public source exists to describe committee activities**
  - **No**
  - **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

- **Yes**
- **Prepared by:** Through collaboration and partner the Wyoming Prevention Management Organization
- **Plan can be accessed via:** N/A
State has prepared a report on preventing underage drinking in the last 3 years: Yes
Prepared by: Wyoming Survey and Analysis Center, as the evaluator to the Wyoming Department of Health
Plan can be accessed via: http://wysac.uwyo.edu/Default.aspx

### Additional Clarification

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.

### State Expenditures for the Prevention of Underage Drinking

<table>
<thead>
<tr>
<th>Activity</th>
<th>Estimate of state funds expended</th>
<th>Data not available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliance checks in retail outlets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Checkpoints and saturation patrols</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community-based programs to prevent underage drinking</td>
<td>$1,434,000</td>
<td></td>
</tr>
<tr>
<td>K-12 school-based programs to prevent underage drinking</td>
<td>We provide federal funding for this. State funding runs through the WY Dept. of Education</td>
<td>No data</td>
</tr>
<tr>
<td>Programs targeted to institutes of higher learning</td>
<td>Federal funding</td>
<td>No data</td>
</tr>
<tr>
<td>Programs that target youth in the juvenile justice system</td>
<td>Data not available</td>
<td></td>
</tr>
<tr>
<td>Programs that target youth in the child welfare system</td>
<td>Data not available</td>
<td></td>
</tr>
<tr>
<td>Other programs</td>
<td>Programs or strategies included: Compliance checks/decoy operations in retail outlets</td>
<td>$434,000</td>
</tr>
</tbody>
</table>

### Funds Dedicated to Underage Drinking

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

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxes</td>
<td>No</td>
</tr>
<tr>
<td>Fines</td>
<td>No</td>
</tr>
<tr>
<td>Fees</td>
<td>No</td>
</tr>
<tr>
<td>Other</td>
<td>No</td>
</tr>
</tbody>
</table>

Description of funding streams and how they are used:
Not applicable

### Additional Clarification

No data