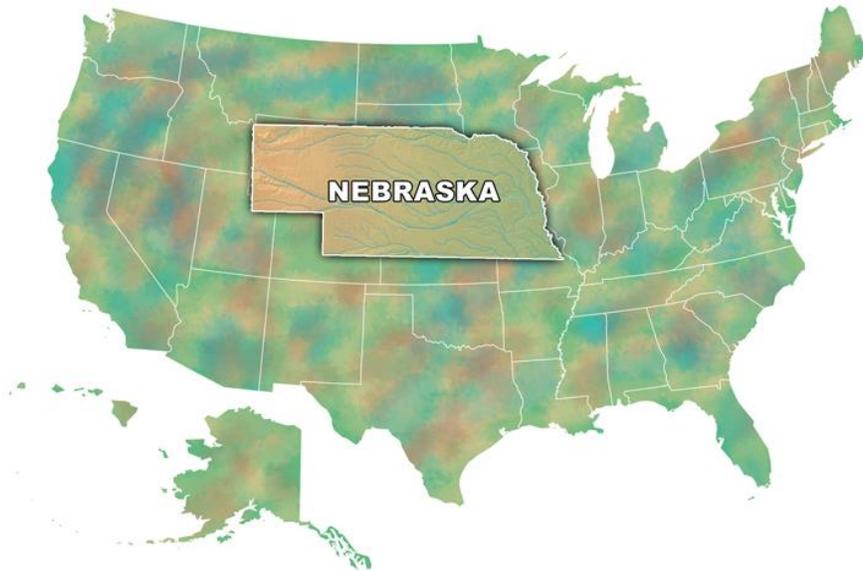


# **STATE REPORTS**

## **(Nebraska-Wyoming)**

This document is excerpted from:

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



## **Nebraska**

### **State Profile and Underage Drinking Facts\***

**State Population: 1,868,516**  
**Population Ages 12–20: 231,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	23.3	54,000
Past-Month Binge Alcohol Use	15.8	36,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	2.6	2,000
Past-Month Binge Alcohol Use	1.2	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	19.3	14,000
Past-Month Binge Alcohol Use	12.2	9,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	44.8	38,000
Past-Month Binge Alcohol Use	31.6	27,000
<b>Alcohol-Attributable Deaths (under 21)</b>		26
<b>Years of Potential Life Lost (under 21)</b>		1,567
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	24	5

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\* 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): Parent/guardian’s home.

*Note:* Nebraska makes an exception for persons who are at least 16 years old to carry alcohol from licensed establishments when they are accompanied by any person who is not a minor.

### Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s): Parent/guardian’s home.

### Internal Possession by Minors

Internal possession is not explicitly prohibited.

*Note:* Although Nebraska does not prohibit Internal Possession as defined by this report, it provides that “no minor may...consume, or have in his or her possession or physical control any alcoholic liquor.” “Consume” is defined as “knowingly and intentionally drinking or otherwise ingesting alcoholic liquor.” Laws that prohibit minors from having alcohol in their bodies, but do so without reference to a blood, breath, or urine test, are not considered as prohibiting Internal Possession for purposes of this report.

### 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 suppliers*

- It is a criminal offense to manufacture or distribute a false ID.

#### *Provision(s) targeting retailers*

- State provides incentives to retailers that use electronic scanners that read birthdate and other information digitally encoded on valid identification cards.
- 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 18.

***Type(s) of violation leading to driver’s license suspension, revocation, or denial***

- Underage possession
- Underage consumption

***Authority to impose driver’s license sanction***

- Discretionary

***Length of suspension/revocation***

- 30 days

**Graduated Driver’s License**

***Learner stage***

- Minimum entry age: 15
- Minimum learner stage period: 6 months
- No minimum supervised driving requirement—with driver education; 50 hours without (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: No more than one passenger under 19 who is not an immediate family member
  - No primary enforcement of the passenger-restriction rule

***License stage***

- Minimum age to lift restrictions: 17. Passenger restrictions expire 6 months after issuance of intermediate license; unsupervised night-driving restrictions remain until age 17.

## **Laws Targeting Alcohol Suppliers**

**Furnishing of Alcohol to Minors**

Furnishing is prohibited—no explicit exceptions noted in the law.

**Compliance Check Protocols**

No data

**Penalty Guidelines for Sales to Minors**

No data

**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.

**Minimum Ages for Off-Premises Sellers**

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

### **Minimum Ages for On-Premises Sellers**

- Beer: 19 for both servers and bartenders
- Wine: 19 for both servers and bartenders
- Spirits: 19 for both servers and bartenders

### **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 150 feet
  - On-premises outlets: Yes—within 150 feet
  - Alcohol products: Beer, wine, spirits

*Note:* Although Nebraska law states a 300-foot limit, the commission may waive it. If outlet is surrounded by or adjacent on two sides to university/college, then university/college must approve.

### **Dram Shop Liability**

Statutory liability exists.

*Note:* Injury or property damage must be a proximate result of the negligence of an intoxicated minor

### **Social Host Liability Laws**

Statutory liability exists.

*Note:* Injury or property damage must be a proximate result of the negligence of an intoxicated minor

### **Host Party Laws**

No state-imposed liability for hosting underage drinking parties

### **Retailer Interstate Shipments of Alcohol**

No prohibitions on retailer interstate shipments

### **Direct Sales/Shipments of Alcohol by Producers**

Direct sales/shipments from producers to consumers are permitted for beer, wine, and distilled spirits with the following restrictions:

#### *Age verification requirements*

- Producer must verify age of purchaser.

#### *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: 5 or more gallons
- Prohibited:
  - Possessing an unregistered, unlabeled keg—maximum fine/jail \$500/3 months
  - Destroying the label on a keg—maximum fine/jail \$500/3 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: Permitted
- Wine: Permitted
- Spirits: Permitted

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Specific excise tax: \$0.31 per gallon

#### ***Wine (12 percent alcohol)***

- Specific excise tax: \$0.95 per gallon

#### ***Spirits (40 percent alcohol)***

- Specific excise tax: \$3.75 per gallon

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

### **Wholesale Pricing**

Pricing restrictions exist.

#### ***Beer (5 percent alcohol)***

- Retailer credit: Not permitted

#### ***Wine (12 percent alcohol)***

- Retailer credit: Restricted—30 days maximum

#### ***Spirits (40 percent alcohol)***

- Retailer credit: Restricted—30 days maximum

## Nebraska State Survey Responses

State Agency Information	
Agency with primary responsibility for enforcing underage drinking laws: Nebraska State Patrol	
Enforcement Strategies	
State law enforcement agencies use:	
Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
Local law enforcement agencies use:	
Cops in Shops	No
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	
Yes	
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Nebraska State Patrol
Such laws are also enforced by local law enforcement agencies	Yes
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	1,850
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	Yes
State conducts underage compliance checks/decoy operations <sup>2</sup> 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 <sup>3</sup>	5,520
Number of licensees checked for compliance by state agencies (including random checks)	1,062
Number of licensees that failed state compliance checks	125
Numbers pertain to the 12 months ending	12/31/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
State conducts <b>random</b> underage compliance checks/ decoy operations	
Yes	
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	1,062
Number of licensees that failed <b>random</b> state compliance checks	125
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	1,062
Number of licensees that failed local compliance checks	125
Numbers pertain to the 12 months ending	12/31/2013
Sanctions	
State collects data on fines imposed on retail establishments that furnish minors	
No data	

Number of fines imposed by the state <sup>4</sup>	No data
Total amount in fines across all licensees	No data
Smallest fine imposed	\$50/day for days of license suspension
Largest fine imposed	\$5,000
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>	
Number of suspensions imposed by the state <sup>5</sup>	No data
Total days of suspensions across all licensees	No data
Shortest period of suspension imposed (in days)	1
Longest period of suspension imposed (in days)	15 days closed +50 days
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>	
Number of license revocations imposed <sup>6</sup>	Not available
Numbers pertain to the 12 months ending	No data
<b>Additional Clarification</b>	
The Nebraska State Patrol and local law enforcement agencies conduct compliance checks, party patrols, and underage alcohol source investigations with funding provided by the Nebraska Office of Highway Safety (NOHS). NOHS facilities provide annual training for all law enforcement and prosecution personnel on these enforcement operations.	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

**Underage Drinking Prevention Programs Operated or Funded by the State**

<b>Communities Mobilizing for Change on Alcohol (CMCA)</b>	
Program serves specific or general population	Specific population
Number of youth served	18,503
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: <a href="http://www.epi.umn.edu/alcohol/cmca/index.shtm">http://www.epi.umn.edu/alcohol/cmca/index.shtm</a>	
<b>Program Description:</b> A community-organizing effort designed to change policies and practices of major community institutions in ways that reduce teenagers' access to alcohol (target ages include 13- to 20-year-olds) by using environmental strategies.	
<b>Nebraska's Enforcing Underage Drinking Laws (EUDL)</b>	
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:	Not applicable

**Program Description:** Nebraska’s EUDL program has been coordinated by NOHS since 1995. NOHS was established in 1967 to coordinate, develop, and implement Nebraska’s annual traffic safety plan in accordance with the Federal Highway Safety Act of 1966. Alcohol awareness activities are coordinated through NOHS to ensure continuity, uniformity, and comprehensiveness in this area. Reduction of fatal and injury crashes requires continued, combined efforts of an informed public and dedicated government officials willing to address alcohol issues. A good working relationship, including resources and support for local officials, businesses, and others in the community, between the NOHS staff and its partners, is essential for improved compliance of impaired driving and underage age drinking laws. This coordination and assistance provides an essential element in a successful alcohol awareness program for our state. The following summary provides a few highlights from the NOHS FY2013 (October 1, 2012–September 30, 2013) Annual Evaluation Report:

- Nebraska is a predominantly rural state with a population of 1.83 million people. There are 1.39 million licensed drivers and 2.26 million registered vehicles. Traffic crashes are a daily occurrence, resulting in approximately 6,200 injured persons annually. In 2011, 4,998 fatal, A, or B injury crashes occurred, killing 181 people and injuring another 6,249 people.
- Fatal, A, and B injury crashes decreased by 4.3 percent from the 2009–2011 calendar base year average of 5,137 to 4,915 in 2012. Alcohol-related fatal, A, and B injury crashes increased by 7.8 percent from the 2009–2011 calendar base year average of 606 to 653 in 2012.
- NOHS used various paid media methods for its programs: Occupant Restraints (Click It or Ticket/It Only Takes a Second); Impaired Driving (Drive Sober or Get Pulled Over/You Drink & Drive. You Lose./Report Every Drunk Driver Immediately); Underage Drinking (Tip Line 1-866-MUST-BE-21); Sobriety Check Points; Distracted Driving (Just Put It Down); Motorcycle Safety (Look Out for Motorcycles); and Railroad Grade Crossing Safety (Operation Lifesaver).
- NOHS also increased the number of paid media marketing/advertising efforts during the national Click It or Ticket Mobilizations and Impaired Driving Crackdowns. They also promoted special Underage Drinking campaigns that were conducted around the prom/graduation, vacation break, and start of school periods.

**Across Ages**

Program serves specific or general population	Specific population
Number of youth served	496
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	
<a href="http://www.promoteprevent.org/publications">http://www.promoteprevent.org/publications</a>	

**Program Description:** Across Ages is a mentoring program that pairs adult mentors over age 50 with youth ages 9 to 13. The goal of the program is to enhance the resiliency of children to promote positive development and prevent involvement in high-risk behaviors. The program has four components: (1) adults mentoring youth, (2) youth performing community service, (3) youth participating in a life skills/problemsolving curriculum, and (4) monthly activities for family members. The program can be implemented as a school-based or after-school program.

**All Stars**

Program serves specific or general population	Specific population
Number of youth served	894
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	
<a href="http://www.allstarsprevention.com">http://www.allstarsprevention.com</a>	

**Program Description:** All Stars programs are designed to prevent, reduce, and eliminate negative behaviors and promote positive behaviors. Each All Stars program, and every session and activity within

<p>All Stars, achieves these goals by changing qualities that account for why young people engage in negative behaviors. The various All Stars programs address the following concepts to some degree:</p> <ul style="list-style-type: none"> <li>• Beliefs about consequences</li> <li>• Bonding</li> <li>• Commitment to not use or reduce use</li> <li>• Decisionmaking and impulsivity control</li> <li>• Goal setting</li> <li>• Idealism</li> <li>• Norms</li> <li>• Parental attentiveness</li> <li>• Resistance skills training</li> <li>• Self-management.</li> </ul>																			
<p><b>Brief Alcohol Screening and Intervention for College Students (BASICS)</b></p> <table border="0"> <tr> <td>Program serves specific or general population</td> <td>Specific population</td> </tr> <tr> <td>Number of youth served</td> <td>100</td> </tr> <tr> <td>Number of parents served</td> <td>No data</td> </tr> <tr> <td>Number of caregivers served</td> <td>No data</td> </tr> <tr> <td>Program has been evaluated</td> <td>No</td> </tr> <tr> <td>Evaluation report is available</td> <td>Not applicable</td> </tr> <tr> <td>URL for evaluation report:</td> <td>Not applicable</td> </tr> <tr> <td>URL for more program information:</td> <td></td> </tr> <tr> <td><a href="http://depts.washington.edu/abrc/basics.htm">http://depts.washington.edu/abrc/basics.htm</a></td> <td></td> </tr> </table>		Program serves specific or general population	Specific population	Number of youth served	100	Number of parents served	No data	Number of caregivers served	No data	Program has been evaluated	No	Evaluation report is available	Not applicable	URL for evaluation report:	Not applicable	URL for more program information:		<a href="http://depts.washington.edu/abrc/basics.htm">http://depts.washington.edu/abrc/basics.htm</a>	
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<p><b>Program Description:</b> BASICS is a prevention program for college students who drink alcohol heavily and have experienced or are at risk for alcohol-related problems. Following a harm reduction approach, BASICS aims to motivate students to reduce alcohol use in order to decrease the negative consequences of drinking. It is delivered over the course of two 1-hour interviews with a brief online assessment survey taken by the student after the first session. The first interview gathers information about the student's recent alcohol consumption patterns, personal beliefs about alcohol, and drinking history, while providing instructions for self-monitoring any drinking between sessions and preparing the student for the online assessment survey. Information from the online assessment survey is used to develop a customized feedback profile for use in the second interview, which compares personal alcohol use with alcohol use norms, reviews individualized negative consequences and risk factors, clarifies perceived risks and benefits of drinking, and provides options to assist in making changes to decrease or abstain from alcohol use. Based on principles of motivational interviewing, BASICS is delivered in an empathetic, nonconfrontational, and nonjudgmental manner and is aimed at revealing the discrepancy between the student's risky drinking behavior and his or her goals and values. The intervention is delivered by trained personnel proficient in motivational interviewing and may be tailored for use with young adults in settings other than colleges.</p>																			
<p><b>Class Action</b></p> <table border="0"> <tr> <td>Program serves specific or general population</td> <td>Specific population</td> </tr> <tr> <td>Number of youth served</td> <td>No data</td> </tr> <tr> <td>Number of parents served</td> <td>No data</td> </tr> <tr> <td>Number of caregivers served</td> <td>No data</td> </tr> <tr> <td>Program has been evaluated</td> <td>No</td> </tr> <tr> <td>Evaluation report is available</td> <td>Not applicable</td> </tr> <tr> <td>URL for evaluation report:</td> <td>Not applicable</td> </tr> <tr> <td>URL for more program information: <a href="http://www.hazelden.org">http://www.hazelden.org</a></td> <td></td> </tr> </table>		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	No	Evaluation report is available	Not applicable	URL for evaluation report:	Not applicable	URL for more program information: <a href="http://www.hazelden.org">http://www.hazelden.org</a>			
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URL for more program information: <a href="http://www.hazelden.org">http://www.hazelden.org</a>																			
<p><b>Program Description:</b> No data</p>																			
<p><b>Project ALERT</b></p> <table border="0"> <tr> <td>Program serves specific or general population</td> <td>Specific population</td> </tr> <tr> <td>Number of youth served</td> <td>No data</td> </tr> <tr> <td>Number of parents served</td> <td>No data</td> </tr> <tr> <td>Number of caregivers served</td> <td>No data</td> </tr> <tr> <td>Program has been evaluated</td> <td>No</td> </tr> </table>		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	No								
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Program has been evaluated	No																		

Evaluation report is available URL for evaluation report: URL for more program information: <a href="http://www.projectalert.com">http://www.projectalert.com</a>	Not applicable Not applicable
<b>Program Description:</b> The Project ALERT curriculum was created and tested by The RAND Corporation, the nation’s leading think tank on drug policy. Developed over a 10-year period, Project ALERT addresses the pro-drug mindset of today’s teens and effectively increases their likelihood to remain drug free.	
<b>Project Northland</b>	
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	No
Evaluation report is available	No data
URL for evaluation report: <a href="http://www.epi.umn.edu/projectnorthland/schoolba.html">http://www.epi.umn.edu/projectnorthland/schoolba.html</a>	
URL for more program information:	No data
<b>Program Description:</b> Alcohol is the focus of the Project Northland program because it is the drug of choice of American teenagers and inflicts the most harm during this age period. The programs of Project Northland provide state-of-the-art prevention materials for 6th-, 7th-, and 8th-grade students. These programs invite participation and experiential learning at home and in the classroom. Project Northland has been shown to be effective in delaying and reducing alcohol use among young adolescents in the largest and most rigorous alcohol use prevention trial ever funded by the National Institute on Alcoholism and Alcohol Abuse. Furthermore, among those students who had not begun using alcohol by the beginning of 6th grade, reports of cigarette use and marijuana use were lower in those who participated in the Project Northland prevention programs.	
Project Northland programs begin with preteens in the 6th grade because studies show that alcohol use often begins during early adolescence. According to Monitoring the Future, a federally sponsored annual national survey of adolescents, in 1993 nearly 70 percent of 8th-grade students reported having used alcohol. Moreover, nearly 30 percent reported having been drunk by the 8th grade. Other studies have shown that alcohol use during early adolescence increases the likelihood of progression to heavy alcohol use and to the use of other illicit drugs.	
<b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>No data</b>	
URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
No data	

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	Yes
Description of collaboration: Working to expand Nebraska’s Prevention Advisory Council to include tribal representatives. Two of Nebraska’s Strategic Prevention Framework–Partnership for Success subrecipients are specifically addressing tribal communities.	

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes
Program description: Many of the locally established community coalitions that are targeting underage drinking prevention initiatives have included efforts aimed at youth exposure to alcohol advertising, promotions and marketing.	

<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): U.S. Department of Justice/Office of Juvenile Justice and Delinquency Prevention, National Highway Traffic Safety Administration, Substance Abuse and Mental Health Services Administration (SAMHSA)	
Agency(ies) within your state: Liquor Control Commission, Nebraska Office of Highway Safety	Yes
Nongovernmental agency(ies): Project Extra Mile	Yes
Other: Center on Alcohol Marketing and Youth, Pacific Institute for Research and Evaluation	Yes
Best practice standards description: No data	
<b>Additional Clarification</b>	
No data	

<b>State Interagency Collaboration</b>	
<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: Fred E. Zwonechek (Nebraska Underage Drinking Task Force)	
E-mail: fred.zwonechek@nebraska.gov	
Address: P.O. Box 94612, Lincoln, NE 68509-4612	
Phone: 402-471-2515	
<i>Agencies/organizations represented on the committee:</i>	
Nebraska State Patrol	
Department of Health and Human Services	
Nebraska Crime Commission	
Nebraska Liquor Control Commission	
Nebraska Attorney General	
Nebraska Department of Motor Vehicles	
University of Nebraska Lincoln (UNL) and UNL Police Department	
Lincoln Police Department	
State Probation Office	
Project Extra Mile	
Nebraska Medical Association	
Nebraska Mothers Against Drunk Driving	
Nebraska Public Health Association	
Nebraska Sheriff's Association	
<i>A website or other public source exists to describe committee activities</i>	No
URL or other means of access: Not applicable	

<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Department of Health and Human Services (DHHS) Division of Behavioral Health	
Plan can be accessed via: <a href="http://dhhs.ne.gov/behavioral_health/Documents/DBH-PreventionStrategicPlan2013-17.pdf">http://dhhs.ne.gov/behavioral_health/Documents/DBH-PreventionStrategicPlan2013-17.pdf</a>	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: DHHS Division of Behavioral Health	
Plan can be accessed via: Application to SAMHSA's 2013 Strategic Prevention Framework – Partnership for Success grant.	
<b>Additional Clarification</b>	
No data	
<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$57,874

Estimate based on the 12 months ending	12/31/2013
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$508,745
Estimate based on the 12 months ending	12/31/2013
<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	No data
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: (1) Public Information and Education programs, including state-funded underage drinking activity toll-free tip line; (2) TV, radio, print, and web ads targeting underage and adults; (3) Enforcement/prosecution training; (4) youth advocacy training; and (5) an online liquor licensee, owner, manager, server, and seller training system.	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data

**Funds Dedicated to Underage Drinking**

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

Taxes	No
Fines	No
Fees	No
Other:	No

*Description of funding streams and how they are used:*

Not applicable

**Additional Clarification**

No data



## Nevada

### State Profile and Underage Drinking Facts\*

State Population: 2,790,136  
Population Ages 12–20: 346,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	25.4	88,000
Past-Month Binge Alcohol Use	16.2	56,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.6	5,000
Past-Month Binge Alcohol Use	2.5	3,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	19.2	22,000
Past-Month Binge Alcohol Use	10.8	12,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	47.9	61,000
Past-Month Binge Alcohol Use	32.2	41,000
<b>Alcohol-Attributable Deaths (under 21)</b>		42
<b>Years of Potential Life Lost (under 21)</b>		2,543
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	23	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):

- Private location OR
- Parent/guardian OR
- Spouse

### Underage Consumption of Alcohol

Consumption is not explicitly prohibited.

### Internal Possession by Minors

Internal possession is not explicitly prohibited.

### 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.
- No driver's license suspension procedure

#### *Provision(s) targeting suppliers*

- It is a criminal offense to lend, transfer, or sell a false ID.
- It is a criminal offense to manufacture or distribute a false ID.

#### *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 18.

#### *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: 730 days

**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.
  - No primary enforcement of the night-driving rule
- Passenger restrictions exist: No passengers under 18 unless they are immediate family members
  - No primary enforcement of the passenger-restriction rule

***License stage***

- Minimum age to lift restrictions: 18. Passenger restrictions expire after 6 months; unsupervised night-driving restrictions remain until age 18.

*Note:* Driver’s education course requirement for persons under 18. Exception: If a driver’s education course is not offered within a 30-mile radius of a person’s residence, the person may instead complete an additional 50 hours of supervised driving.

**Laws Targeting Alcohol Suppliers**

**Furnishing of Alcohol to Minors**

Furnishing is prohibited with the following exception(s): Parent/guardian

**Compliance Check Protocols**

No data

**Penalty Guidelines for Sales to Minors**

No data

**Responsible Beverage Service**

***Mandatory beverage service training for servers***

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

*Note:* The applicability of Nevada’s “alcoholic beverage awareness program” to on-sale retailers is limited to establishments in a jurisdiction located in (a) a county whose population is 100,000 or more or (b) a county whose population is less than 100,000, if the governing body of the jurisdiction has, by the affirmative vote of a majority of its members, agreed to be bound by the provisions of section 9 of the act.

### **Minimum Ages for Off-Premises Sellers**

- Beer: 16
- Wine: 16
- Spirits: 16

### ***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: 21 for both servers and bartenders
- Wine: 21 for both servers and bartenders
- Spirits: 21 for both servers and 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.

### **Social Host Liability Laws**

Statutory liability exists subject to the following conditions:

- Limitations on elements/standards of proof: Knowingly furnishing a minor or allowing a minor to consume alcohol on premises that the social host controls

### **Host Party Laws**

No state-imposed liability for hosting underage drinking parties

### **Retailer Interstate Shipments of Alcohol**

Prohibition against retailer interstate shipments:

- Beer: Uncertain
- Wine: Uncertain
- Spirits: Uncertain

*Note:* A person may import from another state 1 gallon or less of alcohol per month for personal use. It is uncertain whether an out-of-state retailer may ship alcohol directly to the consumer for personal use.

### **Direct Sales/Shipments of Alcohol by Producers**

Direct sales/shipments from producers to consumers are permitted for beer, wine, and distilled spirits with the following restrictions:

***Age verification requirements:*** None

#### ***State approval/permit requirements***

- Producer/shipper must obtain state permit.

**Reporting requirements**

- Producer must record/report purchaser's name.
- Common carrier must record/report purchaser's name.

**Shipping label statement requirements**

- Contains alcohol—applies to internet orders

**Keg Registration**

Registration is not required.

**Home Delivery**

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

*Note:* Regulated by county and city governments.

## **Alcohol Pricing Policies**

**Alcohol Tax**

***Beer (5 percent alcohol)***

- Specific excise tax: \$0.16 per gallon

***Wine (12 percent alcohol)***

- Specific excise tax: \$0.70 per gallon

***Spirits (40 percent alcohol)***

- Specific excise tax: \$3.60 per gallon
- Additional taxes: Distilled spirits over 14 percent and up to 22 percent are taxed at \$1.30 per gallon.

*Note:* An additional excise tax of \$1.50 per gallon may be imposed on all liquor containing an alcohol content of more than 22 percent, but only if the federal gallonage tax imposed by 26 U.S.C. § 5001 is reduced to \$9 per gallon. This additional tax is not collected.

**Drink Specials**

No law

**Wholesale Pricing**

Pricing restrictions exist.

***Beer (5 percent alcohol)***

- Retailer credit: Restricted—41 days maximum

***Wine (12 percent alcohol)***

- Retailer credit: Restricted—41 days maximum

***Spirits (40 percent alcohol)***

- Retailer credit: Restricted—41 days maximum

## Nevada State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Nevada Department of Health and Human Services, Juvenile Justice Programs Office	
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	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	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
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	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession by state law enforcement agencies	Not applicable
Number pertains to the 12 months ending	Not applicable
Data include arrests/citations issued by local law enforcement agencies	Not applicable
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	No
Number of retail licensees in state <sup>3</sup>	No data
Number of licensees checked for compliance by state agencies (including random checks)	Not applicable
Number of licensees that failed state compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Not applicable
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	Not applicable
Number of licensees that failed <b>random</b> 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>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by local agencies	2,329
Number of licensees that failed local compliance checks	338
Numbers pertain to the 12 months ending	12/31/2013
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state <sup>4</sup>	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 specifically for furnishing minors</i>	No
Number of suspensions imposed by the state <sup>5</sup>	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>	No
Number of license revocations imposed <sup>6</sup>	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Additional Clarification</b>	
Nevada does not have a state-level Alcohol Beverage Control agency. The Enforcing Underage Drinking Laws (EUDL) funds provided by the Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP), awarded to the Nevada Department of Health and Human Services were granted to local law enforcement agencies to conduct EUDL operations including: Alcohol Sale to Minors Compliance Checks, Third Party Purchaser (“Should Tap” operations), Juvenile Party Dispersals, Fake ID Intervention, Saturation Patrols, and Juvenile DUI prevention.	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

<b>Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b><i>Responsible Beverage Server Training Law Fine Reallocation</i></b>	
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
<b>Program Description:</b> Nevada’s Responsible Beverage Server Training law requires all servers and sellers of alcohol in counties with more than 400,000 people to complete a training with established curriculum and standards related to responsible beverage server practices. This includes avoiding the provision of alcohol to minors and to customers clearly impaired from alcohol consumption. The curriculum includes denying sales, local alcohol ordinances, and fake ID identifications. Two counties fall into the category of more than 400,000 people: Clark County (Las Vegas area) with over 2 million residents (70 percent of Nevada’s population), and Washoe County with just over 400,000 residents (20 percent of Nevada’s population). The remaining 15 counties all have under 55,000 residents. Local law enforcement check for server training cards when they conduct alcohol sale to minors compliance operations. A notice of infraction is issued to the business if an employee does not have a current card, and a copy is sent to the Nevada Department of Taxation. The Department then sends the notice of fine to the business. Revenue from the fines is divided by 50 percent to the Victims Restitution Fund and 50 percent to the EUDL program. The EUDL funds from these fines are used to purchase equipment needed by law enforcement officers to conduct EUDL operations.	

<b><i>Peace Officer Enforcing Underage Drinking Laws Accredited Training Programs</i></b>	
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:	No data

**Program Description:** Working with Nevada’s EUDL program, Nevada’s Peace Officers Standards and Training (POST) has approved training for peace officers for continuing education units in the following EUDL strategic operations: alcohol sale to minors, compliance checks, third-party purchaser operations, special events, alcohol control, DUI prevention and intervention, fake ID identification, and intervention controlled juvenile party dispersal. Nevada uses trainers available through the Underage Drinking Enforcement and Training Center (UDETC), and has a UDETC trainer in Nevada located within the Las Vegas Metropolitan Police Department. Three other local trainers serving the northern and rural parts of the state are approved to conduct these training sessions as well.

**University of Nevada, Reno (UNR) Student Conduct Underage Drinking Intervention Program**

Program serves specific or general population	Specific population
Number of youth served	112
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	No data
URL for more program information:	No data

**Program Description:** UNR, in collaboration with the Nevada EUDL project, received a discretionary grant from OJJDP to create effective responses to alcohol violations on campus that would incorporate violations off campus as well. The responses are: (1) Brief Alcohol Screening and Intervention for College Students (BASICS), including an education conference, personal drinking behavior documentation, and followup conference; (2) Substance Abuse Therapeutic Education to Ensure Personal Student Success (STEPS), including weekly psychoeducational classes to address behaviors and choices led by a substance abuse counselor, personalized assessment, drug and alcohol testing, attending drug court and case management meetings; and (3) Treatment, Responsibility, Accountability on Campus (onTRAC), including a personalized program of alcohol testing, individual and group counseling, case management meetings, student development activities, and wellness experiences. Random drug testing may also be used at this level. This program system has achieved a 7 percent recidivism rate. In addition to the personal interventions, UNR changed policies on alcohol sales at sporting events, limiting sale to one drink per person at a time, stopping sales of alcohol at half-time, restricting tail-gating areas, and screening at game entry to prohibit bringing in alcohol, or admission of people clearly intoxicated. Friday night alternative activities are provided for all campus residents.

**Nellis Air Force Base Initiative: Life of a Warrior**

Program serves specific or general population	Specific population
Number of youth served	5,000
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:	No data

**Program Description:** This year, the Nevada EUDL program was awarded a discretionary grant from OJJDP through which it is collaborating with Nellis Air Force Base in Clark County to curtail underage drinking by approaching the young airmen as the ultimate “team.” As such, the airmen should be living the “Life of a Warrior,” a program developed from the American Athletic Institute’s “Life of an Athlete” program created by John Underwood. Nellis Air Force Base usually has 10,000 airmen at any given

time on base. This program will reach all of them with a presentation outlining the life of an athlete, including diet, sleep, central nervous system fatigue, workout preparation, and recovery, and the effects of alcohol on overall and long-term performance. By embedding the alcohol information within the context of ultimate performance and not as a separate “don’t drink” program, initial response demonstrates greater engagement and positive response with the “avoid drinking” message. The message is reinforced with motivational posters, diet tips, exercise tips, an on-base “extreme activity,” group and individual competitions, and other alternative activity clubs. Local law enforcement, the Las Vegas Metropolitan Police Department, is setting up 12 DUI checkpoints on the road leading into Las Vegas from the base 12 times over the next 3 years, conducting alcohol sale to minors compliance checks in surrounding bars and alcohol sale locations, and conducting other EUDL enforcement operations as an added deterrent to underage drinking. Violations by airmen will be reported to the base mental health services unit. This program was initiated in May 2013, and an evaluation system is in place, but no data outcomes will be available until June 30, 2014.

**Nevada Interscholastic Activities Association (NIAA) Statewide Drug and Alcohol Policy**

Program serves specific or general population	Specific population
Number of youth served	15,000
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:	No data

**Program Description:** Working with the Nevada EUDL program, the NIAA crafted an Alcohol and Drug Policy that must be implemented by every high school sports program (including cheerleaders) in order to participate in NIAA sports. The policy uses a three-step graduated sanctions approach. At the beginning of the season, every athlete and a parent must attend an overview of the policy and sign the agreement to the three-level sanctions: For the first offense, there is a 2-week suspension from play (but athlete must still attend practices) and 10 hours of community service. For the second offense, a 3-month suspension from play, and athlete must attend mandatory alcohol and other drug assessment and comply with assessment recommendations. For the third offense, the athlete is suspended from high school sports participation for the remainder of his/her high school career. Although the third offense response seems harsh, at this point it is assumed the student has an alcohol or drug problem that participation in sports is not successfully preventing or deterring, and the student is in need of a more targeted treatment response. It is now the school’s responsibility to promote sports as a healthy activity, and participation as requiring a commitment to a drug-free lifestyle, and as a privilege, not a right. If this privilege is not respected, then that spot on the team goes to someone who honors the commitment.

**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**

*State collaborates with federally recognized tribal governments in the prevention of underage drinking* Yes

Description of collaboration: The Nevada EUDL initiative collaborates with the Statewide Native American Coalition (SNAC). The SNAC director is a member of the Statewide Prevention Coalition Partnership, providing direction and guidance to the EUDL project. The EUDL program has presented at the statewide SNAC conferences, trained law enforcement in EUDL operations, and purchased equipment needed for conducting these operations. SNAC has also been awarded EUDL minigrants to support environmental strategies unique to the Native American population, and provided funds to support a Youth Leadership Coordinator for one of the tribes.

<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: NV Dept. of Health and Human Services, Juvenile Justice Programs Office	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: Best practice standards are reviewed by the UDETC and the Pacific Institute for Research and Evaluation (PIRE). Standards approved by these two institutions are adopted by the Nevada Juvenile Justice Programs Office. The EUDL project develops goals and objectives and creates related Work Plans for approval by UDETC and PIRE, and ultimately OJJDP.	
<b>Additional Clarification</b>	
No data	

<b>State Interagency Collaboration</b>	
<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: Linda Lang	
E-mail: dlhlang@pyramid.net	
Address: 1711 N. Roop Street, Carson City, NV 89706	
Phone: 775-841-4730 x201	
<i>Agencies/organizations represented on the committee:</i>	
Care Coalition	
Partnership Carson City	
Partnership of Community Resources	
NV Community Prevention Coalition	
Partners Allied for Community Excellence (PACE) Coalition	
Healthy Communities Coalition	
Frontier Community Coalition	
Join Together of Northern Nevada	
PACT Coalition	
Nye Communities Coalition	
Inter-Tribal Council of NV, Inc.	
Churchill Community Coalition	
University of Nevada Center for the Application of Substance Abuse Technologies (CASAT)	
Clearinghouse	
Mothers Against Drunk Driving	
<i>A website or other public source exists to describe committee activities</i>	No
URL or other means of access: Not applicable	
<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Nevada Juvenile Justice Programs Office	
Plan can be accessed via: Contact Kathlyn Bartosz, 775-841-4730 x206	

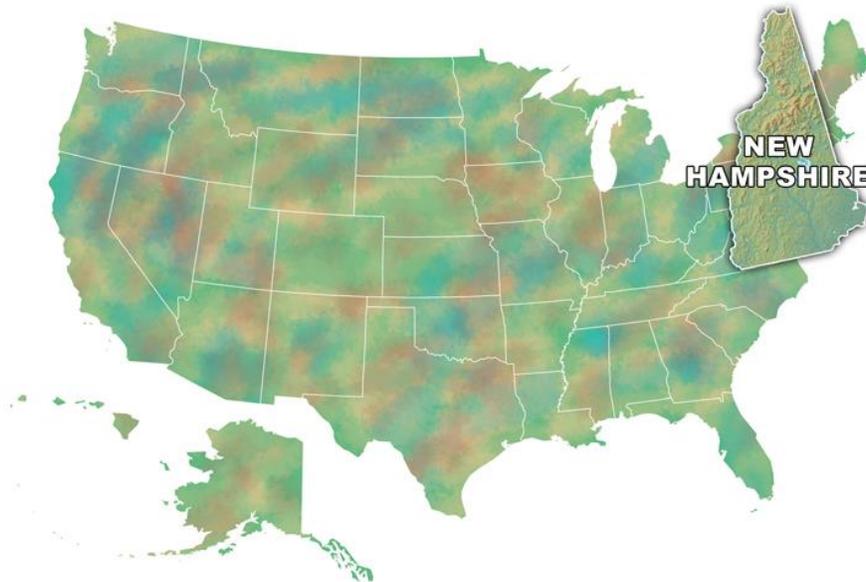
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	No
Prepared by: Not applicable	
Plan can be accessed via: Not applicable	
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<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	No data
Estimate based on the 12 months ending	No data
<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: State funds are pass through dollars to the 12 coalitions to fund direct prevention providers for alcohol and drug prevention evidence-based programs. There is no targeted funding specific to UAD.	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

<b>Funds Dedicated to Underage Drinking</b>	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	Yes
Fees	No
Other: Allocation from the Nevada State Legislature	Yes
<i>Description of funding streams and how they are used:</i>	
The Department of Public Safety, Office of Traffic Safety, receives both federal dollars and fines from traffic violations for media campaigns that include UAD. The Office also grants dollars to many of the coalitions for education and outreach in local communities on UAD and impaired driving.	

**Additional Clarification**

The Department of Taxation collects fines for businesses not complying with the mandatory server training law. Half of the fines collected go into a fund for the EUDL program. No alcohol taxes collected go to prevention, but they are used for treatment, including treatment of UAD. The Substance Abuse Prevention & Treatment Agency receives State General Funds for alcohol and drug prevention that are passed through to local coalitions. The coalitions conduct needs assessments and use local and state data to determine the priority needs/gaps to fund. They each submit a Comprehensive Community Prevention Plan (CCPP) to the state and fund evidenced-based alcohol and drug prevention programs within their service areas that target specific age groups and populations of high need as determined by their CCPP.



## **New Hampshire**

### **State Profile and Underage Drinking Facts\***

**State Population: 1,323,459**  
**Population Ages 12–20: 174,000**

	<b>Percentage</b>	<b>Number</b>
<b>Ages 12–20</b>		
Past-Month Alcohol Use	37.1	64,000
Past-Month Binge Alcohol Use	25.8	45,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	5.2	3,000
Past-Month Binge Alcohol Use	1.8	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	26.4	14,000
Past-Month Binge Alcohol Use	16.9	9,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	66.3	48,000
Past-Month Binge Alcohol Use	48.5	35,000
<b>Alcohol-Attributable Deaths (under 21)</b>		9
<b>Years of Potential Life Lost (under 21)</b>		543
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	33	3

\* 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 not explicitly prohibited.

### **Internal Possession by Minors**

Internal possession is prohibited—no explicit exceptions noted in the law.

### **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.
- 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 statutory right to sue a minor who uses a false ID to purchase alcohol for any losses or fines suffered by the retailer as a result of the illegal sale.

*Note:* In New Hampshire, the prohibition against the use of a false ID for purchasing alcoholic beverages applies to persons less than 21 years old.

## 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*

- Discretionary

***Length of suspension/revocation***

- Minimum: 90 days
- Maximum: 365 days

*Note:* Although New Hampshire does not authorize a use/lose penalty for all underage consumption, a law imposes a discretionary license sanction on minors who are “intoxicated by consumption of an alcoholic beverage” and provides that an alcohol concentration “of .02 or more shall be prima facie evidence of intoxication.”

**Graduated Driver’s License*****Learner stage***

- Minimum entry age: 15 years, 6 months
- No minimum age
- Minimum supervised driving requirement: 40 hours, of which 10 must be at night

***Intermediate stage***

- Minimum age: 16
- Unsupervised night driving
  - Prohibited after: 1 a.m.
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one nonfamily passenger under 25, unless accompanied by driver over 25
  - Primary enforcement of the passenger-restriction rule

***License stage***

- Minimum age to lift restrictions: 18. Passenger restrictions expire after 6 months; 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: 17
- Maximum: 20

***Appearance requirements***

- Age assessment panel: If decoy is 20 years old, must appear to be between 17 and 19
- Casual attire; average height and build
- Male: No facial hair
- Female: Minimal makeup

***ID possession***

- Required

***Verbal exaggeration of age***

- Prohibited

***Decoy training***

- Mandated

**Penalty Guidelines for Sales to Minors**

- Time period/conditions: 2 years
- First offense: \$500 fine, four license points, 3-day suspension

*Note:* Mitigating and aggravating factors are considered. Only one compliance check annually shall incur license points.

**Responsible Beverage Service**

***Mandatory beverage service training for managers***

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

**Responsible Beverage Service**

***Voluntary beverage service training***

- Applies to both on-sale and off-sale establishments
- Applies to both new and existing outlets
- Defense in dram shop liability lawsuits
- Mitigation of fines or other administrative penalties for sales to minors

**Minimum Ages for Off-Premises Sellers**

- Beer: 16
- Wine: 16
- Spirits: 16

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

- Manager/supervisor is present.

*Note:* To act as a cashier in a selling capacity, a minor is required to be at least 16 years old, providing a person at least 18 years old is in attendance and is designated in charge of the employees and business.

**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

**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**

Statutory liability exists.

*Note:* New Hampshire law includes a responsible beverage service defense.

**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: Intention, possession, consumption
- Property type(s) covered by liability law: Residence, outdoor, other
- Standard for hosts' knowledge or action regarding the party: Overt act—host must have actual knowledge and commit an act that contributes to the occurrence
- Preventive action by the host negates the violation
- Exception(s): Family

*Note:* In New Hampshire, an “underage alcohol house party“ means a gathering of five or more people under age 21 at any occupied structure, dwelling, or curtilage, where at least one person under age 21 unlawfully possesses or consumes an alcoholic beverage. A person is guilty of a misdemeanor if he or she owns or has control of the occupied structure, dwelling, or curtilage where an underage alcohol house party is held and he or she knowingly commits an overt act in furtherance of the occurrence of the underage alcohol house party, knowing persons under age 21 possess or intend to consume alcoholic beverages. The “preventive action“ provision in New Hampshire allows the defendant to avoid criminal liability by establishing, as an affirmative defense, that he or she took preventive action with respect to the underage alcohol house party.

**Retailer Interstate Shipments of Alcohol**

No prohibitions on retailer interstate shipments

**Direct Sales/Shipments of Alcohol by Producers**

Direct sales/shipments from producers to consumers are permitted for beer, wine, and distilled spirits 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***

- Producer must record/report purchaser's name.
- Common carrier must record/report purchaser's name.

***Shipping label statement requirements***

- Contains alcohol
- Recipient must be 21

**Keg Registration**

- Keg definition: More than 7 gallons
- Prohibited:
  - Possessing an unregistered, unlabeled keg—maximum fine/jail \$1,000
  - Destroying the label on a keg—maximum fine/jail \$1,000
- Purchaser information collected:

- Purchaser’s name and address
- Verified by a government-issued ID
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- Deposit: Not required
- Provisions do not specifically address disposable kegs

### **Home Delivery**

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

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Specific excise tax: \$0.30 per gallon

#### ***Wine (12 percent alcohol)***

- Control state

#### ***Spirits (40 percent alcohol)***

- Control state

### **Drink Specials**

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

### **Wholesale Pricing**

Pricing restrictions exist.

#### ***Beer (5 percent alcohol)***

- Price posting requirements: Post—wholesalers shall make their current prices available to the commission in writing.
- Retailer credit: Restricted—10 days maximum

#### ***Wine (12 percent alcohol)***

- Control state

#### ***Spirits (40 percent alcohol)***

- Control state

## New Hampshire State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> New Hampshire Division of Liquor Enforcement and Licensing	
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	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Yes Div. of Liquor Enforcement and Licensing
Such laws are also enforced by local law enforcement agencies	Don't know
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	Yes 179
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	3,279
Number of licensees checked for compliance by state agencies (including random checks)	257
Number of licensees that failed state compliance checks	21
Numbers pertain to the 12 months ending	12/31/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	No Not applicable
Number of licensees that failed <b>random</b> 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>	
Data are collected on these activities	Don't know/ no answer
Number of licensees checked for compliance by local agencies	Don't know/ no answer
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	12/31/2013
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state <sup>4</sup>	Yes 0
Total amount in fines across all licensees	\$0
Smallest fine imposed	\$0

Largest fine imposed Numbers pertain to the 12 months ending	No data 12/31/2013
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	0
Total days of suspensions across all licensees	0
Shortest period of suspension imposed (in days)	0
Longest period of suspension imposed (in days)	0
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	0
Numbers pertain to the 12 months ending	12/31/2013
<b>Additional Clarification</b>	
No data	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

**Underage Drinking Prevention Programs Operated or Funded by the State**

**Statewide Alignment Toward Underage Drinking Prevention**

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:	<a href="http://www.dhhs.nh.gov/dcbcs/bdas/prevention.htm">http://www.dhhs.nh.gov/dcbcs/bdas/prevention.htm</a>

**Program Description:** In July 2013 the New Hampshire Department of Health and Human Services, through the Bureau of Drug and Alcohol Services (BDAS) and Division of Public Health Services (DPHS) established a strategic partnership to align multiple public health priorities into one integrated system. This partnership contracts with 13 agencies to serve as the host entity for Regional Public Health Networks (RPHNs). The RPHNs integrate multiple public health initiatives and services into a common network of community stakeholders. The RPHNs include every community in the state. Each RPHN implements multiple comprehensive evidence-based strategies for the prevention of underage drinking.

Each RPHN has established a Public Health Advisory Council (PHAC) that advises the RPHN partners by identifying regional public health priorities based on assessments of community health, and guiding the implementation of evidence based programs, practices, and policies to meet improved health outcomes. Each RPHN has a 3-year alcohol and drug prevention plan.

In addition, NH substance misuse prevention efforts and the prevention of underage drinking are included in two broad state plans:

1. The New Hampshire’s Governor’s Commission on Alcohol and Drug Abuse Prevention, Intervention and Treatment created by the NH Legislature in 2000. The Commission developed a statewide plan, 2013 Collect Action–Collective Impact, establishing effective prevention of alcohol and drug abuse, particularly among youth.
2. New Hampshire State Health Improvement Plan 2013–2020, Charting a Course to Improve the Health of New Hampshire, has 10 priority areas including several that are relevant to the prevention of alcohol and drug abuse including the prevention of underage drinking.

<b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>No data</b>	
URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
The Bureau of Drug and Alcohol Services has a public and private partnership with the New Hampshire Charitable Foundation. The Foundation approved an ambitious, 10-year strategy dedicated to the prevention of substance use disorders, and donates approximately \$1.2 million per year in advancing Substance Use Prevention in New Hampshire with a primary focus on youth. For more information, go to <a href="http://www.nhcf.org">http://www.nhcf.org</a> .	

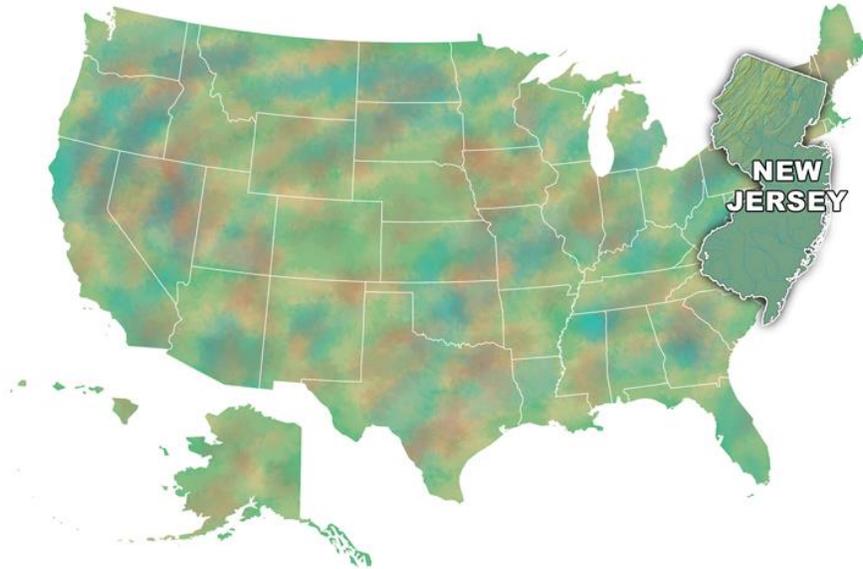
<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	No recognized tribal governments
Description of collaboration: Not applicable	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes
<p>Program description: A Youth Risk Behavior Survey question asks: During the last 12 months, do you recall hearing, reading, or seeing a message about avoiding alcohol or other illegal drugs?</p> <p>1. Various programs are conducted within the RPHN:</p> <ul style="list-style-type: none"> <li>–Media campaigns: School public service announcements, and numerous social media sites are utilized, e.g., Facebook, Twitter. This is accomplished through leveraging community-level partnerships.</li> <li>–RPHNs implement the five-step Strategic Prevention Framework Model. The community is mobilized to address local concerns that represent the six community sectors (medical, government, business, safety, education, community supports). Each RPHN has a 3-year strategic plan. Each RPHN has a Substance Misuse Content Expert Committee that meets regularly to ensure the 3-year strategic plan is being implemented and outcomes are achieved. Education and Technical Assistance are provided to the six community sectors in the implementation of evidence-based programs, policies, and practices that target priority risk and protective factors.</li> </ul> <p>2. The Partnership for Drug Free New Hampshire communicates consistent, statewide messaging about the prevention of, treatment for, and recovery from alcohol and drug misuse and abuse. This is done through collaboration with state agencies, organizations, and others concerned with the alcohol and drug issues in New Hampshire.</p>	
<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:	No
Nongovernmental agency(ies):	No data
Other:	No
Best practice standards description: No data	
<b>Additional Clarification</b>	
No data	

<b>State Interagency Collaboration</b>	
<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: Tym Rourke	
E-mail: <a href="mailto:tr@nhcf.org">tr@nhcf.org</a>	
Address: 37 Pleasant Street, Concord, NH 03301	
Phone: 603-225-6641	
<i>Agencies/organizations represented on the committee:</i>	

Attorney General NH Municipal Courts NH Adjutant General, NH National Guard NH Department of Education NH Department of Safety NH Liquor Commission Health and Human Services NH Department of Corrections NH Division of Children, Youth, & Families NH Insurance Commission NH Community College System NH Nurses Association NH Suicide Prevention Council NH Medical Society	
A website or other public source exists to describe committee activities URL or other means of access: <a href="http://www.dhhs.nh.gov/dcbcs/bdas/commission.htm">http://www.dhhs.nh.gov/dcbcs/bdas/commission.htm</a>	Yes
<b>Underage Drinking Reports</b>	
State has prepared a plan for preventing underage drinking in the last 3 years Prepared by: The Governor’s Commission on Alcohol and Other Drug Abuse Prevention, Intervention and Treatment developed a 5-year plan, Collective Action–Collective Impact that addresses the prevention of underage drinking and illicit drug use among other populations. The plan can be accessed via: <a href="http://www.dhhs.nh.gov/dcbcs/bdas/documents/collectiveaction.pdf">http://www.dhhs.nh.gov/dcbcs/bdas/documents/collectiveaction.pdf</a>	Yes
State has prepared a report on preventing underage drinking in the last 3 years Prepared by: Not applicable Plan can be accessed via: Not applicable	No
<b>Additional Clarification</b>	
New Hampshire has completed several reports and evaluations on the state prevention system that include alcohol, prescription drugs, and illegal drugs use. However, these are not posted to a URL.	
<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended Estimate based on the 12 months ending	\$ 25,000 12/31/2013
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended Estimate based on the 12 months ending	Data not available 12/31/2013
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended Estimate based on the 12 months ending	\$0 6/30/2013
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended Estimate based on the 12 months ending	\$0 6/30/2013
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended Estimate based on the 12 months ending	\$0 6/30/2013
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended Estimate based on the 12 months ending	Data not available 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	6/30/2013
<i>Other programs:</i>	
Programs or strategies included: No Programs or Strategies were funded by state funds	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2013

<b>Funds Dedicated to Underage Drinking</b>	
<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	
<b>Additional Clarification</b>	
For SFY2013, New Hampshire did not provide state funding for underage drinking prevention.	



# New Jersey

## State Profile and Underage Drinking Facts\*

State Population: 8,899,339  
 Population Ages 12–20: 1,056,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	27.7	293,000
Past-Month Binge Alcohol Use	18.9	199,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.1	14,000
Past-Month Binge Alcohol Use	2.0	7,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	29.1	106,000
Past-Month Binge Alcohol Use	16.3	60,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	49	172,000
Past-Month Binge Alcohol Use	37.7	133,000
<b>Alcohol-Attributable Deaths (under 21)</b>		82
<b>Years of Potential Life Lost (under 21)</b>		4,945
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	13	2

\* 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

### **Underage Consumption of Alcohol**

Consumption is prohibited with the following exception(s): Private location

### **Internal Possession by Minors**

Internal possession is not explicitly prohibited.

### **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.
- 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: 0.01
- 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

#### *Authority to impose driver's license sanction*

- Mandatory

#### *Length of suspension/revocation*

- 180 days

## **Graduated Driver’s License**

### ***Learner stage***

- Minimum entry age: 16
- Minimum learner stage period: 6 months
- No minimum supervised driving requirement

### ***Intermediate stage***

- Minimum age: 17
- Unsupervised night driving
  - Prohibited after: 11:01 p.m.
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one passenger unless accompanied by parent or guardian, unless additional passengers are dependents of the driver
  - Primary enforcement of the passenger-restriction rule

### ***License stage***

- Minimum age to lift restrictions: 18

## **Laws Targeting Alcohol Suppliers**

### **Furnishing of Alcohol to Minors**

Furnishing is prohibited with the following exception(s): Parent/guardian

### **Compliance Check Protocols**

No data

### **Penalty Guidelines for Sales to Minors**

No data

### **Responsible Beverage Service**

#### ***Mandatory beverage service training for licensees, managers***

- Applies only to off-sale establishments
- Applies only to new outlets

### **Minimum Ages for Off-Premises Sellers**

- Beer: 18
- Wine: 18
- Spirits: 18

### **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

### **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, but school has authority to override state prohibition
  - On-premises outlets: Yes—within 200 feet, but school has authority to override state prohibition
  - Alcohol products: Beer, wine, spirits

**Dram Shop Liability**

Statutory liability exists.

**Social Host Liability Laws**

There is no statutory liability.

*Note: Comonile v. Maybee* held that a social host who furnishes excessive amounts of alcoholic beverages to a visibly intoxicated minor, knowing the minor is about to drive a car on the public highways, may be liable to a third party injured in an automobile accident. At the federal level, the court in *A.B. v. Johnson* held a social host owes a duty of care to not furnish or negligently provide alcohol to any of his or her guests who are minors, and if a social host does furnish alcohol to a minor and breaches his or her duty, that host may be held liable for whatever reasonably foreseeable harm the provision of alcohol proximately caused.

**Host Party Laws**

Social host law is not specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Consumption
- Property type(s) covered by liability law: Residence, outdoor, other
- Standard for hosts' knowledge or action regarding the party: Overt act—host must have actual knowledge and commit an act that contributes to the occurrence
- Exception(s): Family

**Retailer Interstate Shipments of Alcohol**

Prohibition against retailer interstate shipments:

- Beer: Uncertain
- Wine: Uncertain
- Spirits: Uncertain

**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**

- Producer must record/report purchaser's name.

**Shipping label statement requirements:** None

*Note:* Licensees cannot produce more than 250,000 gallons of wine per year.

### **Keg Registration**

Registration is not required.

### **Home Delivery**

- Beer: Permitted—delivery vehicles must display a transit insignia to identify the vehicle as having authority to transport alcohol
- Wine: Permitted—delivery vehicles must display a transit insignia to identify the vehicle as having authority to transport alcohol
- Spirits: Permitted—delivery vehicles must display a transit insignia to identify the vehicle as having authority to transport alcohol

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Specific excise tax: \$0.12 per gallon

#### ***Wine (12 percent alcohol)***

- Specific excise tax: \$0.88 per gallon

#### ***Spirits (40 percent alcohol)***

- Specific excise tax: \$5.50 per gallon

### **Drink Specials**

- Free beverages: Not prohibited—licensee may offer a free drink on a case-by-case basis
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price, specified day or time: Not prohibited
- Unlimited beverages: Prohibited
- Increased volume: Not prohibited

### **Wholesale Pricing**

Pricing restrictions exist.

#### ***Beer (5 percent alcohol)***

- Minimum markup/maximum discount: Yes—no sales below cost
- Price posting requirements: Post and hold—1 month minimum
- Retailer credit: Restricted—30 days maximum

#### ***Wine (12 percent alcohol)***

- Minimum markup/maximum discount: Yes—no sales below cost
- Price posting requirements: Post and hold—1 month minimum
- Retailer credit: Restricted—30 days maximum

#### ***Spirits (40 percent alcohol)***

- Minimum markup/maximum discount: Yes—no sales below cost
- Price posting requirements: Post and hold—1 month minimum
- Retailer credit: Restricted—30 days maximum

## New Jersey State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> New Jersey Office of the Attorney General, Division of Alcoholic Beverage Control (ABC)	
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	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No
<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	Office of the Attorney General, Div. of ABC
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	205
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
	No
Data are collected on these activities	No
Number of retail licensees in state <sup>3</sup>	No data
Number of licensees checked for compliance by state agencies (including random checks)	Not applicable
Number of licensees that failed state compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Not applicable
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
	Not applicable
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	Not applicable
Number of licensees that failed <b>random</b> 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>	
	No
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 <sup>4</sup>	128

Total amount in fines across all licensees	No data
Smallest fine imposed	\$500
Largest fine imposed	\$80,000
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	128
Total days of suspensions across all licensees	No data
Shortest period of suspension imposed (in days)	15
Longest period of suspension imposed (in days)	150
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	0
Numbers pertain to the 12 months ending	12/31/2013
<b>Additional Clarification</b>	
All administrative charges involving underage drinking are filed with a penalty of either suspension or revocation of the alcoholic beverage license. State law allows the ABC to convert the suspension into a monetary fine. The conversion is based on the total annual alcohol sales divided by 365, times the number of suspension days.	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses.

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

**Underage Drinking Prevention Programs Operated or Funded by the State**

***Division of Mental Health and Addiction Services – Funded Regional***

***Substance Abuse Prevention Coalitions***

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	Yes
URL for evaluation report:	Not available online
URL for more program information:	
<a href="http://www.state.nj.us/humanservices/dmhas/resources/services/prevention/coalitions.html">http://www.state.nj.us/humanservices/dmhas/resources/services/prevention/coalitions.html</a>	

**Program Description:** Effective January 1, 2012, the Division of Mental Health and Addiction Services (DMHAS) selected 17 coalition regions in New Jersey based on the “Prevention Needs Assessment Using Social Indicators: State of New Jersey Substance Abuse Prevention County Level Needs Assessment, 2011.” The needs assessment utilized archival data of social indicators to develop composite indices of risks to estimate the need for prevention services among New Jersey’s 21 counties. Criteria included population, substance abuse treatment admissions, and rates within the region. Prevalence of alcohol and prescription drug misuse among middle- and high-school students were also considered in identifying the 17 regions. Additional criteria used to determine the regions were that each region (1) must comprise at least one county and (2) must have reported a minimum of 2,000 treatment admissions (according to the latest available data) for the previous year.

All coalitions are required to utilize environmental strategies to address underage drinking in their region. Coalitions have followed the Strategic Prevention Framework as a planning model and have submitted strategic plans describing their needs assessments, capacity analyses, and program plans. Strategic plans were approved by DMHAS. Coalitions have identified these root causes related to underage

drinking: availability/access, social access, retail access, medical access, community norms, low enforcement, low perception of risk, parental attitudes favorable to use, peer influence, price promotion, and social norms.

Additionally, coalitions are using the following interventions and strategies in their regions:

- Parents Who Host Lose the Most campaign
- Responsible Beverage Services
- Restricted Sales of Alcohol at Public Events
- Promote State Social Host Laws Promote/Adopt Private Property Ordinances
- Sticker Shock campaign

**Governor’s Council on Alcoholism and Drug Abuse (GCADA) Municipal Alliance 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	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	
<a href="http://www.state.nj.us/treasury/gcada/alliance">http://www.state.nj.us/treasury/gcada/alliance</a>	

**Program Description:** The Council administers the state’s \$10 million Alliance to Prevent Alcoholism and Drug Abuse Program, the largest network of community-based antidrug coalitions in the nation with thousands of stakeholders serving on nearly 400 Alliances encompassing more than 530 municipalities throughout New Jersey. Municipal Alliances are established by municipal ordinance and engage residents, local government, and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth, and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**15-Minute Child Break**

Program serves specific or general population	Specific population
Number of youth served	7,200
Number of parents served	2,800
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:	
<a href="http://drugfreenj.org/child-break/15-minute-child-break">http://drugfreenj.org/child-break/15-minute-child-break</a>	

**Program Description:** The 15-Minute Child Break is a free, interactive, 1-hour presentation for parents, grandparents, and caregivers who are concerned about children (of any age) and substance abuse. Representatives from the Partnership for a Drug Free New Jersey meet with groups on location to deliver this informative, engaging, and educational presentation. Participants receive age-specific information and communication skills training concerning substance abuse. Parents are empowered and supported with the assurance that, even in today’s society, they are still the strongest influence in their children’s lives. The 15-Minute Child Break presentation is supported by research (2000 Partnership for a Drug-Free New Jersey Middle School Study on Substance Use), which demonstrates that kids who communicate regularly with their parents about their daily activities are 67 percent less likely to be involved in substance abuse than children who have little or no communication. The 15-Minute Child Break covers topics such as:

- Talking to your kids about drugs and alcohol
- Influence of media and pop culture
- Effects of specific drugs
- Keeping your kids drug-free
- Strengthening parenting skills
- Utilizing teachable moments

<b>Strengthening Families Program (SFP)</b>	
Program serves specific or general population	Specific population
Number of youth served	1,650
Number of parents served	1,000
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:	No data
<p><b>Program Description:</b> DMHAS provides funding for delivery of the SFP in all 21 New Jersey counties. The SFP is a nationally and internationally recognized parenting and family strengthening program for high-risk and regular families. It is an evidence-based family skills training program found to significantly reduce problem behaviors, delinquency, and alcohol and drug abuse in children and to improve social competencies and school performance. Child maltreatment also decreases as parents strengthen bonds with their children and learn more effective parenting skills.</p>	
<b>Camden County Council on Alcoholism and Drug Abuse (CCCADA) – Communities Mobilizing for Change on Alcohol</b>	
Program serves specific or general population	Specific population
Number of youth served	4,200
Number of parents served	650
Number of caregivers served	No data
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><b>Program Description:</b> CCCADA is utilizing the Communities Mobilizing for Change on Alcohol curriculum, a Substance Abuse and Mental Health Services Administration (SAMHSA) Center for Substance Abuse Prevention (CSAP)–approved model program designed to utilize community-organizing strategies to reduce youth access to alcohol. Through Project CARE, CCCADA coordinates with local community event organizers to reduce adolescent access to alcohol, provides educational workshops and forums, initiated a media campaign, offers family skate nights to the community, and established a youth initiative called “Teens Exposing Alcohol Myths (TEAM).” CCADA has partnered with the Camden City Public Schools and the First Nazarene Baptist Church in the delivery of these services.</p>	
<b>Center for Prevention and Counseling, Community Trials Intervention</b>	
Program serves specific or general population	No data
Number of youth served	4,000
Number of parents served	800
Number of caregivers served	100
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><b>Program Description:</b> The Center for Prevention and Counseling has implemented the Community Trials Intervention for High Risk Drinking program specifically in the town of Hopatcong. This community-based environmental change program focuses on the primary strategies of collaboration, policy, and enforcement and is enhanced with communication and alternative programming activities. The agency employs the five environmental strategies indicated in the curriculum: limit alcohol access, encourage responsible beverage service, reduce underage drinking, increase actual and perceived risk of arrest from driving after drinking, and mobilize the community. This curriculum has also taken into account the Strategic Prevention Framework that the Department of Addiction Services has undertaken and will also encompass delivery assessment, capacity, planning, implementation, and evaluation.</p>	

**Youth Community Leadership Academy – NCADD – Middlesex**

Program serves specific or general population	Specific population
Number of youth served	750
Number of parents served	120
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data

**Program Description:** By using the Communities Mobilizing for Change on Alcohol model and the Developmental Assets Framework of the Search Institute to engage youth in revitalization of their neighborhoods, and having them rewarded with greater adult perception as a positive resource in the community, Perth Amboy’s community norms will shift to reflect higher prosocial expectations for their youth including lower acceptance of underage drinking.

**Communities Mobilizing for Change on Alcohol – Center for Alcohol and Drug Resources – Bergen County**

Program serves specific or general population	Specific population
Number of youth served	825
Number of parents served	175
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data

**Program Description:** The Center for Alcohol and Drug Resources uses the evidence-based program Communities Mobilizing for Change on Alcohol to alter alcohol use patterns and their related problems in the cities of Hackensack and Garfield. The goals and outcomes identified represent a commitment to focused systemic change through the development of youth and adult partnerships to impact public policy and community norms that encourage early and sustained alcohol use.

**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**

State collaborates with federally recognized tribal governments in the prevention of underage drinking	No recognized tribal governments
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Description of collaboration: Not applicable

State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing	Yes
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Program description: The Partnership for a Drug-Free New Jersey (PDFNJ) uses any and all media and formats to spread its message. PDFNJ communicates with the public through television, radio, and print; billboards; Port Authority (PATH) and New Jersey Transit signs; ads donated by Bell Atlantic in the Yellow Pages; and a host of other nontraditional communication opportunities. Working with New Jersey media to “unsell” drugs to the people—especially young people—continues to be PDFNJ’s central responsibility. It receives most of its creative work from the Partnership for a Drug-Free America, which works with the top national advertising agencies. PDFNJ does not pay for any advertising time and is grateful for support from the New Jersey media and other organizations.

State has adopted or developed best practice standards for underage drinking prevention programs	Yes
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Agencies/organizations that established best practices standards:

Federal agency(ies): SAMHSA, U.S. Department of Education, Office of Juvenile Justice and Delinquency Prevention	Yes
Agency(ies) within your state: NCADD-Middlesex, Center of Alcohol Studies (Rutgers University), Rutgers University School of Social Work	Yes
Nongovernmental agency(ies): New Jersey Prevention Network	Yes
Other:	No
Best practice standards description: Both DMHAS and the Governor’s Council on Alcoholism and Drug Abuse (GCADA) fund only evidence-based programs and strategies that have a record of effectiveness in preventing underage drinking. Additionally, the 17 Regional Coalitions and more than 400 Municipal Alliances use a risk and protective factor framework in the development and delivery of community-based coalition activities.	
<b>Additional Clarification</b>	
No data	

<b>State Interagency Collaboration</b>	
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 URL or other means of access: Not applicable	Not applicable

<b>Underage Drinking Reports</b>	
State has prepared a plan for preventing underage drinking in the last 3 years Prepared by: Division of Mental Health and Addiction Services Plan can be accessed via: Donald K. Hallcom, Ph.D., donald.hallcom@dhs.state.nj.us	Yes
State has prepared a report on preventing underage drinking in the last 3 years Prepared by: Division of Mental Health and Addiction Services Plan can be accessed via: <a href="http://www.state.nj.us/humanservices/dmhas/publications/surveys/Middle%20School%20Risk%20%20Protective%20Factors/2012.pdf">http://www.state.nj.us/humanservices/dmhas/publications/surveys/Middle%20School%20Risk%20%20Protective%20Factors/2012.pdf</a>	Yes

<b>Additional Clarification</b>	
For information on annual (1) and lifetime (2) use of alcohol by New Jersey middle school students:	
(1) <a href="http://www.state.nj.us/humanservices/dmhas/publications/surveys/Middle%20School%20Survey%20by%20Substance/Alcohol_Annual.pdf">http://www.state.nj.us/humanservices/dmhas/publications/surveys/Middle%20School%20Survey%20by%20Substance/Alcohol_Annual.pdf</a>	
(2) <a href="http://www.state.nj.us/humanservices/dmhas/publications/surveys/Middle%20School%20Survey%20by%20Substance/Alcohol_Lifetime.pdf">http://www.state.nj.us/humanservices/dmhas/publications/surveys/Middle%20School%20Survey%20by%20Substance/Alcohol_Lifetime.pdf</a>	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$1,100,000
Estimate based on the 12 months ending	12/31/2013
<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	\$7,200,000
Estimate based on the 12 months ending	6/30/2014
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$200,000
Estimate based on the 12 months ending	6/30/2014
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$150,000
Estimate based on the 12 months ending	6/30/2014
<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	\$125,000
Estimate based on the 12 months ending	6/30/2014
<i>Other programs:</i>	
Programs or strategies included the Governor’s Council on Alcoholism and Drug Abuse Municipal Alliances	
Estimate of state funds expended	\$4,500,000
Estimate based on the 12 months ending	6/30/2014

#### **Funds Dedicated to Underage Drinking**

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

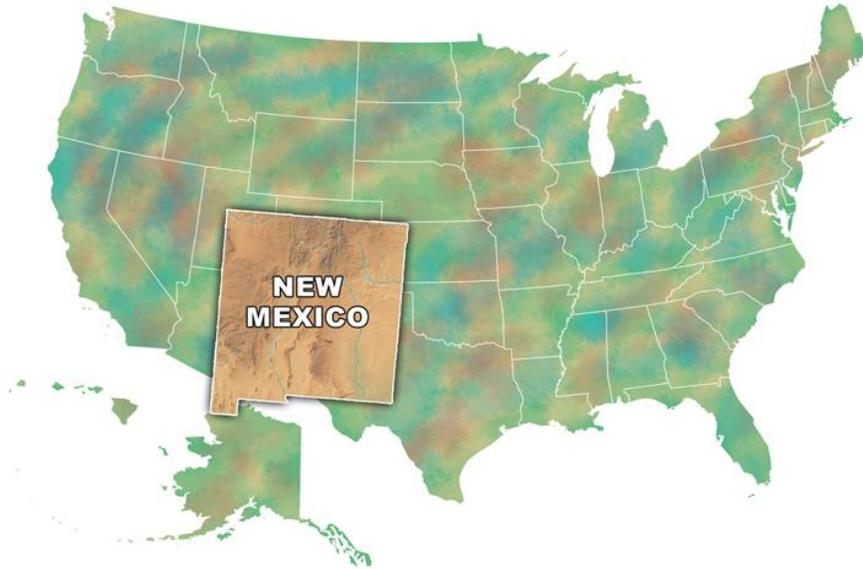
Taxes	No
Fines	Yes
Fees	No
Other:	No

*Description of funding streams and how they are used:*

Fines collected through the Drug Enforcement Demand Reduction (DEDR) program are used to fund programs delivered by the Municipal Alliances.

#### **Additional Clarification**

No data



# New Mexico

## State Profile and Underage Drinking Facts\*

State Population: 2,085,287  
 Population Ages 12–20: 254,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	21.8	55,000
Past-Month Binge Alcohol Use	14.3	36,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	5.3	5,000
Past-Month Binge Alcohol Use	2.1	2,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	20.3	16,000
Past-Month Binge Alcohol Use	13.2	11,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	39.7	34,000
Past-Month Binge Alcohol Use	27.5	24,000
<b>Alcohol-Attributable Deaths (under 21)</b>		46
<b>Years of Potential Life Lost (under 21)</b>		2,794
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	39	4

\* 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 EITHER
- Parent/guardian OR
- Spouse

*Note:* In New Mexico, possession of alcoholic beverages by a person under 21 is specifically allowed when “a parent, legal guardian or adult spouse of a minor serves alcoholic beverages to that minor on real property, other than licensed premises, under the control of the parent, legal guardian or adult spouse.”

### Underage Consumption of Alcohol

Consumption is not explicitly prohibited.

### Internal Possession by Minors

Internal possession is not explicitly prohibited.

### 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.
- No driver’s license suspension 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.
- 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 18.

#### *Type(s) of violation leading to driver’s license suspension, revocation, or denial*

- Underage purchase
- Underage possession

***Authority to impose driver’s license sanction***

- Discretionary

***Length of suspension/revocation***

- 90 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: 15 years, 6 months
- Unsupervised night driving
  - Prohibited after: 12 a.m.
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one passenger under 21 who is not an immediate family member
  - 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):

- Private location AND EITHER
- Parent/guardian OR
- Spouse

*Note:* In New Mexico, furnishing of alcoholic beverages to a person under 21 is specifically allowed when a parent, legal guardian, or adult spouse of a minor serves alcoholic beverages to that minor on real property, other than licensed premises, under the control of the parent, legal guardian, or adult spouse, or when alcoholic beverages are used in the practice of religious beliefs.

**Compliance Check Protocols**

***Age of decoy***

- Minimum: 18
- Maximum: 20

***Appearance requirements***

- Age-appropriate appearance; no sunglasses or caps
- Male: No facial hair
- Female: No excessive makeup

***ID possession***

- Required

***Verbal exaggeration of age***

- Prohibited

***Decoy training***

- Not specified

**Penalty Guidelines for Sales to Minors**

- Time period/conditions: 1 year
- First offense: \$1,000 to \$2,000 fine and 1-day license suspension
- Second offense: \$2,000 to \$3,000 fine and 7-day license suspension
- Third offense: \$10,000 fine and license revocation

*Note:* Affirmative defenses provided.

**Responsible Beverage Service**

***Mandatory beverage service training for 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: 21
- Wine: 21
- Spirits: 21

**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

**Distance Limitations for New Alcohol Outlets near Universities and Schools**

***Colleges and universities***

- Limitations on outlet siting:
  - Off-premises outlets: Yes—within 300 feet, but local government has authority to override state restrictions
  - On-premises outlets: Yes—within 300 feet, but local government has authority to override state restrictions
  - Alcohol products: Beer, wine, spirits

***Primary and secondary schools***

- Prohibitions against outlet siting:
  - Off-premises outlets: Yes—within 300 feet, but local government has authority to override state restrictions
  - On-premises outlets: Yes—within 300 feet, but local government has authority to override state restrictions
  - Alcohol products: Beer, wine, spirits

**Dram Shop Liability**

Statutory liability exists.

*Note:* Limitations on damages in New Mexico law were held unconstitutional by the New Mexico Supreme Court.

### **Social Host Liability Laws**

Statutory liability exists subject to the following conditions:

- Limitations on elements/standards of proof: Alcohol must be furnished recklessly in disregard of the rights of others, including the social guest.

*Note:* Limitations on damages in New Mexico law were held unconstitutional by the New Mexico Supreme Court.

### **Host Party Laws**

No state-imposed liability for hosting underage drinking parties

### **Retailer Interstate Shipments of Alcohol**

Prohibition against retailer interstate shipments:

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

*Note:* A individual or licensee, except for a person holding a winery license, in a state that affords New Mexico licensees or individuals an equal reciprocal shipping privilege may ship, for personal use and not for resale, no more than two cases of wine (no more than 9 liters each case) per month to any adult resident of the state. Delivery of a shipment pursuant to this section shall not be deemed to constitute a sale in this state.

### **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: More than 6 gallons
- Purchaser information collected:
  - Purchaser's name and address
  - Verified by a government-issued ID
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- 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: \$0.41 per gallon

#### ***Wine (12 percent alcohol)***

- Specific excise tax: \$1.70 per gallon

#### ***Spirits (40 percent alcohol)***

- Specific excise tax: \$6.06 per gallon

### **Drink Specials**

- Free beverages: Not prohibited—licensee may offer a free drink on a case-by-case basis.
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price, specified day or time: Not prohibited
- Unlimited beverages: Prohibited
- Increased volume: Not prohibited

### **Wholesale Pricing**

Pricing restrictions exist.

#### ***Beer (5 percent alcohol)***

- Retailer credit: Restricted—30 days maximum

#### ***Wine (12 percent alcohol)***

- Retailer credit: Restricted—30 days maximum

#### ***Spirits (40 percent alcohol)***

- Retailer credit: Restricted—30 days maximum

## New Mexico State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
<p>The Special Investigations Division (SID) is a division of the Department of Public Safety. SID officers have statewide law enforcement jurisdiction and enforce both administrative regulations and criminal codes. SID is the designated lead agency for enforcement of New Mexico's Liquor Control Act (NMSA 60-3-1 through 60-12-10) and a major contributor in the state's effort to reduce driving while intoxicated (DWI). The division performs a range of enforcement and regulatory activities statewide:</p> <ul style="list-style-type: none"> <li>• Premise inspection at licensed liquor establishments</li> <li>• Compliance operations (underage enforcement operations, tobacco compliance operations)</li> <li>• Source investigations</li> <li>• Investigations into illegal sales of alcohol to intoxicated persons</li> <li>• Financial investigations</li> <li>• Undercover operations</li> <li>• Training of city and county police officers, community groups, and industry employees</li> </ul>	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No
<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	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	No
Such laws are also enforced by local law enforcement agencies	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	Yes
Number of minors found in possession by state law enforcement agencies	51
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	1,156
Number of licensees checked for compliance by state agencies (including random checks)	2,045
Number of licensees that failed state compliance checks	92
Numbers pertain to the 12 months ending	12/31/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	Yes
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	2,045

Number of licensees that failed <b>random</b> state compliance checks	92
<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
<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	No data
Number of fines imposed by the state <sup>4</sup>	No data
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>	No data
Number of suspensions imposed by the state <sup>5</sup>	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>	Revocation is not an enforcement option in New Mexico
Number of license revocations imposed <sup>6</sup>	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Additional Clarification</b>	
No data	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

<b>Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>Santa Fe Underage Drinking Prevention Alliance</b>	
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	Yes
URL for evaluation report: Electronic copy provided on request	
URL for more program information:	Data not available
<b>Program Description:</b> The Santa Fe Underage Drinking Prevention Alliance is a city-based coalition dedicated to reducing underage drinking (UAD). The coalition focuses on changing community norms accepting of UAD, reducing retail access to alcohol, increasing enforcement of minimum legal drinking age (MLDA) and DWI laws and sanctions, increasing perceived risk of arrest for breaking alcohol-related laws, and educating the public and legislators about the benefits of increases in alcohol pricing and taxes.	
<b>Colfax County Youth Empowerment Services (CCYES)</b>	

Program serves specific or general population Number of youth served Number of parents served Number of caregivers served Program has been evaluated Evaluation report is available URL for evaluation report: Electronic report provided on request URL for more program information:	General population Not applicable Not applicable Not applicable Yes Yes Data not available
<p><b>Program Description:</b> CCYES, based in Raton, New Mexico, is a countywide agency focusing on decreasing easy retail and social access to alcohol; increasing enforcement of alcohol, tobacco, and drug laws; and increasing perceived risk among youth of arrest for breaking those laws.</p>	
<p><b>Counseling Associates, Inc. / Turquoise Health &amp; Wellness (CAI/THW)</b></p>	
Program serves specific or general population Number of youth served Number of parents served Number of caregivers served Program has been evaluated Evaluation report is available URL for evaluation report: Electronic copy provided on request URL for more program information:	Specific population 314 No data No data Yes Yes Data not available
<p><b>Program Description:</b> CAI/THW is a behavioral health provider in Roswell, New Mexico, that delivers Botvin's Life Skills to 6th, 7th, and 8th grades. For environmental strategies, CAI/THW focuses on strengthening enforcement of school ATOD policies at the district and college levels; increasing enforcement and coordination of alcohol, tobacco, and drug laws; and increasing perceived risk among youth of arrest for breaking those laws.</p>	
<p><b>Five Sandoval Indian Pueblos (FSIP)</b></p>	
Program serves specific or general population Number of youth served Number of parents served Number of caregivers served Program has been evaluated Evaluation report is available URL for evaluation report: Electronic copy provided on request URL for more program information: <a href="http://www.fsipinc.org/Community_Health.html#PreventionProgram">http://www.fsipinc.org/Community_Health.html#PreventionProgram</a>	Specific population 22 No data No data Yes Yes
<p><b>Program Description:</b> FSIP is a Native American behavioral health provider in Bernalillo, New Mexico, that delivers Project Venture to 8th graders and focuses on strengthening enforcement of school ATOD policies; increasing enforcement activities such as shoulder taps, sobriety checkpoints, and party patrols; and increasing perceived risk among youth of arrest for breaking alcohol, tobacco, and drug laws.</p>	
<p><b>Hands Across Cultures Corporation (HACC)</b></p>	
Program serves specific or general population Number of youth served Number of parents served Number of caregivers served Program has been evaluated Evaluation report is available URL for evaluation report: Electronic copy provided on request URL for more program information: <a href="http://www.handsacrosscultures.org">http://www.handsacrosscultures.org</a>	General population Not applicable Not applicable Not applicable Yes Yes
<p><b>Program Description:</b> HACC is a community agency serving southern Rio Arriba County and the City of Espanola. HACC focuses on strengthening enforcement of school ATOD policies; reducing retail access to alcohol; increasing enforcement of alcohol, tobacco, and drugs laws and efforts; and increasing perceived risk of arrest for breaking alcohol-related laws.</p>	

<b>North Central Community Based Services (NCCBS)</b>	
Program serves specific or general population	Specific population
Number of youth served	60
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report: Electronic copy provided on request	
URL for more program information: <a href="http://www.nccbs.org">http://www.nccbs.org</a>	
<b>Program Description:</b> NCCBS is a Northern Rio Arriba County–based behavioral health provider in Chama, New Mexico, that delivers Too Good for Drugs to 6th through 9th grades. NCCBS focuses on strengthening school ATOD policies; decreasing easy retail and social access to alcohol; increasing enforcement of alcohol, tobacco, and drug laws and activities; and increasing perceived risk among youth of arrest for breaking those laws.	
<b>Rocky Mountain Youth Corps (RMYC)</b>	
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	Yes
URL for evaluation report: Electronic copy provided on request	
URL for more program information: <a href="http://www.youthcorps.org">http://www.youthcorps.org</a>	
<b>Program Description:</b> RMYC is a youth development organization in Taos, New Mexico, that focuses on strengthening school ATOD policies; increasing enforcement of alcohol, tobacco, and drug laws and activities; and increasing perceived risk among youth of arrest for breaking those laws.	
<b>Sandoval County DWI Prevention Program (SCDWIPP)</b>	
Program serves specific or general population	Specific population
Number of youth served	150
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report: Electronic copy provided on request	
URL for more program information: <a href="http://www.sandovalcounty.com/departments/community-services/dwi-and-prevention/prevention-program/dwi-prevention-services">http://www.sandovalcounty.com/departments/community-services/dwi-and-prevention/prevention-program/dwi-prevention-services</a>	
<b>Program Description:</b> SCDWIPP is one of the 33 local DWI programs administered by the New Mexico Department of Finance and Administration (DFA) in Bernalillo, New Mexico. SCDWIPP delivers Dare To Be You to 6th through 9th grades and focuses on strengthening enforcement of school ATOD policies, increasing enforcement of ATOD laws and efforts, increasing perception of the risk of arrest for breaking those laws, and reducing retail and social access to alcohol for youth.	
<b>San Juan County Partnership (SJCP)</b>	
Program serves specific or general population	Specific population
Number of youth served	100
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report: Electronic copy provided on request	
URL for more program information: <a href="http://www.sjcpartnership.org/services.php">http://www.sjcpartnership.org/services.php</a>	

<p><b>Program Description:</b> SJCP is a countywide coalition in Farmington, New Mexico, that delivers Botvin's Life Skills Training to 6th and 7th graders. SJCP focuses on strengthening school ATOD policies; decreasing easy retail and social access to alcohol; increasing enforcement of alcohol, tobacco, and drug laws and activities; and increasing perceived risk among youth of arrest for breaking those laws.</p>	
<p><b>Santa Fe Mountain Center (SFMC)</b></p>	
Program serves specific or general population	Specific population
Number of youth served	22
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
<p>URL for evaluation report: Electronic copy provided on request                  URL for more program information: <a href="http://www.santafemc.org/">http://www.santafemc.org/</a></p>	
<p><b>Program Description:</b> SFMC is a positive youth development organization in Tesuque, New Mexico, that delivers Power to Change to 22 6th through 9th graders. SFMC focuses on strengthening enforcement of school ATOD policies, increasing enforcement of alcohol-related laws and activities, reducing easy retail and social access to alcohol, and increasing perception of risk of arrest for breaking ATOD laws.</p>	
<p><b>Unified Prevention! (UP!) Coalition for a Drug Free Doña Ana County</b></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	Yes
<p>URL for evaluation report: Electronic copy provided on request                  URL for more program information: <a href="http://www.unifiedprevention.com">http://www.unifiedprevention.com</a></p>	
<p><b>Program Description:</b> UP! is a countywide coalition based in Las Cruces, New Mexico, focusing on prevention of underage drinking among 12- to 20-year-olds and prescription drug abuse/misuse among 12- to 25-year-olds. Alcohol prevention targets increasing enforcement of alcohol-related laws and activities, reducing easy retail and social access to alcohol, and increasing perception of risk of arrest for breaking alcohol-related laws.</p>	
<p><b>Youth Substance Abuse Prevention Coalition (YSAPC)</b></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	Yes
<p>URL for evaluation report: Electronic copy provided on request                  URL for more program information: Data not available</p>	
<p><b>Program Description:</b> YSAPC is a youth-focused, countywide coalition based in Silver City, New Mexico, focusing on prevention of underage drinking among 12- to 20-year-olds and prescription drug abuse/misuse among 12- to 25-year-olds. Alcohol prevention targets strengthening enforcement of school and college ATOD policies, increasing enforcement of alcohol-related laws and activities, and increasing perception of risk of arrest for breaking alcohol-related laws.</p>	

<b>Community Drug Coalition of Lea County</b>	
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	Yes
URL for evaluation report: Electronic copy provided on request	
URL for more program information: <a href="http://www.communitydrugcoalition.com">http://www.communitydrugcoalition.com</a>	
<b>Program Description:</b> The Community Drug Coalition of Lea County is a countywide coalition based in Hobbs, New Mexico, focusing on prevention of underage drinking among 12- to 20-year-olds and prescription drug abuse/misuse among 12- to 25-year-olds. Alcohol prevention targets strengthening enforcement of school ATOD policies, decreasing social access, increasing enforcement of alcohol-related laws and activities, and increasing perception of risk of arrest for breaking alcohol-related laws.	
<b>Luna Health Council</b>	
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	Yes
URL for evaluation report: Electronic copy provided on request	
URL for more program information: <a href="http://www.lunacountynm.us/community-health-and-well-being/">http://www.lunacountynm.us/community-health-and-well-being/</a>	
<b>Program Description:</b> The Luna Health Council is a countywide health council in Deming, New Mexico focusing on prevention of underage drinking among 12- to 20-year-olds and prescription drug abuse/misuse among 12- to 25-year-olds. Alcohol prevention targets decreased social access, increased enforcement of alcohol-related laws and activities, and increased perception of risk of arrest for breaking alcohol-related laws.	
<b>Strategic Network of Advocates for the Prevention of Suicide &amp; Substance Abuse (SNAPSSA)</b>	
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	Yes
URL for evaluation report: Electronic copy provided on request	
URL for more program information:	Data not available
<b>Program Description:</b> SNAPSSA is a countywide coalition based in Gallup, New Mexico, focusing on prevention of underage drinking among 12- to 20-year-olds and prescription drug abuse/misuse among 12- to 25-year-olds. Alcohol prevention targets strengthening enforcement of school ATOD policies, increased enforcement of alcohol-related laws and activities, and increased perception of risk of arrest for breaking alcohol-related laws.	
<b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>No data</b>	
URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
No data	

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<p><i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i></p> <p>Description of collaboration: The Office of Substance Abuse Prevention (OSAP) contracts with Pueblo of Laguna as well as five Sandoval Indian Pueblos (Cochiti, Jemez, Sandia, Santa Ana, and Zia) in New Mexico to provide substance abuse prevention services including prevention of UAD. Additionally, OSAP has begun new contracts with the Pueblos of Tesuque and Santo Domingo, and the Mescalero Apache Tribe. All three entities will spend FY2014–15 going through the Strategic Prevention Framework. They will begin implementation of substance abuse prevention services in FY2015–16.</p>	Yes
<p><i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i></p> <p>Description of program: Not applicable</p>	No
<p><i>State has adopted or developed best practice standards for underage drinking prevention programs</i></p> <p>Agencies/organizations that established best practices standards:</p> <p>Federal agency(ies):</p> <p>Agency(ies) within your state: State Epidemiological Outcomes Workgroup</p> <p>Nongovernmental agency(ies):</p> <p>Other:</p> <p>Best practice standards description: OSAP funds only evidence-based programs (EBPs) shown to be effective on lists such as the National Registry of Evidence-Based Programs and Practices (NREPP). OSAP works with the State Epidemiological and Outcomes Workgroup (SEOW) to identify and select EBPs eligible for substance abuse prevention including UAD.</p>	<p>Yes</p> <p>No</p> <p>Yes</p> <p>No</p> <p>No</p>
<b>Additional Clarification</b>	
No data	

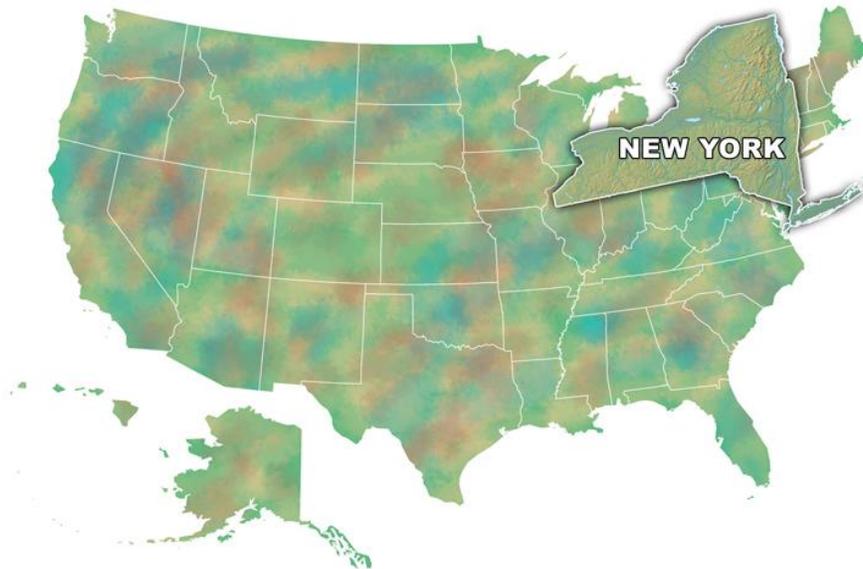
<b>State Interagency Collaboration</b>	
<p><i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i></p> <p>Committee contact information:</p> <p>Name: Karen Cheman, Prevention Policy Consortium</p> <p>E-mail: karen.cheman@state.nm.us</p> <p>Address: Office of Substance Abuse Prevention, Behavioral Health Services Division, Human Services Department, 37 Plaza La Prensa, Santa Fe, NM 87507</p> <p>Phone: 505-476-9270</p>	Yes
<p><i>Agencies/organizations represented on the committee:</i></p> <p>Office of Substance Abuse Prevention, BHSD/HSD</p> <p>Behavioral Health Services Division, Human Services Department</p> <p>Epidemiology &amp; Response Division, Department of Health</p> <p>Traffic Safety Division, Department of Transportation</p> <p>Children's Behavioral Health Services Division, Children, Youth &amp; Families Department</p> <p>DWI Program, Department of Finance</p> <p>Pacific Institute for Research &amp; Evaluation</p> <p>Office of School &amp; Adolescent Health, Department of Health</p> <p>Tobacco Use Prevention and Control Program, Department of Health</p>	
<p><i>A website or other public source exists to describe committee activities</i></p> <p>URL or other means of access: Not applicable</p>	No

<b>Underage Drinking Reports</b>	
<p><i>State has prepared a plan for preventing underage drinking in the last 3 years</i></p> <p>Prepared by: The Prevention Policy Consortium</p> <p>Plan can be accessed via: Document can be provided electronically on request</p>	Yes
<p><i>State has prepared a report on preventing underage drinking in the last 3 years</i></p>	No

Prepared by: Not applicable Plan can be accessed via: Not applicable
<b>Additional Clarification</b>
No data

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<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	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: Prescription Drug Abuse/Misuse Prevention: DEA Take Back Events, Proper Prescription Drug Disposal, Lock Up Your Meds/Rx Safe Boxes, and Drug Free Workplace Policies	
Estimate of state funds expended	\$150,000
Estimate based on the 12 months ending	6/30/2014

<b>Funds Dedicated to Underage Drinking</b>	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	Yes
Fines	No
Fees	No
Other:	No
<i>Description of funding streams and how they are used:</i>	
A portion (approximately 41 percent) of annual state alcohol excise tax revenue is allocated, by statute, to county-level local driving while intoxicated (DWI) prevention programs. These county programs allocate these funds, in turn, to treatment, prevention, law enforcement, compliance monitoring, and other activities, of which prevention is a substantial portion. Of the funds allocated for prevention, roughly 60 percent are allocated for underage drinking (UAD) prevention.	
<b>Additional Clarification</b>	
The Office of Substance Abuse Prevention did not receive state funds for prevention of underage drinking for FY2014.	



# New York

## State Profile and Underage Drinking Facts\*

State Population: 19,651,127  
 Population Ages 12–20: 2,310,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	29.0	669,000
Past-Month Binge Alcohol Use	17.4	403,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.4	31,000
Past-Month Binge Alcohol Use	1.7	12,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	27	208,000
Past-Month Binge Alcohol Use	15	115,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	51.5	431,000
Past-Month Binge Alcohol Use	32.9	276,000
<b>Alcohol-Attributable Deaths (under 21)</b>		181
<b>Years of Potential Life Lost (under 21)</b>		10,916
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	23	14

\* 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): Parent/guardian

### Underage Consumption of Alcohol

Consumption is not explicitly prohibited.

### Internal Possession by Minors

Internal possession is not explicitly prohibited.

### Underage Purchase of Alcohol

Purchase is NOT prohibited and there is no specific allowance for youth purchase for law enforcement purposes.

*Note:* New York does not have a statute that specifically prohibits purchase, but it does prohibit purchasing or attempting to purchase alcohol by using false evidence of age.

### 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*

- State provides incentives to retailers who use electronic scanners that read birthdate and other information digitally encoded on valid identification cards.
- 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“)

No use/lose law

### Graduated Driver’s License

#### *Learner stage*

- Minimum entry age: 16
- Minimum learner stage period: 6 months
- Minimum supervised driving requirement: 50 hours, of which 15 must be at night

#### *Intermediate stage*

- Minimum age: 16 years, 6 months
- Unsupervised night driving

- Prohibited after: 9 p.m.
- Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one passenger under 21 who is not an immediate family member, unless accompanied by parent or instructor
  - Primary enforcement of the passenger-restriction rule

#### ***License stage***

- Minimum age to lift restrictions: 17

*Note:* New York has regional restrictions that apply to the five boroughs of New York City and Nassau, Suffolk, Westchester, Rockland, and Putnam counties. These restrictions are not provided here. The New York DMV issues a limited-use junior license to a junior driver (under 18) who passes a road test during the first 6 months (i.e., within the mandatory 6-month holding period) after the learner permit was issued. A limited-use junior license allows the junior driver to drive without supervision between 5 a.m. and 9 p.m. and within specific geographical boundaries for purposes related to school, employment, medical care, or child care. This then converts to an intermediate-stage license at the end of the mandatory 6-month holding period.

## **Laws Targeting Alcohol Suppliers**

### **Furnishing of Alcohol to Minors**

Furnishing is prohibited—no explicit exceptions noted in the law.

### **Compliance Check Protocols**

No data

### **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.

#### ***Incentive for training***

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

*Note:* In certain proceedings to revoke, cancel, or suspend a retail license based on furnishing to a minor, it can be an affirmative defense that at the time of the violation the person who committed the alleged violation held a valid certificate of completion or renewal from an entity authorized to give and administer an alcohol training awareness program, and that the licensee had diligently implemented and complied with all of the provisions of the approved training program. The licensee is required to prove each element of the affirmative defense by a preponderance of the credible evidence.

### **Minimum Ages for Off-Premises Sellers**

- Beer: Not specified
- Wine: Not specified
- Spirits: 18

### ***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: 18 for both servers and bartenders
- Wine: 18 for both servers and bartenders
- Spirits: 18 for both servers and bartenders

**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
  - On-premises outlets: Yes—within 200 feet (applies only to on-premises licenses that sell spirits)
  - Alcohol products: Wine, spirits

*Note:* Exceptions include (1) clubs affiliated with such school, if school has no objection; (2) certain sections in county of Ulster, borough of Manhattan, and town of Bainbridge; (3) special retail liquor licenses for theaters where availability of alcohol is not advertised in a manner visible from the street.

**Dram Shop Liability**

Statutory liability exists.

**Social Host Liability Laws**

Statutory liability exists.

**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.
- 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:* Direct sales/shipments permitted only for wineries in states that afford New York wineries a reciprocal shipping privilege.

### **Keg Registration**

Registration is not required.

### **Home Delivery**

- Beer: Permitted—beer deliveries limited to 5 gallons and delivery vehicles must be clearly marked
- Wine: Permitted—delivery vehicles must be clearly marked
- Spirits: Permitted—delivery vehicles must be clearly marked

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Specific excise tax: \$0.14 per gallon

#### ***Wine (12 percent alcohol)***

- Specific excise tax: \$0.30 per gallon

#### ***Spirits (40 percent alcohol)***

- Specific excise tax: \$6.44 per gallon
- Additional taxes: \$2.54 per gallon for alcohol content of 24 percent or less

### **Drink Specials**

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

### **Wholesale Pricing**

Pricing restrictions exist.

#### ***Beer (5 percent alcohol)***

- Retailer credit: Restricted—25 days maximum

#### ***Wine (12 percent alcohol)***

- Price posting requirements: Post and hold—1 month minimum
- Retailer credit: Restricted—30 days maximum; payment is required from certain retail beer and wine licensees (i.e., those who purchase beer and/or wine for resale for on- and off-premises consumption but not including licensees who sell liquor and/or wine for off-premises consumption)

#### ***Spirits (40 percent alcohol)***

- Price posting requirements: Post and hold—1 month minimum
- Retailer credit: Restricted—30 days maximum

## New York State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> New York State Police Criminal Violations; New York State Liquor Authority Administrative Violations	
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	Data not available
Shoulder Tap Operations	Data not available
Party Patrol Operations or Programs	Data not available
Underage Alcohol-Related Fatality Investigations	Data not available
<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/shipments 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>	
	Don't know
Number of minors found in possession by state law enforcement agencies	Not applicable
Number pertains to the 12 months ending	Not applicable
Data include arrests/citations issued by local law enforcement agencies	Not applicable
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	43,000
Number of licensees checked for compliance by state agencies <b>(including random checks)</b>	1,947
Number of licensees that failed state compliance checks	512
Numbers pertain to the 12 months ending	12/31/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
	Yes
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	1,947
Number of licensees that failed <b>random</b> state compliance checks	512
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
	Don't know/no answer
Data are collected on these activities	Not applicable
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

<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	Yes
Number of fines imposed by the state <sup>4</sup>	1,259
Total amount in fines across all licensees	\$4795.34
Smallest fine imposed	\$1,000
Largest fine imposed	\$20,000
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	53
Total days of suspensions across all licensees	1,316
Shortest period of suspension imposed (in days)	10
Longest period of suspension imposed (in days)	124
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	41
Numbers pertain to the 12 months ending	12/31/2013
<b>Additional Clarification</b>	
The NYS Police and NYS Liquor Authority answered all questions in Part 1.	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

<b>Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>Project Northland</b>	
Program serves specific or general population	Specific population
Number of youth served	1,150
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
<p><b>Program Description:</b> Project Northland is a multilevel intervention involving students, peers, parents, and community in programs designed to delay the age at which adolescents begin drinking, reduce alcohol use among those already drinking, and limit the number of alcohol-related problems among young drinkers. Administered weekly to adolescents in grades 6–8, the program has a specific theme within each grade level that is incorporated into the parent, peer, and community components. The 6th-grade home-based program targets communication about adolescent alcohol use utilizing student-parent homework assignments, in-class group discussions, and a communitywide task force. The 7th-grade peer- and teacher-led curriculum focuses on resistance skills and normative expectations regarding teen alcohol use, and is implemented through discussions, games, problem-solving tasks, and role-plays. During the first half of the 8th-grade Power Lines peer-led program, students learn about community dynamics related to alcohol use prevention through small-group and classroom interactive activities. During the second half, they work on community-based projects and hold a mock town meeting to make community policy recommendations to prevent teen alcohol use.</p>	

<b>LifeSkills Training (LST)</b>	
Program serves specific or general population	Specific population
Number of youth served	66,930
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
<b>Program Description:</b> LST is a school-based program that aims to prevent alcohol, tobacco, and marijuana use and violence by targeting the major social and psychological factors that promote the initiation of substance use and other risky behaviors.	
<b>Too Good for Drugs (TGFD)</b>	
Program serves specific or general population	Specific population
Number of youth served	23,326
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
<b>Program Description:</b> TGFD is a school-based prevention program for kindergarten through 12th grade that builds on students' resiliency by teaching them how to be socially competent and autonomous problem solvers.	
<b>Second Step</b>	
Program serves specific or general population	Specific population
Number of youth served	16,608
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
<b>Program Description:</b> Second Step is a classroom-based social-skills program for children ages 4 to 14 that teaches socioemotional skills aimed at reducing impulsive and aggressive behavior while increasing social competence.	
<b>Project SUCCESS</b>	
Program serves specific or general population	Specific population
Number of youth served	8,920
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
<b>Program Description:</b> Project SUCCESS (Schools Using Coordinated Community Efforts to Strengthen Students) is designed to prevent and reduce substance use among students 12 to 18 years old. The program was originally developed for students attending alternative high schools who are at high risk for substance use and abuse due to poor academic performance, truancy, discipline problems, negative attitudes toward school, and parental substance abuse.	

<b>Project ALERT</b>	
Program serves specific or general population	Specific population
Number of youth served	8,303
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
<b>Program Description:</b> Project ALERT is a school-based prevention program for middle or junior high school students that focuses on alcohol, tobacco, and marijuana use. It seeks to prevent adolescent nonusers from experimenting with these drugs, and to prevent youths who are already experimenting from becoming people who use more regularly or have an alcohol use disorder.	
<b>Project Towards No Drug Abuse (Project TND)</b>	
Program serves specific or general population	Specific population
Number of youth served	7,952
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
<b>Program Description:</b> Project TND is a drug use prevention program for high school youth. The current version of the curriculum is designed to help students develop self-control and communication skills, acquire resources that help them resist drug use, improve decisionmaking strategies, and develop the motivation to not use drugs.	
<b>Promoting Alternative Thinking Strategies (PATHS)</b>	
Program serves specific or general population	Specific population
Number of youth served	1,506
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
<b>Program Description:</b> PATHS and PATHS Preschool are school-based preventive interventions for children in elementary school or preschool. The interventions are designed to enhance areas of social-emotional development such as self-control, self-esteem, emotional awareness, social skills, friendships, and interpersonal problem-solving skills while reducing aggression and other behavior problems.	
<b>Class Action</b>	
Program serves specific or general population	Specific population
Number of youth served	1,436
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
<b>Program Description:</b> Class Action is the second phase of the Project Northland alcohol-use prevention curriculum series. Class Action (for grades 11–12) and Project Northland (for grades 6–8) are designed to delay the onset of alcohol use, reduce use among youths who have already tried alcohol, and limit the number of alcohol-related problems experienced by young drinkers.	

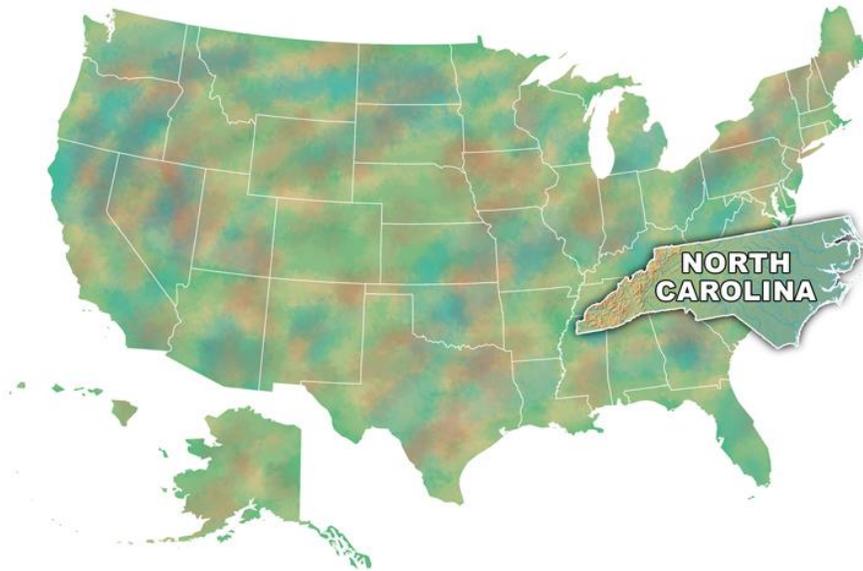
<b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>No data</b>	
URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
No data	

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	Yes
Description of collaboration: The St. Regis Mohawk Tribe and Health Services provides prevention services on and off the Reservation. The provider delivers Too Good for Drugs and does social marketing and coalition development. Alternatives Counseling Services Inc. provides services to the Shinnecock Indian Nation in the town of Southampton in Suffolk County. This provider delivers Too Good For Drugs, Too Good For Violence, and Project Venture.	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes
Program description: The Youth Development Survey was to be conducted in fall 2014 with questions related to youth exposure. Many providers and coalitions funded by the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) have been doing surveys annually that also measure youth exposure.	
<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: NYS Prevention Guidelines	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description:	
<i>Prevention Guidelines:</i> The primary purpose of the 2012 Prevention Guidelines is to define and describe acceptable levels of prevention services, and strategies and activities necessary to reduce underage drinking, alcohol misuse and abuse, illegal drug abuse, medication misuse, and problem gambling within the framework prescribed by the NYS OASAS.	
<i>Environmental Strategies:</i> Environmental substance abuse prevention strategies were designed to impact the community, social, and economic contexts in which people access and consume alcohol, tobacco, or other drugs. These strategies are grounded in the field of public health and emphasize changing the broader physical, social, cultural, and institutional forces that contribute to health problems in the general population. In NY, environmental strategies primarily target underage drinking, and research supports the effectiveness of this approach in preventing/reducing underage alcohol consumption. The most effective environmental strategies employ a three-pronged approach: (1) enacting or improving laws, regulations, and policies; (2) enhancing enforcement of the law, regulation, or policy; and (3) use of the media to raise community awareness and support for the policy and enforcement activities.	
Community mobilization and media support are essential both to generate community support for the environmental changes and to promote their sustainability. These relatively new and effective evidence-based prevention strategies, like all effective prevention, must be based on a community needs assessment of the specific environmental factors that lead to substance-related negative consequences. To be successful, multiple and reinforcing strategies must be planned carefully.	

<b>Additional Clarification</b>	
<p>The Prevention Guidelines (PG) explain the process for developing and implementing evidenced-based environmental prevention strategies. The PG are currently being updated, but the 2012 Guidelines are still in effect and can be found at the website below:  <a href="http://www.oasas.ny.gov/prevention/documents/2012PreventionGuidelines.pdf">http://www.oasas.ny.gov/prevention/documents/2012PreventionGuidelines.pdf</a></p>	
<b>State Interagency Collaboration</b>	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<p><i>Committee contact information:</i>                  Name: Doug Paquette                  E-mail: <a href="mailto:Doug.Paquette@troopers.ny.gov">Doug.Paquette@troopers.ny.gov</a>                  Address: 1220 Washington Avenue, Albany, NY 12226                  Phone: 518-457-7504</p>	
<p><i>Agencies/organizations represented on the committee:</i>                  Office of Alcoholism and Substance Abuse Services                  State Liquor Authority                  Office of Mental Health                  Attorney General                  Majority Leader of Senate                  Speaker of Assembly                  Representatives from community agencies statewide</p>	
<i>A website or other public source exists to describe committee activities</i>	Yes
<p>URL or other means of access:  <a href="http://www.oasas.ny.gov/prevention/documents/2011AdvisoryCouncilonUnderageAlcoholConsumptionDraftAnnualReport.pdf">http://www.oasas.ny.gov/prevention/documents/2011AdvisoryCouncilonUnderageAlcoholConsumptionDraftAnnualReport.pdf</a></p>	
<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
<p>Prepared by: Advisory Council on Underage Alcohol Consumption and Youth Substance Abuse                  OASAS is required by the Mental Hygiene Law to produce a Statewide Comprehensive Plan every October 1 and an Interim Report on the Plan on February 15. Developed in accordance with Section 5.07 of the Mental Hygiene Law, the Statewide Comprehensive Plan 2011–2015 informs counties, providers, people in recovery, their families, other state agencies, the federal government, and other interested parties about major priorities and future directions. Although planning documents are produced and released in regular cycles, as set by the Mental Hygiene Law, OASAS views planning as a year-round process that informs policy development, budgeting, and development and delivery of services at the state, local, and provider levels. Our collaborative planning efforts with counties, providers, and state and federal agencies will guide future efforts and have the flexibility to respond to changing conditions. OASAS seeks feedback on the use and usefulness of the Statewide Comprehensive Plan.                  The NYS OASAS Statewide Comprehensive Plan is available at:  <a href="http://www.oasas.ny.gov/pio/commissioner/documents/5YPlan2011-2015.pdf">http://www.oasas.ny.gov/pio/commissioner/documents/5YPlan2011-2015.pdf</a></p>	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
<p>Prepared by: Advisory Council on Underage Alcohol Consumption and Youth Substance Abuse                  Plan can be accessed via:  <a href="http://www.oasas.ny.gov/prevention/documents/2011AdvisoryCouncilonUnderageAlcoholConsumptionDraftAnnualReport.pdf">http://www.oasas.ny.gov/prevention/documents/2011AdvisoryCouncilonUnderageAlcoholConsumptionDraftAnnualReport.pdf</a></p>	
<b>Additional Clarification</b>	
<p>The 2012 Annual Report of the Advisory Council on Underage Alcohol Consumption and Youth Substance Abuse is still in the process of being approved. The 2011 Annual Report is available on the website below. This report contains an underage drinking prevention plan and report.  <a href="http://www.oasas.ny.gov/prevention/documents/2011AdvisoryCouncilonUnderageAlcoholConsumptionDraftAnnualReport.pdf">http://www.oasas.ny.gov/prevention/documents/2011AdvisoryCouncilonUnderageAlcoholConsumptionDraftAnnualReport.pdf</a></p>	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<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	\$3,080,000
Estimate based on the 12 months ending	12/31/2013
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	No data
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	No data
Estimate based on the 12 months ending	No data
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data
<i>Other programs:</i>	
Programs or strategies included:	No data
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data

<b>Funds Dedicated to Underage Drinking</b>	
<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	
<b>Additional Clarification</b>	
<p>OASAS funds both school- and community-based prevention providers to deliver evidenced-based programs to prevent/reduce underage alcohol use as well as youth substance abuses. While the great majority of evidence-based model programs funded by OASAS address both underage drinking and other youth substances of abuse, only one OASAS-funded model program, Project Northland, is designed solely to decrease underage drinking. The estimate of funds expended solely for underage drinking for 2013 was \$3,080, representing the dollar amount allocated to Project Northland and environmental strategies. The efforts of other state agencies to reduce underage drinking include the NYS Liquor Authority, institutions of higher education, juvenile justice, and the child welfare system. These institutions are not able to estimate funding amounts devoted to underage drinking prevention.</p>	



# North Carolina

## State Profile and Underage Drinking Facts\*

State Population: 9,848,060  
 Population Ages 12–20: 1,118,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	21.2	237,000
Past-Month Binge Alcohol Use	11.9	134,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	3.8	15,000
Past-Month Binge Alcohol Use	1.7	6,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	20.9	77,000
Past-Month Binge Alcohol Use	12.1	44,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	39.7	146,000
Past-Month Binge Alcohol Use	22.5	83,000
<b>Alcohol-Attributable Deaths (under 21)</b>		145
<b>Years of Potential Life Lost (under 21)</b>		8,786
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	26	16

\* 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 prohibited—no explicit exceptions noted in the law.

### **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*

- State provides incentives to retailers who use electronic scanners that read birthdate and other information digitally encoded on valid identification cards.
- 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.

## 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 21.

#### *Type(s) of violation leading to driver’s license suspension, revocation, or denial*

- Underage purchase

#### *Authority to impose driver’s license sanction*

- Mandatory length of suspension/revocation: 365 days

## **Graduated Driver’s License**

### ***Learner stage***

- Minimum entry age: 15
- Minimum learner stage period: 12 months
- Minimum supervised driving requirement: 60 hours, of which 10 must be at night; to obtain full license, driver must log 12 hours of driving in intermediate stage, 6 of which are at night

### ***Intermediate stage***

- Minimum age: 16
- Unsupervised night driving
  - Prohibited after: 9 p.m.
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one passenger under 21 who is not a member of immediate family or household; however, if a passenger under 21 is an immediate family or household member, then no unrelated passengers under 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: 20

#### ***Appearance requirements***

- Must look under 21

#### ***ID possession***

- Discretionary

#### ***Verbal exaggeration of age***

- Prohibited

#### ***Decoy training***

- Mandated

### **Penalty Guidelines for Sales to Minors**

- Time period/conditions: Not specified
- First offense: \$500
- Second offense: Up to \$750
- Third offense: Up to \$1,000 or license suspension

## 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*

- Defense in dram shop liability lawsuits

## Minimum Ages for Off-Premises Sellers

- Beer: Not specified
- Wine: Not specified
- Spirits: 18

## 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

## Distance Limitations for New Alcohol Outlets near Universities and Schools

### *Colleges and universities*

- Limitations on outlet siting:
  - Off-premises outlets: Yes—no permits on campus
  - On-premises outlets: Yes—no permits on campus
  - Alcohol products: Beer, wine

*Note:* Exceptions include (1) regional sports and entertainment facilities for public use, except for public school or college function, unless business is a hotel or nonprofit alumni organization with mixed beverages or a special occasion permit; (2) performing arts centers with a seating capacity of less than 2,000.

### *Primary and secondary schools*

- Prohibitions against outlet siting:
  - Off-premises outlets: Yes—no permits on campus
  - On-premises outlets: Yes—no permits on campus
  - Alcohol products: Beer, wine

*Note:* Exceptions include (1) regional sports and entertainment facilities for public use, except for public school or college function, unless business is a hotel or nonprofit alumni organization with mixed beverages or a special occasion permit; (2) performing arts centers with a seating capacity of less than 2,000.

## Dram Shop Liability

Statutory liability exists subject to the following conditions:

- Limitations on damages: \$500,000 total award to all injured parties per occurrence
- Limitations on elements/standards of proof: Injury must be a proximate result of the negligence of an underage driver's negligent operation of a vehicle while intoxicated.

*Note:* Although North Carolina courts may recognize third-party common law liability under certain fact patterns where a retailer furnishes an intoxicated minor, they do not recognize a distinct cause of action for furnishing alcohol to minors without regard to the minor's

intoxication at the time of sale. North Carolina is therefore coded as not recognizing common law negligence regarding furnishing to minors. North Carolina law includes a responsible beverage server defense.

### **Social Host Liability Laws**

There is no statutory liability.

*Note:* Although North Carolina courts may recognize third-party liability under certain fact patterns where an intoxicated minor is furnished by a social host, they do not recognize a distinct cause of action for furnishing alcohol to minors without regard to the minor's intoxication at the time of sale. North Carolina is therefore coded as not recognizing common law negligence regarding furnishing to minors.

### **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.
- State must approve common carrier.

***Reporting requirements:*** None

#### ***Shipping label statement requirements***

- Contains alcohol
- Recipient must be 21

### **Keg Registration**

- Keg definition: 7.75 gallons or more
- Prohibited: Possessing an unregistered, unlabeled keg—maximum fine/jail: discretionary fine/45 days
- Purchaser information collected:
  - Purchaser's name and address
  - Verified by a government-issued ID
  - Address where keg will be consumed
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- Deposit: Not required
- Provisions do not specifically address disposable kegs.

### **Home Delivery**

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

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Specific excise tax: \$0.62 per gallon

#### ***Wine (12 percent alcohol)***

- Specific excise tax: \$1.00 per gallon

#### ***Spirits (40 percent alcohol)***

- Control state

### **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)***

- Volume discounts: Banned
- Retailer credit: Not permitted

#### ***Wine (12 percent alcohol)***

- Volume discounts: Banned
- Retailer credit: Not permitted

#### ***Spirits (40 percent alcohol)***

- Control state

## North Carolina State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> North Carolina Alcohol Law Enforcement	
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	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	No
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	
<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	14,499
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	Yes
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	18,000
Number of licensees checked for compliance by state agencies <b>(including random checks)</b>	14
Number of licensees that failed state compliance checks	1
Numbers pertain to the 12 months ending	12/31/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	No
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	Not applicable
Number of licensees that failed <b>random</b> 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	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>	No
Number of fines imposed by the state <sup>4</sup>	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 specifically for furnishing minors</i>	No
Number of suspensions imposed by the state <sup>5</sup>	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>	No
Number of license revocations imposed <sup>6</sup>	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Additional Clarification</b>	
The total of people charged that includes selling/giving to underage and aiding and abetting underage with the underage charges stated earlier is 16,674.	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

**Underage Drinking Prevention Programs Operated or Funded by the State**

***North Carolina Preventing Underage Drinking Initiative/ Enforcing Underage Drinking Laws 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:	<a href="http://www.ncpud.org">http://www.ncpud.org</a>

**Program Description:** The North Carolina Preventing Underage Drinking Initiative focuses on community-based approaches, which emphasize environmental management strategies to prevent underage drinking. As the National Academy of Sciences/Institute of Medicine report, *Reducing Underage Drinking: A Collective Responsibility*, states, “underage drinking cannot be addressed by focusing on youth alone. Youth drink within the context of a society in which alcohol use is normative behavior, and images about alcohol are pervasive. They usually obtain alcohol—either directly or indirectly—from adults. Efforts to reduce underage drinking, therefore, need to focus on adults and must engage the society at large” (National Academy of Sciences, 2003, p. 2). The Initiative offers technical assistance to communities addressing the issue of underage alcohol use. These collaboratives work within their communities to implement strategies that prevent underage drinking and create a sustainable movement to stop practices that make underage drinking both easy and acceptable. The collaboratives’ primary strategies focus on decreasing underage access to alcohol; changing community norms that promote underage and high-risk alcohol consumption; and addressing policies pertaining to underage drinking. The Initiative is administered by the North Carolina Department of Health and Human Services through the Substance Abuse Block Grant and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Enforcing Underage Drinking Laws (EUDL) Program, which supports and enhances efforts by states and local jurisdictions to prohibit the sale, purchase, and consumption of alcoholic beverages to and by minors (minors are defined as individuals under 21 years old).

***North Carolina Coalition Initiative (NCCI)***

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	Yes
URL for evaluation report: <a href="http://www.wfubmc.edu/NCCI">http://www.wfubmc.edu/NCCI</a>	
URL for more program information: <a href="http://www.wfubmc.edu/NCCI">http://www.wfubmc.edu/NCCI</a>	
<p><b>Program Description:</b> The NCCI: Building Capacity for Substance Free Communities program is funded by the state through the North Carolina Department of Health and Human Services, Division of Mental Health, Developmental Disabilities and Substance Abuse Services (DMHDDAS). Direction and technical assistance are provided by the NCCI Coordinating Center at Wake Forest University School of Medicine. NCCI seeks to reduce substance abuse in North Carolina communities by building the capacity of community coalitions to implement environmental management strategies. NCCI goals for community coalitions:</p> <ol style="list-style-type: none"> <li>1. Build coalition capacity to effectively implement evidence-based and promising strategies, with an emphasis on environmental strategies</li> <li>2. Implement evidence-based and promising strategies to reduce substance abuse</li> <li>3. Build an infrastructure to sustain local coalition efforts</li> <li>4. Reduce prevalence of alcohol and drug abuse in local communities</li> </ol>	

<b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>No data</b>	
URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
<p>Preventing and reducing underage drinking through retail compliance is one of the most effective strategies available (Pacific Institute for Research and Evaluation [PIRE], 1999a). Alcohol purchase surveys, unlike compliance checks, can be performed without the assistance of law enforcement as long as the youth attempting to purchase are at least 21 years of age. Purchase surveys are designed to facilitate a dialogue between the community and its retailers. Any strong prevention program incorporates citizens, retailers, the media, and law enforcement—alcohol purchase surveys accomplish all four tasks. Specifically, alcohol purchase surveys are used used to:</p> <ol style="list-style-type: none"> <li>1. Assess community needs and collect data on which retailers in the community are potentially selling to underage youth</li> <li>2. Raise community awareness and build support for efforts to prevent sales to minors</li> <li>3. Inform merchants that they are being monitored and motivate them to change noncompliant practices</li> <li>4. Inform law enforcement officials with important information</li> <li>5. Measure the impact of prevention strategies so that communities can assess the effectiveness of the strategies they implement (PIRE, 1999b)</li> </ol> <p>Community collaboratives return to every retail establishment surveyed to inform store management that the community cares about the issue of underage drinking and is conducting alcohol purchase surveys as a way to monitor alcohol sales practices. At that time, store management is also informed about how their store performed in the alcohol purchase survey and where they can get responsible alcohol sales training for their employees. Following each round of purchase surveys, funded community collaboratives submit a press release to local media and a detailed statistical report/ complaint to law enforcement. Several studies have shown that generating publicity around underage alcohol sale surveys is an effective way to increase the success of local law enforcement efforts (PIRE, 1999a). Therefore, results of the surveys are used for educational purposes including warning letters, congratulatory letters, and use in the media. Community collaboratives also provide a summary report to local law enforcement. For the community collaborative to effectively serve their “community watch“ role, collected data from alcohol purchase surveys must be shared with local law enforcement agencies. Community collaboratives disseminate the report summarizing the purchase survey findings after each round of surveys. From 2009 to 2013, alcohol purchase survey rates have improved 17 percent (from 71 to 83 percent). From June 1, 2012, to June 30, 2013, the state conducted 1,910 Alcohol Purchase Surveys. Of those surveys, which included targeting problem establishments, 83 percent asked for the</p>	

mock buyer's identification and passed the survey. Community collaboratives involve youth in their efforts to prevent underage drinking. Using Youth Empowered Solutions (YES!), a nationally recognized youth empowerment organization, the community collaboratives foster the development, or encourage the expansion, of an underage drinking prevention youth empowerment movement in their community. Community collaboratives work with YES! in the development of underage drinking prevention youth empowerment in the community.

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	No
Description of collaboration: Not applicable	
<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): OJJDP; National Registry of Evidence-Based Programs and Practices; Centers for Disease Control and Prevention; National Institute of Medicine/National Academy of Sciences; U.S. Dept. of Health and Human Services/Surgeon General	Yes
Agency(ies) within your state: North Carolina Practice Improvement Collaborative; North Carolina Institute of Medicine	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: The North Carolina Preventing Underage Drinking Initiative uses and continues to develop innovative strategies to help achieve the long-term goal of preventing underage drinking. This continuing effort is designed to further support and develop community collaboratives working to implement environmental management strategies to prevent underage drinking. This objective is responsive to the recommendations outlined in OJJDP's publication, <i>Strategies to Reduce Underage Alcohol Use (PIRE, 1999a)</i> ; the National Institute of Medicine/National Academy of Sciences (IOM/NAS) report, <i>Reducing Underage Drinking: A Collective Responsibility</i> ; the Surgeon General's <i>Call to Action to Prevent and Reduce Underage Drinking</i> ; <i>Guide to Community Preventive Services</i> ; and the North Carolina Institute of Medicine Substance Abuse Services Task Force Report. Although many of the recommended components of the IOM/NAS report and the North Carolina Institute of Medicine Substance Abuse Services Task Force Report require significant action at the national and/or state level, the reports specify several areas in which local communities can play significant complementary and reinforcing roles. Not surprisingly, several of the recommendations are consistent with strategies recommended by OJJDP in their 1999 publication, <i>Strategies to Reduce Underage Alcohol Use (PIRE, 1999a)</i> . According to the IOM report, two evidence-based strategic actions that can occur at the community level are community mobilization and restricting access.	
Community collaboratives aimed at curbing underage drinking are valuable adjuncts to state and local government interventions. Such collaboratives, which include people with diverse perspectives, interests, and responsibilities, can provide the political will and organizational support for implementing strategies that have been proven effective at preventing underage drinking. They also place emphasis on a local culture in which underage drinking is considered a serious and unacceptable problem. Such local norms lend support to heightened enforcement of the laws against underage drinking. By providing a context that supports recommended interventions, community mobilization efforts increase the overall likelihood that such interventions will meet success. To effectively implement this comprehensive approach, the IOM committee recommended the following three strategies:	
1. Community leaders assess their community's particular problems and resources and—using effective approaches including community organizing, building community collaboratives, and	

strategic use of the mass media to support policy changes and enforcement—tailor their efforts to combat underage drinking accordingly.

2. Include colleges and universities in collaboration and implementation efforts for a range of interventions.
3. Elementary, secondary, and high school education programs should be evidence-based and should avoid interventions that rely on provision of information alone or fear tactics.

Listed below are the critical elements of effective interventions as summarized in the report:

- Be multicomponent and integrated
- Be sufficient in “dose” and follow-up
- Establish norms that support nonuse
- Stress parental monitoring and supervision
- Be interactive
- Be implemented with fidelity
- Include limitations in access
- Be institutionalized
- Avoid an exclusive focus on information
- Avoid congregating high-risk youth
- Promote social and emotional skill development among elementary school students

By urging greater emphasis on restricted access, the report offers a wake-up call for adults from whom youth generally obtain alcohol (parents who allow drinking parties in their homes, adults who have alcohol in the home that is not monitored and secured, strangers who buy alcohol for teenagers waiting outside stores, or sales clerks and bartenders who sell alcohol to minors). State and local communities can work to not only create and enforce laws but also explain the reasons why compliance is important and elicit public support for limiting access. The recommended strategy urges states and localities, working with law enforcement as appropriate, to restrict youth access by:

1. Targeting servers and sellers, by:
  - Increasing compliance checks, supported by media campaigns and license revocation to increase deterrence
  - Implementing responsible beverage service programs as a condition of retail outlet licensing
  - Developing new or strengthened server and seller liability laws
  - Regulating Internet sales and home delivery of alcohol to prevent/reduce underage purchases
2. Targeting parents and other adults to promote compliance with youth access restrictions through:
  - Keg registration laws
  - “Shoulder tap” or other prevention programs targeting adults who purchase alcohol for minors
  - Stronger anti-loitering measures
  - Measures to hold retailers accountable for loitering
  - Securing and monitoring alcohol in the home
3. Targeting youth through:
  - Sobriety checkpoints with swift and certain sanctions for young drunk drivers
  - Graduated license programs
  - Modified laws to allow passive breath testing, streamlined administrative procedures, and administrative penalties, such as immediate driver’s license revocation
  - Media campaigns to publicize enforcement and encourage compliance
  - Identifying and breaking up teen drinking parties and holding relevant adults and youth accountable
  - Making it more difficult to use false identification (ID) by issuing scannable IDs, allowing retailers to confiscate licenses, and implementing administrative penalties for false ID use
  - Increasing access to treatment services for young drinkers who need clinical treatment

The Initiative has the overall goal of focusing on these two areas: community mobilization centered on implementation of environmental management strategies, and restricting access through increased collaboration with law enforcement agencies. Strengthening the bridges that the community collaboratives have built with law enforcement in previous rounds of funding remains a top priority. With an emphasis on alcohol purchase surveys, followed by the dissemination of survey results to law

enforcement, retailers, and local media, community collaboratives directly assess and influence community norms and retail practices related to alcohol access in their communities.

**Additional Clarification**

Preventing and reducing underage drinking through retail compliance is one of the most effective strategies available (PIRE, 1999a). Alcohol purchase surveys, unlike compliance checks, can be performed without the assistance of law enforcement as long as the youth attempting to purchase are at least 21 years old. Purchase surveys are designed to facilitate a dialogue between the community and its retailers. Any strong prevention program incorporates citizens, retailers, the media, and law enforcement—alcohol purchase surveys accomplish all four tasks. Specifically, alcohol purchase surveys are used to:

1. Assess community needs and collect data on which retailers in the community are potentially selling to underage youth
2. Raise community awareness and build support for efforts to prevent sales to minors
3. Inform merchants that they are being monitored and motivate them to change noncompliant practices
4. Inform law enforcement officials with important information
5. Measure the impact of prevention strategies so that communities can assess the effectiveness of the strategies they implement (PIRE, 1999b)

Community collaboratives return to every retail establishment surveyed to inform store management that the community cares about the issue of underage drinking and is conducting alcohol purchase surveys as a way to monitor alcohol sales practices. At that time, the store management is also informed about how their store performed in the alcohol purchase survey and where they can get responsible alcohol sales training for their employees. Following each round of purchase surveys, funded community collaboratives submit a press release to local media and a detailed statistical report/complaint to law enforcement. Several studies have shown that generating publicity around underage alcohol sale surveys is an effective way to increase the success of local law enforcement efforts (PIRE, 1999a). Therefore, results of the surveys are used for educational purposes including warning letters, congratulatory letters, and use in the media. Community collaboratives also provide a summary report to local law enforcement. For the community collaborative to effectively serve their “community watch” role, collected data from alcohol purchase surveys must be shared with local law enforcement agencies. Community collaboratives disseminate the report summarizing the purchase survey findings after each round of surveys. With the expansion of the state preventing underage drinking initiative (twice as many collaboratives are funded today as were in 2007–2008), and an increased emphasis on alcohol purchase surveys, three times as many surveys are now being conducted statewide than were in 2006. From July 1, 2012, to June 30, 2013, the state conducted 1,910 alcohol purchase surveys. Of those surveys, which included targeting problem establishments, 83 percent asked for the mock buyer’s identification and passed the survey. Community collaboratives involve youth in their efforts to prevent underage drinking. Using Youth Empowered Solutions (YES!), a nationally recognized youth empowerment organization, the community collaboratives foster the development, or encourage the expansion, of an underage drinking prevention youth empowerment movement in their community. Community collaboratives work with YES! in the development of underage drinking prevention youth empowerment in the community.

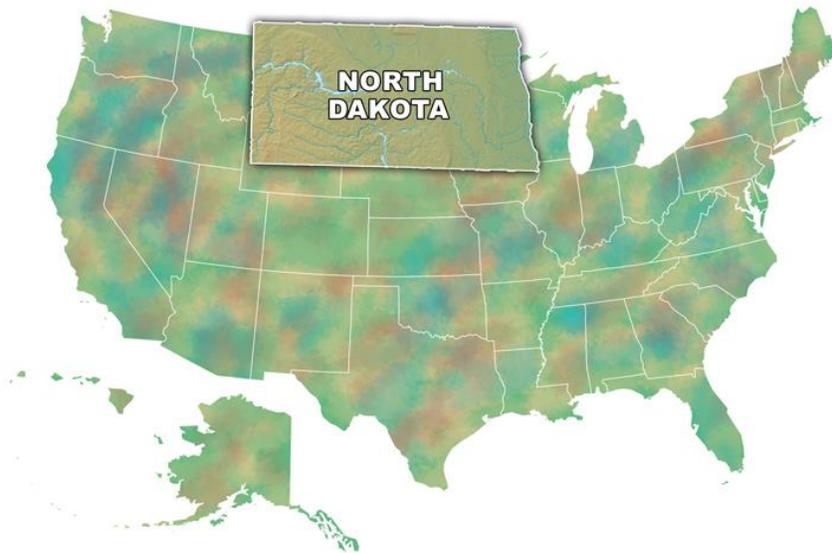
**State Interagency Collaboration**

<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	No
<i>Committee contact information:</i> Not applicable	
<i>Agencies/organizations represented on the committee:</i> Not applicable	
<i>A website or other public source exists to describe committee activities</i> URL or other means of access: Not applicable	Not applicable

<b>Underage Drinking Reports</b>	
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	Yes
Prepared by: NC Institute of Medicine; NC Department of Health and Human Services/EUDL Program Report	
Plan can be accessed via: <a href="http://www.nciom.org/wp-content/uploads/NCIOM/projects/prevention/finalreport/PreventionReport-July2010.pdf">http://www.nciom.org/wp-content/uploads/NCIOM/projects/prevention/finalreport/PreventionReport-July2010.pdf</a>	
<b>Additional Clarification</b>	
The state has prepared a plan for substance abuse prevention that is not specific to underage drinking, but is inclusive of it.	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<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	\$0
Estimate based on the 12 months ending	12/31/2013
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2013
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2013
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2013
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2013
<i>Other programs: Programs or strategies included: Although underage drinking is a component of alcohol, tobacco, and drug abuse prevention efforts, no state funds are specifically dedicated to preventing underage drinking.</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

<b>Funds Dedicated to Underage Drinking</b>	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No data
Fees	No
Other: 7 percent of profits from sales at Alcohol Beverage Control (ABC) stores	Yes
<i>Description of funding streams and how they are used:</i>	
A total of 7 percent of sales from distilled spirits sold at the ABC stores are dedicated to training and education and are determined locally through ABC Boards and/or County Commissioners.	
<b>Additional Clarification</b>	
The NC Preventing Underage Drinking Initiative and additional complementary efforts are federally funded. No state funds are specifically dedicated to the prevention of underage alcohol use.	



# North Dakota

## State Profile and Underage Drinking Facts\*

State Population: 723,393  
 Population Ages 12–20: 84,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	31.5	27,000
Past-Month Binge Alcohol Use	22.7	19,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	3.8	1,000
Past-Month Binge Alcohol Use	1.9	0
<b>Ages 15–17</b>		
Past-Month Alcohol Use	19.3	5,000
Past-Month Binge Alcohol Use	10.3	3,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	58.1	21,000
Past-Month Binge Alcohol Use	45	16,000
<b>Alcohol-Attributable Deaths (under 21)</b>		10
<b>Years of Potential Life Lost (under 21)</b>		611
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	48	4

\* 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.

*Note:* Although North Dakota does not prohibit Internal Possession as defined in this report, it has a statutory provision that prohibits an individual under 21 from having “recently consumed” an alcoholic beverage. Laws that prohibit minors from having alcohol in their bodies, but do so without reference to a blood, breath, or urine test, are not considered as prohibiting Internal Possession for purposes of this report.

### 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.
- 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.
- 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.

## 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”)

No use/lose law

### Graduated Driver’s License

#### *Learner stage*

- Minimum entry age: 14
- Minimum learner stage period: 12 months—6 months if driver is 16 or over
- Minimum supervised driving requirement: 50 hours

***Intermediate stage***

- Minimum age: 15
- Unsupervised night driving
  - Prohibited after: 9 p.m.—later of sunset or 9 p.m.
  - Primary enforcement of the night-driving rule
- No passenger restrictions

***License stage***

- Minimum age to lift restrictions: 16

## **Laws Targeting Alcohol Suppliers**

**Furnishing of Alcohol to Minors**

Furnishing is prohibited—no explicit exceptions noted in the law.

**Compliance Check Protocols**

No data

**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

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

- Manager/supervisor is present.

*Note:* Any person 18 years old or older but under 21 may be employed by the restaurant to serve and collect money for alcoholic beverages, if the person is under direct supervision of a person 21 or more years old, but may not be engaged in mixing, dispensing, or consuming alcoholic beverages.

**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**

Statutory liability exists subject to the following conditions:

- Limitations on elements/standards of proof: Knowledge of underage status

### **Social Host Liability Laws**

Statutory liability exists subject to the following conditions:

- 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**

No prohibitions on retailer interstate shipments

### **Direct Sales/Shipments of Alcohol by Producers**

Direct sales/shipments from producers to consumers are permitted for beer, wine, and distilled spirits with the following restrictions:

#### ***Age verification requirements:***

- Common carrier must verify age of recipient

#### ***State approval/permit requirements***

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

#### ***Reporting requirements:*** None

#### ***Shipping label statement requirements***

- Recipient must be 21.

### **Keg Registration**

- Keg definition: Greater than 6 gallons
- 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: No law
- Wine: No law
- Spirits: No law

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Specific excise tax: \$0.16 per gallon
- Ad valorem excise tax (on-premises retail): 7 percent

- Sales tax does NOT apply
- Sales tax: 5 percent
- Sales tax adjusted retail ad valorem rate: 2 percent
- Ad valorem excise tax (off-premises retail): 7 percent
  - Sales tax does NOT apply
  - Sales tax: 5 percent
  - Sales tax adjusted retail ad valorem rate: 2 percent

*Note:* Beer in bulk containers is taxed at \$0.08 per gallon.

#### ***Wine (12 percent alcohol)***

- Specific excise tax: \$0.50 per gallon
- Ad valorem excise tax (on-premises retail): 7 percent
  - Sales tax does NOT apply
  - Sales tax: 5 percent
  - Sales tax adjusted retail ad valorem rate: 2 percent
- Ad valorem excise tax (off-premises retail): 7 percent
  - Sales tax does NOT apply
  - Sales tax: 5 percent
  - Sales tax adjusted retail ad valorem rate: 2 percent

#### ***Spirits (40 percent alcohol)***

- Specific excise tax: \$2.50 per gallon
- Ad valorem excise tax (on-premises retail): 7 percent
  - Sales tax does NOT apply
  - Sales tax: 5 percent
  - Sales tax adjusted retail ad valorem rate: 2 percent
- Ad valorem excise tax (off-premises retail): 7 percent
  - Sales tax does NOT apply
  - Sales tax: 5 percent
  - Sales tax adjusted retail ad valorem rate: 2 percent

#### **Drink Specials**

No law

#### **Wholesale Pricing**

Pricing restrictions exist.

#### ***Beer (5 percent alcohol)***

- Retailer credit: Not permitted

#### ***Wine (12 percent alcohol)***

- Retailer credit: Restricted—30 days maximum

#### ***Spirits (40 percent alcohol)***

- Retailer credit: Restricted—30 days maximum

## North Dakota State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
North Dakota does not have an Alcohol Beverage Control agency. Responsibilities are shared across several state agencies.	
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	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>	
	No
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	
<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	368
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
	No
Data are collected on these activities	No
Number of retail licensees in state <sup>3</sup>	1,517
Number of licensees checked for compliance by state agencies (including random checks)	Not applicable
Number of licensees that failed state compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Not applicable
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
	Not applicable
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	Not applicable
Number of licensees that failed <b>random</b> 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	710
Number of licensees that failed local compliance checks	69
Numbers pertain to the 12 months ending	12/31/2013

<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	No
Number of fines imposed by the state <sup>4</sup>	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 specifically for furnishing minors</i>	No data
Number of suspensions imposed by the state <sup>5</sup>	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>	No data
Number of license revocations imposed <sup>6</sup>	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Additional Clarification</b>	
No data	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

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

#### **Parents LEAD (Listen, Educate, Ask, Discuss)**

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:	<a href="http://www.parentslead.org">http://www.parentslead.org</a>

**Program Description:** Parents LEAD is an evidence-based underage drinking prevention effort targeting parents through a statewide, web-based communication. The program is designed to help parents initiate and/or continue conversations with their children about underage drinking and other difficult subjects at any age; role-model positive and healthy behaviors; monitor their children's whereabouts; and provide support and engagement. A key component of the program is its interactive website (<http://www.parentslead.org>), which features both parent and professional portals, each offering tips, tools, and resources. Parents LEAD maintains a mailing list where parents can sign up to receive monthly, age- or topic-specific emails (e.g., toddler, divorce) and has a social media presence on Facebook and Twitter. Additionally, Parents LEAD engages in various outreach efforts such as presenting at professional development conferences (e.g., mental health, substance abuse treatment provider, school counselor) and local public events, and utilizes traditional mass media (e.g., commercials, public service announcements). Parents LEAD is a collaboration between the ND Department of Human Services, ND Department of Transportation, and ND University System.

<b>Juvenile Drug Court</b>	
Program serves specific or general population	Specific population
Number of youth served	74
Number of parents served	148
Number of caregivers served	56
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data
<b>Program Description:</b> The Juvenile Drug Court program is aimed at reducing alcohol and substance abuse and delinquent and unruly acts of North Dakota juveniles. It is under the supervision of the North Dakota Supreme Court. There are five juvenile drug courts throughout the state, each with a team that consists of a judge, prosecutor, defense counsel, court officer, treatment provider, coordinator, school representative, and law enforcement officer.	
<b>Electronic CheckUp To Go (e-CheckUp) for First-Year Students</b>	
Program serves specific or general population	Specific population
Number of youth served	6,108
Number of parents served	20
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data
<b>Program Description:</b> e-CheckUp is a personalized, evidence-based, online prevention and intervention tool originally developed by psychologists at San Diego State University. Drawing on Motivational Interviewing (Miller & Rollnick, 2002) and Social Norms Theory (Perkins & Berkowitz, 1986), e-CheckUp is designed to motivate individuals to reduce their consumption using personalized information about their own drinking and risk factors, and provide those who have not yet chosen to drink with valuable information so that, if they do choose to drink in the future, they are able to make well-informed decisions. It is also customized for each campus, using the most recent alcohol and other drug survey information from that campus. The e-CheckUp takes about 15 minutes to complete (depending on the student). Students' personalized feedback includes information shown to be particularly motivating to college-aged young adults, including: quantity and frequency of alcohol use, amount of alcohol consumed, normative comparisons, physical health information, amount and percentage of income spent on alcohol, negative consequences feedback, explanation, advice, and local referral information.	
<b>LIVE REAL Mentor Program (North Dakota State University)</b>	
Program serves specific or general population	Specific population
Number of youth served	208
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	
<a href="http://www.ndsu.edu/fileadmin/alcoholinfo/live_real_mentor_survey_summary_spring_2011.pdf">http://www.ndsu.edu/fileadmin/alcoholinfo/live_real_mentor_survey_summary_spring_2011.pdf</a>	
URL for more program information:	No data
<b>Program Description:</b> LIVE REAL is designed to increase the knowledge of the North Dakota State University (NDSU) campus community (the state's largest campus community) about the effects of high-risk alcohol use, appropriate referral of students to prevention and treatment services, communicating consistent messages that promote wellness and safety, and promoting a culture of safe and responsible attitudes toward alcohol. The program provides education and training for NDSU students, faculty, and staff who choose to identify themselves as a resource for students looking for guidance for their issues with alcohol and other drug abuse and who will actively seek to educate students about the effects of	

high-risk alcohol and other drug use. The program began in 2009 with one alcohol-focused session and has since been expanded to include a marijuana-focused session, as well as sessions related to family and genetic factors of addiction, the role of parents and caring adults in substance abuse prevention, alcohol and sexual violence, and an advanced session focused on brief motivational interviewing. The original 1-hour curriculum addresses the following:

- Rates of use/misuse of alcohol and other drugs by NDSU students
- Prevention strategies used to decrease high-risk alcohol and other drug use
- Recognition of signs/symptoms of alcohol and/or other drug misuse
- Signs of alcohol poisoning and intervention strategies
- Campus, city, and state laws related to alcohol and other drugs
- Effective referral strategies for students or colleagues that exhibit alcohol or other drug abuse problems

**BASICS (Brief Alcohol Screening and Intervention for College Students)**

Program serves specific or general population	Specific population
Number of youth served	324
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data

**Program Description:** BASICS training and implementation assistance are provided to 12 campuses in North Dakota. BASICS is a prevention program for college students who drink alcohol heavily and have experienced or are at risk for alcohol-related problems. It follows a harm reduction approach and aims to motivate students to reduce alcohol use in order to decrease the negative consequences of drinking.

**Before One More Campaign**

Program serves specific or general population	Specific population
Number of youth served	3,000
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report: <a href="http://www.ndsu.edu/fileadmin/alcoholinfo/B41M_Short_form_eval-final.pdf">http://www.ndsu.edu/fileadmin/alcoholinfo/B41M_Short_form_eval-final.pdf</a>	
URL for more program information:	No data

**Program Description:** The student-designed Before One More campaign focuses on reducing the harmful consequences that come from students making high-risk drinking decisions at the largest campus community in the state (NDSU). The campaign helps students understand when “one more” can become “one too many” by teaching them how to make low-risk decisions regarding alcohol use. For students under age 21, one is one too many. The campaign includes a website with educational material ([http://www.ndsu.edu/alcoholinfo/students/alcohol\\_before\\_one\\_more](http://www.ndsu.edu/alcoholinfo/students/alcohol_before_one_more)), t-shirt giveaways, key tags for the Herd Hauler safe ride program, extensive use of social media, and student-produced videos.

**CHOICES with High-Risk Populations**

Program serves specific or general population	Specific population
Number of youth served	1,247
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data

**Program Description:** CHOICES is a brief alcohol abuse prevention and harm reduction program for college students involving interactive journaling. The CHOICES program involves a 90-minute class

facilitated by professional staff or peers. Throughout the course, students are presented with information, and then they are able to reflect in their personal journals on what they have learned as it relates to their choices about drinking. The CHOICES program is presented to student-athletes (ND highest-risk college population subset) at four campuses and shared with first-year students in a classroom setting at three campuses. The CHOICES program is shared in a nonconfrontational manner that enables students to make their own decisions about alcohol consumption.

**Alcohol Beverage Server Training**

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

**Program Description:** North Dakota’s Alcohol Beverage Server Program provides training to staff who serve alcohol in licensed liquor establishments. The goals of the training are for staff to recognize and prevent underage access to alcohol in their establishment and to prevent over-serving.

**Alcohol Compliance Checks**

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

**Program Description:** Law enforcement agencies working with liquor stores, restaurants, and bars visited by underage youth to check for compliance with laws that prohibit alcohol sales to people under 21.

**Targeted Community 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	Yes
URL for evaluation report:	No data
URL for more program information:	
<a href="http://www.nd.gov/dhs/services/mentalhealth/prevention/community-services.html">http://www.nd.gov/dhs/services/mentalhealth/prevention/community-services.html</a>	

**Program Description:** The Targeted Community Program focuses on substance abuse prevention efforts at the community level. Targeted communities follow the Strategic Prevention Framework (SPF) process. Communities complete an assessment of their needs, develop a comprehensive plan, implement effective strategies, and monitor community progress. The following communities have participated in the program since 2010: Bottineau County, Foster County, McKenzie County, City of Minot, and Mohall-Lansford-Sherwood School District.

**Tribal Substance Abuse 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 Evaluation report is available URL for evaluation report: URL for more program information: <a href="http://www.nd.gov/dhs/services/mentalhealth/prevention/rtpc.html">http://www.nd.gov/dhs/services/mentalhealth/prevention/rtpc.html</a>	Yes No Not applicable
<p><b>Program Description:</b> The Department of Human Services contracts with tribes and local tribal entities to provide culturally appropriate substance abuse prevention programs, policies, and practices. These programs follow the SPF. They work collaboratively with the tribal tobacco prevention programs. Substance abuse prevention programs are available on each reservation in North Dakota: Spirit Lake Nation, Standing Rock Sioux Tribe, Three Affiliated Tribes (MHA Nation), and Turtle Mountain Band of Chippewa Indians.</p>	
<p><b>Communities Mobilizing for Change on Alcohol (CMCA)</b></p>	
Program serves specific or general population Number of youth served Number of parents served Number of caregivers served Program has been evaluated Evaluation report is available URL for evaluation report: URL for more program information:	General population Not applicable Not applicable Not applicable Yes No Not applicable No data
<p><b>Program Description:</b> CMCA is a community-organizing program that aims to reduce adolescents' access to alcohol through changes in community policies and practices. Facilitated by Northern Lights Youth Services, two North Dakota communities (Grand Forks and Jamestown) participated in this program.</p>	
<p><b>Strategic Prevention Framework State Incentive Grant</b></p>	
Program serves specific or general population Number of youth served Number of parents served Number of caregivers served Program has been evaluated Evaluation report is available URL for evaluation report: URL for more program information: <a href="http://ndspfsig.wikispaces.com">http://ndspfsig.wikispaces.com</a>	General population Not applicable Not applicable Not applicable Yes No Not applicable
<p><b>Program Description:</b> The Department of Human Services' Division of Mental Health and Substance Abuse has funded 22 local public health units and the four tribes across the state to support local substance abuse prevention efforts targeting underage drinking and adult binge drinking. This funding will allow each community grantee, in collaboration with its community partners, to assess the community, develop a plan, and implement evidence-based strategies tackling underage and adult binge drinking, all while building local-level prevention infrastructure.</p>	

<p><b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b></p>	
<p><b>No data</b>                  URL for more program information: Not applicable</p>	
<p><b>Program Description:</b> Not applicable</p>	
<p><b>Additional Clarification</b></p>	
<p>No data</p>	

<p><b>Additional Information Related to Underage Drinking Prevention Programs</b></p>	
<p><i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i></p> <p>Description of collaboration: The ND Department of Human Services provides federal funds to the four federally recognized tribes in the state to support culturally appropriate, local substance abuse</p>	Yes

prevention programming. The Department provides additional support in the form of training and technical assistance for these programs. The ND Department of Human Services also funds the four tribes to implement the Strategic Prevention Framework State Incentive Grant (SPF SIG). The ND Department of Transportation involves tribal law enforcement in regional impaired-driving prevention enforcement activities.	
<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): Substance Abuse and Mental Health Services Administration, Office of Juvenile Justice and Delinquency Prevention, National Highway Traffic Safety Administration	Yes
Agency(ies) within your state:	No
Nongovernmental agency(ies):	No
Other: Evidence-Based Practices Workgroup (EBPW), established at the onset of ND's SPF SIG	Yes
Best practice standards description: North Dakota follows evidence-based prevention through a focus on addressing risk and protective factors, following the SPF and the public health model, while emphasizing environmental strategies such as enforcement. North Dakota prevention efforts are directed through a data-driven decisionmaking process.	
<b>Additional Clarification</b>	
No data	

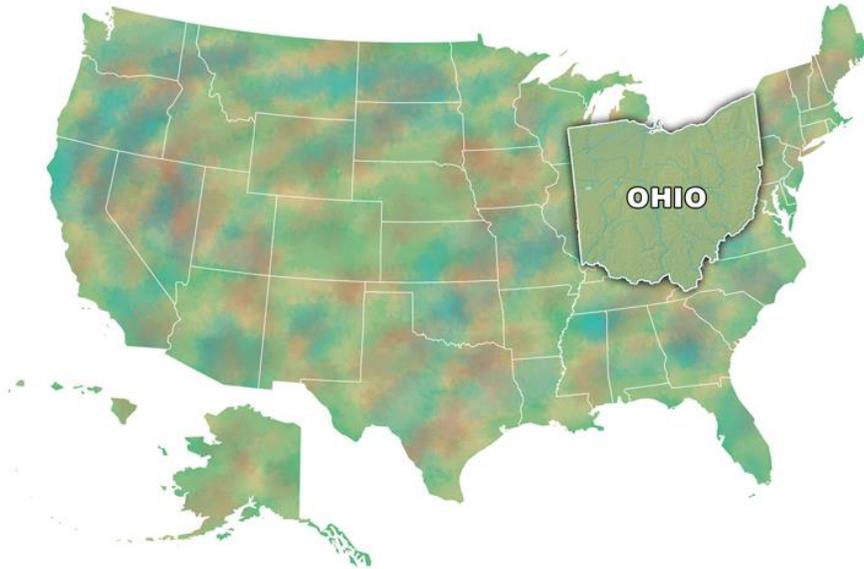
<b>State Interagency Collaboration</b>	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<i>Committee contact information:</i>	
Name: JoAnne Hoesel	
E-mail: jhoesel@nd.gov	
Address: 1237 West Divide Avenue, Suite 1C, Bismarck, ND 58501	
Phone: 701-328-8920	
<i>Agencies/organizations represented on the committee:</i>	
ND Department of Human Services	
ND Department of Health	
ND Department of Transportation	
ND Department of Public Instruction	
ND Governor's Office	
ND Office of the First Lady	
ND Legislative Assembly Representatives	
ND University System	
ND Highway Patrol	
ND Indian Affairs Commission	
ND Students Against Destructive Decisions/Northern Lights Youth Services	
ND Teen Challenge	
ND Judiciary	
Local law enforcement representative	
ND addiction counselor representative	

A website or other public source exists to describe committee activities URL or other means of access: Not applicable	No
<b>Underage Drinking Reports</b>	
State has prepared a plan for preventing underage drinking in the last 3 years Prepared by: ND Department of Human Services Plan can be accessed via: No data	Yes

State has prepared a report on preventing underage drinking in the last 3 years Prepared by: ND Department of Human Services Plan can be accessed via: <a href="http://www.nd.gov/dhs/prevention/SEOW">http://www.nd.gov/dhs/prevention/SEOW</a>	Yes
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	No data
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	No data
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$4,206
Estimate based on the 12 months ending	12/31/2013
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	No data
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$56,811
Estimate based on the 12 months ending	12/31/2013
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$408,000
Estimate based on the 12 months ending	12/31/2013
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	No data
<i>Other programs:</i>	
Programs or strategies included:	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data

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



# Ohio

## State Profile and Underage Drinking Facts\*

State Population: 11,570,808  
 Population Ages 12–20: 1,439,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	25.6	369,000
Past-Month Binge Alcohol Use	16.4	236,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.1	19,000
Past-Month Binge Alcohol Use	1.8	8,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	20.8	97,000
Past-Month Binge Alcohol Use	11.9	55,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	49.2	253,000
Past-Month Binge Alcohol Use	33.5	172,000
<b>Alcohol-Attributable Deaths (under 21)</b>		142
<b>Years of Potential Life Lost (under 21)</b>		8,667
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	29	18

\* 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 not explicitly prohibited.

### 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.
- Penalty may include driver's license suspension through an administrative procedure.

#### *Provision(s) targeting suppliers*

- It is a criminal offense to lend, transfer, or sell a false ID.
- It is a criminal offense to manufacture or distribute a false ID.

#### *Provision(s) targeting retailers*

- State provides incentives to retailers who use electronic scanners that read birthdate and other information digitally encoded on valid identification cards.
- 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”)

No use/lose law

### 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: 12 a.m.—after 1 a.m. if 17 years old
  - No primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one nonfamily passenger, unless accompanied by parent or guardian
  - Primary enforcement of the passenger-restriction rule

***License stage***

- Minimum age to lift restrictions: 18. Passenger restrictions are lifted at age 17; unsupervised night-driving restrictions remain until age 18.

## **Laws Targeting Alcohol Suppliers**

### **Furnishing of Alcohol to Minors**

Furnishing is prohibited with the following exception(s): EITHER

- Parent/guardian OR
- Spouse

### **Compliance Check Protocols**

***Age of decoy***

- Minimum: 17
- Maximum: 19

***Appearance requirements***

- Age-appropriate appearance; hair style and clothing consistent with underage persons in target area; minimal jewelry
- Male: No facial hair
- Female: Minimal makeup and jewelry

***ID possession***

- Required

***Verbal exaggeration of age***

- Prohibited

***Decoy training***

- Mandated

### **Penalty Guidelines for Sales to Minors**

No written guidelines

### **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.

***Incentive for training***

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

**Minimum Ages for Off-Premises Sellers**

- Beer: 18
- Wine: 18
- Spirits: 18

**Minimum Ages for On-Premises Sellers**

- Beer: 19 for both servers and bartenders
- Wine: 19 for servers and 21 for bartenders
- Spirits: 19 for servers and 21 for bartenders

*Note:* Although employees must be at least 21 years old in order to sell spirits, wine, or mixed beverages across a bar, employees of any permit holder may sell beer across a bar if they are at least 19 years old.

**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**

Statutory liability exists.

**Social Host Liability Laws**

- There is no statutory liability.
- The courts recognize common law social host 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): Family

*Note:* In addition to the restrictions imposed on owners or occupants of public or private places, Ohio's provision regarding property states that no person shall engage or use accommodations at a hotel, inn, cabin, campground, or restaurant when the person knows or has reason to know that beer or intoxicating liquor will be consumed by an underage person on the premises. Owners or occupants of public or private places are held to a knowledge standard, while those who engage or use accommodations at a hotel, inn, cabin, campground, or restaurant are held to a negligence standard.

**Retailer Interstate Shipments of Alcohol**

Prohibition against retailer interstate shipments:

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

*Note:* An S class permit allows an out-of-state beer or wine brand owner or United States importer to sell beer or wine directly to personal consumers (residents) in Ohio by receiving and filling orders that the personal consumer submits to the permit holder.

### **Direct Sales/Shipments of Alcohol by Producers**

Direct sales/shipments from producers to consumers are permitted for beer and wine with the following restrictions:

#### ***Age verification requirements***

- Producer must verify age of purchaser—Prior to sending a shipment of beer or wine, the shipper must make a “bona fide” effort to ensure that the purchaser is at least age 21.
- 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

### **Keg Registration**

Registration is not required.

### **Home Delivery**

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

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Specific excise tax: \$0.18 per gallon

#### ***Wine (12 percent alcohol)***

- Specific excise tax: \$0.32 per gallon

#### ***Spirits (40 percent alcohol)***

- Control state

### **Drink Specials**

- Free beverages: Prohibited
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price, specified day or time: Not prohibited—not permitted after 9 p.m.
- Unlimited beverages: Prohibited
- Increased volume: Prohibited

## **Wholesale Pricing**

Pricing restrictions exist.

### ***Beer (5 percent alcohol)***

- Volume discounts: Banned
- Retailer credit: Not permitted

### ***Wine (12 percent alcohol)***

- Volume discounts: Banned
- Minimum markup/maximum discount: Yes—33.3 percent minimum markup
- Price posting requirements: Post and hold—3-month minimum
- Retailer credit: Not permitted

### ***Spirits (40 percent alcohol)***

- Control state

## Ohio State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Ohio Investigative Unit	
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	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Yes Ohio Dept. of Commerce, Div. of Liquor Control
Such laws are also enforced by local law enforcement agencies	Don't know
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	Yes 1,692
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	23,593
Number of licensees checked for compliance by state agencies <b>(including random checks)</b>	1,019
Number of licensees that failed state compliance checks	218
Numbers pertain to the 12 months ending	12/31/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	On- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/ decoy operations	Yes 1,019
Number of licensees that failed <b>random</b> state compliance checks	218
<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	Yes 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	12/31/2013
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state <sup>4</sup>	Yes 572
Total amount in fines across all licensees	\$751,400
Smallest fine imposed	\$200
Largest fine imposed	\$10,000
Numbers pertain to the 12 months ending	12/31/2013

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	73
Total days of suspensions across all licensees	No data
Shortest period of suspension imposed (in days)	2
Longest period of suspension imposed (in days)	90
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	5
Numbers pertain to the 12 months ending	12/31/2013
<b>Additional Clarification</b>	
No data	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

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

##### ***Drug Free Action Alliance – Parents Who Host, Lose the Most – Enforcing Underage Drinking Laws***

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	Yes
URL for evaluation report: <a href="https://www.drugfreeactionalliance.org">https://www.drugfreeactionalliance.org</a>	
URL for more program information: <a href="https://www.drugfreeactionalliance.org">https://www.drugfreeactionalliance.org</a>	

**Program Description:** The “Parents Who Host, Lose The Most: Don’t be a party to teenage drinking” public awareness campaign was developed by Drug-Free Action Alliance in 2000. Campaign objectives are to educate parents about the health and safety risks of serving alcohol at teen house parties and to increase awareness of and compliance with the Ohio Underage Drinking Laws.

On a statewide level, Drug Free Action Alliance, formerly Ohio Parents for Drug Free Youth, promotes the “Parents Who Host” campaign through a number of resources. One component is partnering with corporations to reproduce and disseminate materials to their customers and employees. Drug Free Action Alliance will continue to partner with 18 corporations statewide, garnering at least \$95,912 in in-kind support. Examples of corporate activities: a grocery chain played in-store announcements of the campaign ad in their participating stores for the entire month, and another large chain store displayed signs on beer coolers and beer/wine shelves in 85 locations. Also, hotels and businesses ensured that information cards were available in the lobby and in employee break rooms.

#### **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

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i> Description of collaboration: Not applicable	No recognized tribal governments
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i> Description of program: Not applicable	No
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i> Agencies/organizations that established best practices standards: Federal agency(ies): Substance Abuse and Mental Health Services Administration Agency(ies) within your state: Ohio Department of Mental Health and Addiction Services Nongovernmental agency(ies): Other: Best practice standards description: The media campaign “Parents Who Host, Lose the Most,” which Ohio created and others are now implementing, is seen as a best practice across the United States.	Yes  Yes  Yes  No No
<b>Additional Clarification</b>	
No data	

<b>State Interagency Collaboration</b>	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i> Committee contact information: Not applicable	No
<i>Agencies/organizations represented on the committee:</i> Not applicable	
<i>A website or other public source exists to describe committee activities</i> URL or other means of access: Not applicable	Not applicable
<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i> Prepared by: Not applicable Plan can be accessed via: Not applicable	No
<i>State has prepared a report on preventing underage drinking in the last 3 years</i> Prepared by: Not applicable Plan can be accessed via: Not applicable	No
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i> Estimate of state funds expended Estimate based on the 12 months ending	Data not available Data not available
<i>Checkpoints and saturation patrols:</i> Estimate of state funds expended Estimate based on the 12 months ending	Data not available Data not available
<i>Community-based programs to prevent underage drinking:</i> Estimate of state funds expended Estimate based on the 12 months ending	\$0 Data not available
<i>K–12 school-based programs to prevent underage drinking:</i> Estimate of state funds expended Estimate based on the 12 months ending	Data not available 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	No data
Fees	No data
Other:	No data

*Description of funding streams and how they are used:*

There are no state funds allocated for underage drinking in Ohio.

**Additional Clarification**

During this reporting period, Ohio did not utilize any state funds for underage drinking.



# Oklahoma

## State Profile and Underage Drinking Facts\*

State Population: 3,850,568  
 Population Ages 12–20: 470,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	22.4	105,000
Past-Month Binge Alcohol Use	14.7	69,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	3.3	5,000
Past-Month Binge Alcohol Use	1.9	3,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	17.6	27,000
Past-Month Binge Alcohol Use	9.5	14,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	43.9	74,000
Past-Month Binge Alcohol Use	30.9	52,000
<b>Alcohol-Attributable Deaths (under 21)</b>		71
<b>Years of Potential Life Lost (under 21)</b>		4,326
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	23	7

\* 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:* 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 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, 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***

- Should not dress in ways that make them appear older

#### ***ID possession***

- Discretionary

#### ***Verbal exaggeration of age***

- Not specified

***Decoy training***

- Mandated

**Penalty Guidelines for Sales to Minors**

No written guidelines

**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, but college or university located within an improvement district may override state restriction
  - On-premises outlets: Yes—within 300 feet, but 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	No
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>	
	No
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	
<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	23
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	3,271
Number of licensees checked for compliance by state agencies <b>(including random checks)</b>	121
Number of licensees that failed state compliance checks	12
Numbers pertain to the 12 months ending	12/31/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
	Yes
Number of licensees subject to <b>random</b> state compliance checks/ decoy operations	No data
Number of licensees that failed <b>random</b> state compliance checks	No data
<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

<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	Yes
Number of fines imposed by the state <sup>4</sup>	131
Total amount in fines across all licensees	No data
Smallest fine imposed	\$150
Largest fine imposed	\$3,000
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	10
Total days of suspensions across all licensees	No data
Shortest period of suspension imposed (in days)	10 days
Longest period of suspension imposed (in days)	30 days
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	13
Numbers pertain to the 12 months ending	12/31/2013
<b>Additional Clarification</b>	
The ABLE Commission regulates and has criminal and administrative jurisdiction over alcoholic beverages. It has no authority over low-point beer. Under specific, narrow circumstances, ABLE has taken action against some low-point beer violations. These violations are included in the data. Generally, low-point beer is the responsibility of the local authorities.	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

<b>Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b><i>Too Much To Lose (2M2L) Youth Leadership Initiative</i></b>	
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:	<a href="http://ok.gov/odmhsas/2M2L.html">http://ok.gov/odmhsas/2M2L.html</a>
<b>Program Description:</b> The 2M2L Youth Leadership 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). The Council helps lead and plan an annual 2M2L Youth Leadership Academy and 2M2L Youth Leadership Kickoff. The Academy helps develop	

<p>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.</p>	
<p><b>2M2L Law Enforcement Task Forces</b></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><b>Program Description:</b> 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, college, 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><b>2M2L Regional Coordinators</b></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:	No data
<p><b>Program Description:</b> The 2M2L regional coordinators conduct trainings aimed at communities, alcohol retailers, and law enforcement agencies 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><b>Regional Prevention Coordinators (RPCs)</b></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:	
<p><a href="http://ok.gov/odmhsas/Prevention_Initiatives/Regional_Prevention_Coordinators_(RPC)/index.html">http://ok.gov/odmhsas/Prevention_Initiatives/Regional_Prevention_Coordinators_(RPC)/index.html</a></p>	
<p><b>Program Description:</b> 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</p>	

completed each year, conduct Responsible Beverage Sales and Service training, and complete alcohol outlet risk assessments in their service regions.	
<b>Social Host Media Campaign</b>	
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: <a href="http://www.oklahomasocialhost.com">http://www.oklahomasocialhost.com</a>	
<b>Program Description:</b> The Social Host Media Campaign highlights the issues related to underage drinking at 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 the responsibility/liability regarding underage drinking with regard to home parties. Media outputs have included billboards, public transit signs, public service announcements at movie theaters, posters, and ads in print publications.	
<b>AlcoholEdu for Oklahoma High Schools</b>	
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: <a href="http://www.everfi.com">http://www.everfi.com</a>	
<b>Program Description:</b> 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.	

<b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>No data</b>	
URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
No data	

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<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 Strategic Prevention Framework State Incentive Grant. At least three 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>	Yes

Program description: The Regional Prevention Coordinators are contractually required to measure the percentage of alcohol storefront signage on a randomly selected sample of retailers each year.	
<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 the 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 it meets one of the following three criteria:	
<i>Definition 1:</i> It is included on federal lists or registries of evidence-based strategies and has documented positive outcomes.	
<i>Definition 2:</i> It is reported (with positive effects) in peer-reviewed journals.	
<i>Definition 3:</i> Documented effectiveness is supported by other sources of information and the consensus judgment of informed experts as specified by the Oklahoma Evidence Based Workgroup.	
<b>Additional Clarification</b>	
No data	

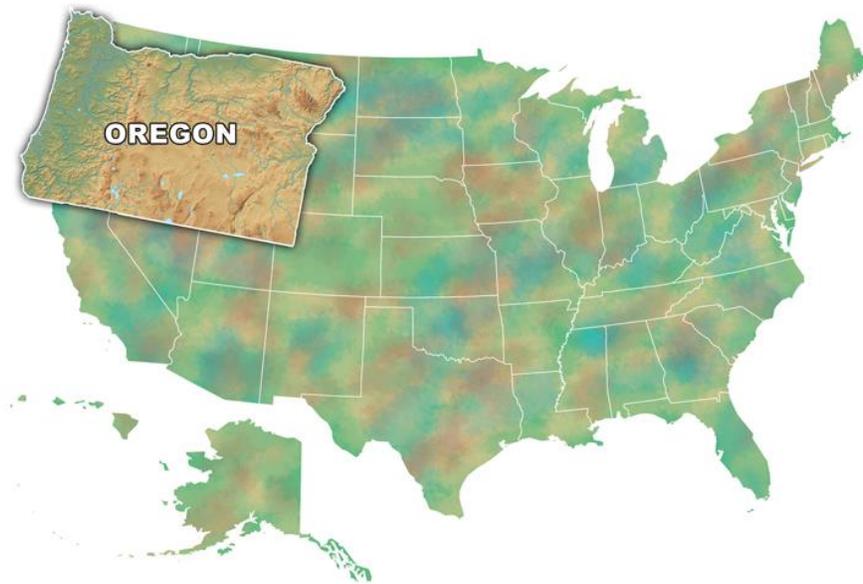
<b>State Interagency Collaboration</b>	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<i>Committee contact information:</i>	
Name: Jessica Hawkins	
E-mail: <a href="mailto:jhawkins@odmhsas.org">jhawkins@odmhsas.org</a>	
Address: 1200 NE 13th, Oklahoma City, OK 73152	
Phone: 405-522-5952	
<i>Agencies/organizations represented on the committee:</i>	
Oklahoma Alcoholic Beverage Laws Enforcement 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	
<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access:	
<a href="http://www.ok.gov/odmhsas/Prevention_/Prevention_Initiatives/Underage_Drinking_Prevention_Initiatives/index.html">http://www.ok.gov/odmhsas/Prevention_/Prevention_Initiatives/Underage_Drinking_Prevention_Initiatives/index.html</a>	

<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Oklahoma Department of Mental Health and Substance Abuse Services	

Plan can be accessed via: <a href="http://ok.gov/odmhsas">http://ok.gov/odmhsas</a>	
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	
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$28,339
Estimate based on the 12 months ending	12/31/2013
<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	\$0
Estimate based on the 12 months ending	6/30/2014
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2014
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2014
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2014
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2014
<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

<b>Funds Dedicated to Underage Drinking</b>	
<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	
<b>Additional Clarification</b>	
No data	



# Oregon

## State Profile and Underage Drinking Facts\*

State Population: 3,930,065  
 Population Ages 12–20: 445,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	26.5	118,000
Past-Month Binge Alcohol Use	16.9	75,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.6	7,000
Past-Month Binge Alcohol Use	1.8	3,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	22.1	33,000
Past-Month Binge Alcohol Use	12.8	19,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	50.9	79,000
Past-Month Binge Alcohol Use	34.8	54,000
<b>Alcohol-Attributable Deaths (under 21)</b>		38
<b>Years of Potential Life Lost (under 21)</b>		2,311
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	32	5

\* 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 residence AND
- Parent/guardian

### Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s):

- Private residence AND
- Parent/guardian

### Internal Possession by Minors

Internal possession is not explicitly prohibited.

*Note:* Oregon does not prohibit Internal Possession as defined in this report, but it does prohibit “personal possession“ of an alcoholic beverage. “Personal possession“ includes “consumption of a bottle of such beverages, or any portion thereof or a drink of such beverages.“ Laws that prohibit minors from having alcohol in their bodies, but without reference to a blood, breath, or urine test, are not considered as prohibiting Internal Possession as defined in this report.

### 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.
- Penalty may include driver’s license suspension through a judicial procedure.

#### *Provision(s) targeting retailers*

- State provides incentives to retailers who use electronic scanners that read birthdate and other information digitally encoded on valid identification cards.
- 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 statutory right to sue a minor who uses a false ID to purchase alcohol for any losses or fines suffered by the retailer as a result of the illegal sale.

## 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 21.

#### *Type(s) of violation leading to driver’s license suspension, revocation, or denial*

- Underage possession
- Underage consumption

***Authority to impose driver’s license sanction***

- Mandatory

***Length of suspension/revocation***

- 365 days

**Graduated Driver’s License**

***Learner stage***

- Minimum entry age: 15
- Minimum learner stage period: 6 months
- Minimum supervised driving requirement: 50 hours with driver education; 100 hours without

***Intermediate stage***

- Minimum age: 16
- Unsupervised night driving
  - Prohibited after: 12 a.m.
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: For first 6 months, there can be no passengers under 20 who are not immediate family members unless accompanied by parent or instructor. For second 6 months, there can be no more than three passengers under 20 who are not immediate family members unless accompanied by parent or instructor.
  - 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 residence AND
- Parent/guardian

**Compliance Check Protocols**

No data

**Penalty Guidelines for Sales to Minors**

No data

**Responsible Beverage Service**

***Mandatory provisions***

*Mandatory beverage service training for licensees, managers, servers*

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

***Voluntary provisions (advanced program)***

In addition to the mandated beverage service training, licensees that participate in the voluntary Responsible Vendor Training Program, which includes more in-depth educational requirements

and skills development, are eligible for mitigation of fines or other administrative penalties for sales to minors.

*Voluntary beverage service training*

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

*Incentives for training*

- Mitigation of fines or other administrative penalties for sales to minors
- Protection against license revocation for sales to minors

**Minimum Ages for Off-Premises Sellers**

- Beer: 18
- Wine: 18
- Spirits: 18

**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

**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**

Statutory liability exists.

**Social Host Liability Laws**

Statutory liability exists.

**Host Party Laws**

Social host law is not specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: 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): Family

*Note:* Oregon's social host provision states that its prohibitions apply only to a person who is present and in control of the location at the time underage consumption occurs.

**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 (or cider) with the following restrictions:

#### ***Age verification requirements***

- 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.
- Common carrier must record/report purchaser's name.

#### ***Shipping label statement requirements***

- Contains alcohol
- Recipient must be 21

*Note:* While all deliverers/carriers must record the name, signature, and delivery address of the person receiving the alcohol, a “for-hire“ carrier must retain this information for 18 months. If the shipper does not use a “for-hire“ carrier, then the shipper must retain the information for 18 months.

### **Keg Registration**

- Keg definition: More than 7 gallons
- Prohibited: Possessing an unregistered, unlabeled keg—maximum fine/jail \$6,250/1 year
- Purchaser information collected:
  - Purchaser's name and address
  - Verified by a government-issued ID
  - Address where keg will be consumed
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- Deposit: Not required
- Provisions do not specifically address disposable kegs

### **Home Delivery**

- Beer: Permitted—if the licensee ships via a for-hire carrier, the carrier must have been approved by the Oregon Liquor Control Commission (OLCC) prior to delivering malt beverages, wine, or cider to any resident of Oregon.
- Wine: Permitted—if the licensee ships via a for-hire carrier, the carrier must have been approved by the OLCC prior to delivering malt beverages, wine, or cider to any resident of Oregon.
- Spirits: No law

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Specific excise tax: \$0.08 per gallon

***Wine (12 percent alcohol)***

- Control state

***Spirits (40 percent alcohol)***

- Control state

**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: Not prohibited—not permitted after midnight
- Unlimited beverages: Prohibited
- Increased volume: Not prohibited

**Wholesale Pricing**

Pricing restrictions exist.

***Beer (5 percent alcohol)***

- Volume discounts: Banned
- Price posting requirements: Post and hold—14 days minimum. Licensees must make price lists available for OLCC inspection.
- Retailer credit: Not permitted

***Wine (12 percent alcohol)***

- Control state

***Spirits (40 percent alcohol)***

- Control state

## Oregon State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Oregon Liquor Control Commission	
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	No
<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	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Don't know
Such laws are also enforced by local law enforcement agencies	Not applicable
<b>Enforcement Statistics</b>	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession by state law enforcement agencies	Yes
Number pertains to the 12 months ending	4,463
Data include arrests/citations issued by local law enforcement agencies	12/31/2013
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	Yes
Number of licensees checked for compliance by state agencies (including random checks)	15,553
Number of licensees that failed state compliance checks	387
Numbers pertain to the 12 months ending	73
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	12/22/2013
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	No data
Number of licensees that failed <b>random</b> state compliance checks	No data
<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	Yes
Number of licensees checked for compliance by local agencies	No
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state <sup>4</sup>	Don't know
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 specifically for furnishing minors</i>	No data
Number of suspensions imposed by the state <sup>5</sup>	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>	Don't know
Number of license revocations imposed <sup>6</sup>	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Additional Clarification</b>	
OLCC Report available online at: <a href="http://www.oregon.gov/olcc/docs/enforcement/PublicSafetyAnnualReport_2012.pdf">http://www.oregon.gov/olcc/docs/enforcement/PublicSafetyAnnualReport_2012.pdf</a>	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses.

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

**Underage Drinking Prevention Programs Operated or Funded by the State**

**Positive Community Norms – mORe Media Campaign**

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: <a href="http://www.oregonmore.org">http://www.oregonmore.org</a>	

**Program Description:** The purpose of the mORe project is to cultivate the environment in Oregon to reveal the concern about underage drinking and the hope to foster meaningful change and transformation. The project offers multiple communications campaigns to reduce teenage alcohol use, provided to communities in the form of toolkits. The toolkits focus on important segments of the community, including adults, students, parents, school leaders and staff, law enforcement officers, health care providers, alcohol retailers, and community- and state-level organizations. The communication campaigns are intended to guide conversations about underage drinking and correct misperceptions. They are designed to balance two goals: Confront the seriousness of underage drinking and build hope that communities can work together to reduce risk and create positive change.

**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

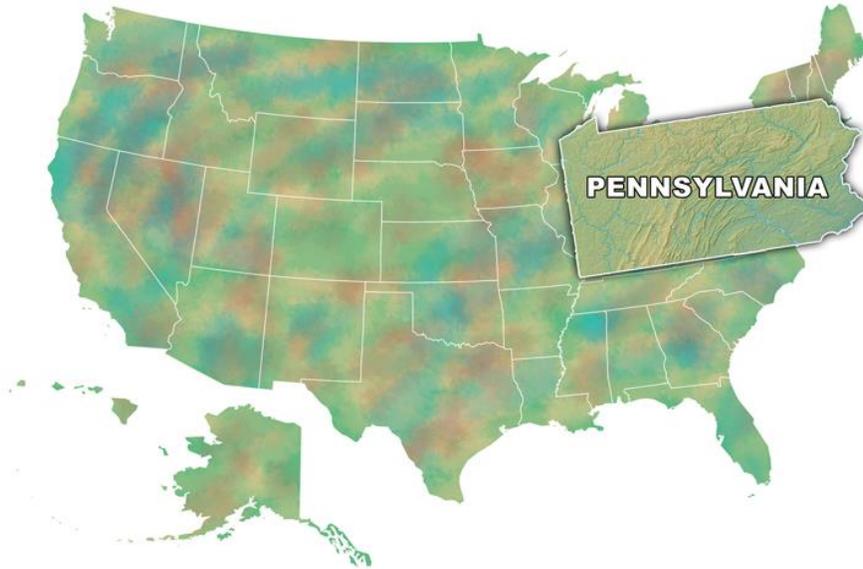
<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<p><i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i></p> <p>Description of collaboration: The Tribal Best Practices Committee has reviewed many tribal practices to include in prevention and treatment practices approved by the state. All nine federally recognized tribes receive Substance Abuse Prevention Treatment Block Grant (SAPTBG) and Strategic Prevention Framework funds. All are invited to participate in substance abuse prevention training and reporting. A state tribal liaison coordinates quarterly conjoint meetings with the state and nine tribal prevention coordinators, covering topics such as suicide prevention, juvenile justice, and tribal counseling offices. The county and tribal communities (largely funded by SAPTBG) cohosted a Prevention Summit.</p>	Yes
<p><i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i></p> <p>Description of program: Not applicable</p>	No
<p><i>State has adopted or developed best practice standards for underage drinking prevention programs</i></p> <p>Agencies/organizations that established best practices standards:</p> <p>Federal agency(ies): National Registry of Evidence-Based Programs and Practices</p> <p>Agency(ies) within your state: Evidence-Based Practice Committee; now collaborating with State of Washington (see <a href="http://www.theathenaforum.org">http://www.theathenaforum.org</a>)</p> <p>Nongovernmental agency(ies):</p> <p>Other:</p> <p>Best practice standards description: See website: <a href="http://www.oregon.gov/oha/amh/ebp/ebp-definition.pdf">http://www.oregon.gov/oha/amh/ebp/ebp-definition.pdf</a></p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No</p> <p>No</p>
<b>Additional Clarification</b>	
No data	

<b>State Interagency Collaboration</b>	
<p><i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i></p> <p><i>Committee contact information:</i></p> <p>Name: Kerryann Bouska, Strategic Prevention Framework Director                      E-mail: <a href="mailto:Kerryann.Bouska@state.or.us">Kerryann.Bouska@state.or.us</a>                      Address: 500 Summer St. NE, Salem, OR 97301-1118                      Phone: 503-945-6998</p> <p><i>Agencies/organizations represented on the committee:</i></p> <p>Oregon Liquor Control Commission                      Child &amp; Adolescent Mental Health Services                      Clackamas County Commission on Children &amp; Families                      Northwest Portland Area Indian Health Board                      Confederated Tribes of Warm Springs                      Public Health Division                      Oregon Department of Education                      Oregon Senate                      Oregon Research Institute                      Confederated Tribes of Grande Ronde                      Portland State University College Student                      Work Healthy Oregon, Oregon Nurses Foundation                      Applied Social Research &amp; Evaluation                      Executive Director, Oregon State Sheriffs Association</p>	Yes
<p><i>A website or other public source exists to describe committee activities</i></p> <p>URL or other means of access: Not applicable</p>	No

<b>Underage Drinking Reports</b>	
State has prepared a plan for preventing underage drinking in the last 3 years Prepared by: Not applicable Plan can be accessed via: Not applicable	Not sure
State has prepared a report on preventing underage drinking in the last 3 years Prepared by: Not applicable Plan can be accessed via: Not applicable	Not sure
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<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	\$0
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	\$0
Estimate based on the 12 months ending	6/30/2013
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2013
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2013
<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: No state funds are dedicated to underage drinking programs or strategies.	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2013

<b>Funds Dedicated to Underage Drinking</b>	
<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	
<b>Additional Clarification</b>	
No data	



# Pennsylvania

## State Profile and Underage Drinking Facts\*

State Population: 12,773,801  
 Population Ages 12–20: 1,526,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	27.2	415,000
Past-Month Binge Alcohol Use	17.2	263,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.7	23,000
Past-Month Binge Alcohol Use	1.6	8,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	22.8	108,000
Past-Month Binge Alcohol Use	13.3	63,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	49.9	284,000
Past-Month Binge Alcohol Use	33.7	192,000
<b>Alcohol-Attributable Deaths (under 21)</b>		180
<b>Years of Potential Life Lost (under 21)</b>		10,796
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	24	17

\* See Appendix C for data sources.

## Laws Addressing Minors in Possession of Alcohol

### Underage Possession of Alcohol

Possession is prohibited—no explicit exceptions are noted in the law.

### Underage Consumption of Alcohol

Consumption is prohibited—no explicit exceptions are 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.

### 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.
- It is a criminal offense to manufacture or distribute a false ID.

#### *Provision(s) targeting retailers*

- State provides incentives to retailers who use electronic scanners that read birthdate and other information digitally encoded on valid identification cards.
- 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: 0.00
- 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 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*

- 90 days

## **Graduated Driver’s License**

### ***Learner stage***

- Minimum entry age: 16
- Minimum learner stage period: 6 months
- Minimum supervised driving requirement: 65 hours, of which 10 must be at night

### ***Intermediate stage***

- Minimum age: 16 years, 6 months
- Unsupervised night driving
  - Prohibited after: 11 p.m.
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: First 6 months, no more than one passenger allowed under age 18 not in the immediate family, and after 6 months, no more than three unrelated passengers under 18, unless accompanied by a parent or guardian.
  - Primary enforcement of the passenger-restriction rule

### ***License stage***

- Minimum age to lift restrictions: 17 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: 18
- Maximum: 20

#### ***Appearance requirements***

- Age-appropriate dress and appearance

#### ***ID possession***

- Discretionary

#### ***Verbal exaggeration of age***

- Permitted

#### ***Decoy training***

- Mandated

### **Penalty Guidelines for Sales to Minors**

- Time period/conditions: 4 years
- First offense: \$50 to \$1,000 fine and/or license suspension/revocation
- Second offense: \$1,000 to \$5,000 fine and/or license suspension/revocation
- Third offense: License suspension or revocation

### **Responsible Beverage Service**

#### ***Voluntary beverage service training***

- Applies to both on-sale and off-sale establishments

- Applies to both new and existing outlets

### ***Incentive for training***

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

### **Minimum Ages for Off-Premises Sellers**

- Beer: 18
- Wine: 18
- Spirits: 18

*Note:* In Pennsylvania, a minor who is 17 years old who is a high school graduate or who is declared to have attained his or her academic potential by the chief administrator of his or her school district is deemed to be a minor of 18 years old for purposes of the laws relating to the employment of minors by retail licensees.

### **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

*Note:* In Pennsylvania, a minor who is 17 years old who is a high school graduate or who is declared to have attained his or her academic potential by the chief administrator of his or her school district is deemed to be a minor of 18 years old for purposes of the laws relating to the employment of minors by retail licensees.

### **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 not specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Possession
- 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

### **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.

*Note:* Limited wineries (wineries with a maximum output of 200,000 gallons per year that use fruit or agricultural commodities grown in the Commonwealth) may ship wine to retail customers via a transporter-for-hire or in a vehicle properly registered with the Pennsylvania Liquor Control Board.

### **Keg Registration**

Registration is not required.

### **Home Delivery**

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

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Specific excise tax: \$0.08 per gallon

#### ***Wine (12 percent alcohol)***

- Control state

#### ***Spirits (40 percent alcohol)***

- Control state

### **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: Not prohibited—limited to 4 hours per day and no more than 14 hours per week. Discounts may not be offered after 12 midnight.
- Unlimited beverages: Prohibited
- Increased volume: Prohibited

### **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

*Note:* Although current law suggests there is a 120-day hold on reducing prices posted by the wholesaler for distribution of beer, that rule is no longer legal or being enforced per an order on

January 15, 1999, by Judge Richard Caputo of the United States District Court for the Middle District of Pennsylvania. The order granted a permanent injunction prohibiting enforcement of several sections of the Liquor Code, including 47 Pa. Cons. Stat. § 4-447. As a result of that decision, the requirement that wholesale prices be reported and if reduced, remain at that level for at least 120 days, is no longer legal or enforced. Therefore, prices of malt beverages can be reduced and then raised at any time. (See Legal Advisory No. 11 <http://www.portal.state.pa.us/portal/server.pt?open=514&objID=611927&mode=2>.)

## Pennsylvania State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Pennsylvania State Police, Bureau of Liquor Control Enforcement	
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	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No
<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	Yes PA State Police, Bureau of Liquor Control Enforcement
Such laws are also enforced by local law enforcement agencies	Don't know
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	Yes 22,434
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	Yes
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	13,000
Number of licensees checked for compliance by state agencies <b>(including random checks)</b>	1,302
Number of licensees that failed state compliance checks	504
Numbers pertain to the 12 months ending	12/31/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/ decoy operations	Yes 509
Number of licensees that failed <b>random</b> state compliance checks	174
<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 <sup>4</sup>	Yes 363
Total amount in fines across all licensees	\$478,425
Smallest fine imposed	\$250
Largest fine imposed	\$5,000
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 <sup>5</sup>	18
Total days of suspensions across all licensees	72
Shortest period of suspension imposed (in days)	1
Longest period of suspension imposed (in days)	11
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	No
Number of license revocations imposed <sup>6</sup>	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Additional Clarification</b>	
No data	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

**Underage Drinking Prevention Programs Operated or Funded by the State**

<b>Project Northland</b>	
Program serves specific or general population	Specific population
Number of youth served	1,065
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	
<a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=25">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=25</a>	

**Program Description:** Project Northland is a multilevel intervention involving students, peers, parents, and community in programs designed to delay the age at which adolescents begin drinking, reduce alcohol use among those already drinking, and limit the number of alcohol-related problems among young drinkers. Administered weekly to adolescents in grades 6–8, the program has a specific theme within each grade level that is incorporated into the parent, peer, and community components. The 6th-grade home-based program targets communication about adolescent alcohol use utilizing student-parent homework assignments, in-class group discussions, and a communitywide task force. The 7th-grade peer- and teacher-led curriculum focuses on resistance skills and normative expectations regarding teen alcohol use, and is implemented through discussions, games, problem-solving tasks, and role-plays. During the first half of the 8th-grade Powerlines peer-led program, students learn about community dynamics related to alcohol use prevention through small-group and classroom interactive activities. During the second half, they work on community-based projects and hold a mock town meeting to make community policy recommendations to prevent teen alcohol use.

<b>Class Action</b>	
Program serves specific or general population	Specific population
Number of youth served	189
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	
<a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=145">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=145</a>	

<p><b>Program Description:</b> Class Action is the second phase of the Project Northland alcohol-use prevention curriculum series. Class Action (for grades 11–12) and Project Northland (for grades 6–8) are designed to delay the onset of alcohol use, reduce use among youths who have already tried alcohol, and limit the number of alcohol-related problems experienced by young drinkers. Class Action draws on the social influence theory of behavior change, using interactive, peer-led sessions to explore the real-world legal and social consequences of substance abuse. The curriculum consists of 8 to 10 group sessions in which students divide into teams to research, prepare, and present mock civil cases involving hypothetical persons harmed as a result of underage drinking. Using a casebook along with audiotaped affidavits and depositions, teens review relevant statutes and case law to build legal cases they then present to a jury of their peers. Case topics include drinking and driving, fetal alcohol syndrome, drinking and violence, date rape, drinking and vandalism, and school alcohol policies. Students also research community issues around alcohol use and become involved in local events to support community awareness of the problem of underage drinking.</p>																			
<p><b>Underage Drinking Programs</b></p> <table border="0"> <tr> <td>Program serves specific or general population</td> <td>Specific population</td> </tr> <tr> <td>Number of youth served</td> <td>1,204</td> </tr> <tr> <td>Number of parents served</td> <td>0</td> </tr> <tr> <td>Number of caregivers served</td> <td>0</td> </tr> <tr> <td>Program has been evaluated</td> <td>Yes</td> </tr> <tr> <td>Evaluation report is available</td> <td>No</td> </tr> <tr> <td>URL for evaluation report:</td> <td>Not applicable</td> </tr> <tr> <td>URL for more program information:</td> <td>No data</td> </tr> </table>		Program serves specific or general population	Specific population	Number of youth served	1,204	Number of parents served	0	Number of caregivers served	0	Program has been evaluated	Yes	Evaluation report is available	No	URL for evaluation report:	Not applicable	URL for more program information:	No data		
Program serves specific or general population	Specific population																		
Number of youth served	1,204																		
Number of parents served	0																		
Number of caregivers served	0																		
Program has been evaluated	Yes																		
Evaluation report is available	No																		
URL for evaluation report:	Not applicable																		
URL for more program information:	No data																		
<p><b>Program Description:</b> These are generic programs used to raise awareness and educate individuals who have been convicted of underage drinking and to provide intervention services when needed.</p>																			
<p><b>Communities Mobilizing for Change on Alcohol (CMCA)</b></p> <table border="0"> <tr> <td>Program serves specific or general population</td> <td>General population</td> </tr> <tr> <td>Number of youth served</td> <td>Not applicable</td> </tr> <tr> <td>Number of parents served</td> <td>Not applicable</td> </tr> <tr> <td>Number of caregivers served</td> <td>Not applicable</td> </tr> <tr> <td>Program has been evaluated</td> <td>Yes</td> </tr> <tr> <td>Evaluation report is available</td> <td>No</td> </tr> <tr> <td>URL for evaluation report:</td> <td>Not applicable</td> </tr> <tr> <td>URL for more program information:</td> <td></td> </tr> <tr> <td colspan="2"><a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=117">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=117</a></td> </tr> </table>		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:		<a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=117">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=117</a>	
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:																			
<a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=117">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=117</a>																			
<p><b>Program Description:</b> CMCA is a community-organizing program designed to reduce teens' (ages 13–20) access to alcohol by changing community policies and practices. CMCA seeks to limit youth access to alcohol and to communicate a clear message to the community that underage drinking is inappropriate and unacceptable. It employs a range of social-organizing techniques to address legal, institutional, social, and health issues related to underage drinking. The goals of these organizing efforts are to eliminate illegal alcohol sales to minors, obstruct the provision of alcohol to youth, and ultimately reduce alcohol use by teens. The program involves community members in seeking and achieving changes in local public policies and the practices of community institutions that can affect youth access to alcohol.</p>																			
<p><b>Alcohol: True Stories Hosted by Matt Damon</b></p> <table border="0"> <tr> <td>Program serves specific or general population</td> <td>Specific population</td> </tr> <tr> <td>Number of youth served</td> <td>153</td> </tr> <tr> <td>Number of parents served</td> <td>0</td> </tr> <tr> <td>Number of caregivers served</td> <td>0</td> </tr> <tr> <td>Program has been evaluated</td> <td>Yes</td> </tr> <tr> <td>Evaluation report is available</td> <td>No</td> </tr> <tr> <td>URL for evaluation report:</td> <td>Not applicable</td> </tr> <tr> <td>URL for more program information:</td> <td></td> </tr> <tr> <td colspan="2"><a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=232">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=232</a></td> </tr> </table>		Program serves specific or general population	Specific population	Number of youth served	153	Number of parents served	0	Number of caregivers served	0	Program has been evaluated	Yes	Evaluation report is available	No	URL for evaluation report:	Not applicable	URL for more program information:		<a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=232">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=232</a>	
Program serves specific or general population	Specific population																		
Number of youth served	153																		
Number of parents served	0																		
Number of caregivers served	0																		
Program has been evaluated	Yes																		
Evaluation report is available	No																		
URL for evaluation report:	Not applicable																		
URL for more program information:																			
<a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=232">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=232</a>																			

**Program Description:** Alcohol: True Stories Hosted by Matt Damon is a multimedia intervention designed to prevent or reduce alcohol use among young people in grades 5–12 by positively changing the attitudes of youth and their parents and other caregivers in regard to youth drinking. The intervention features a 20-minute video hosted by Matt Damon that tells the stories of four adolescents’ experiences with alcohol. Story topics include drinking and driving, lost opportunities, addiction, alcohol-related violence, and the effects of alcohol use on relationships. Through the four stories, the video addresses reasons that motivate young people to drink: to fit in, ease social interaction, relieve stress, have fun, and because they are addicted. The young people profiled describe the consequences of underage drinking and the benefits of waiting to drink alcohol until after reaching legal age, and they offer healthy coping strategies for stressful life events as well as methods to avoid drinking alcohol. The video is accompanied by a discussion guide designed to provoke candid conversation regarding alcohol use and to help young people internalize anti-underage drinking messages and think critically about their own decisionmaking regarding alcohol use.

**Protecting You/Protecting Me (PY/PM)**

Program serves specific or general population	Specific population
Number of youth served	696
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	
<a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=95">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=95</a>	

**Program Description:** PY/PM is a 5-year classroom-based alcohol use prevention and vehicle safety program for elementary school students in grades 1–5 (ages 6–11) and high school students in grades 11 and 12. The program aims to reduce alcohol-related injuries and death among children and youth due to underage alcohol use and riding in vehicles with drivers who are not alcohol free. PY/PM lessons and activities focus on teaching children about (1) the brain—how it continues to develop throughout childhood and adolescence, what alcohol does to the developing brain, and why it is important for children to protect their brains; (2) vehicle safety, particularly what children can do to protect themselves if they have to ride with someone who is not alcohol free; and (3) life skills, including decisionmaking, stress management, media awareness, resistance strategies, and communication. Parent take-home activities are offered for all 40 lessons. PY/PM’s interactive and affective teaching processes include role-playing, small group and classroom discussions, reading, writing, storytelling, art, and music.

**Project ALERT**

Program serves specific or general population	Specific population
Number of youth served	12,506
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	
<a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=62">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=62</a>	

**Program Description:** Project ALERT is a school-based prevention program for middle or junior high school students that focuses on alcohol, tobacco, and marijuana use. It seeks to prevent adolescent nonusers from experimenting with these drugs, and to prevent youths who are already experimenting from becoming people who use more regularly or have an alcohol use disorder. Based on the social influence model of prevention, the program is designed to help motivate young people to avoid using drugs and teach them the skills they need to understand and resist prodrug social influences. The curriculum comprises 11 lessons in the first year and 3 lessons in the second year. Lessons involve small-group activities, question-and-answer sessions, role-playing, and the rehearsal of new skills to stimulate students’ interest and participation. The content focuses on helping students understand the

consequences of drug use, recognize the benefits of nonuse, build norms against use, and identify and resist prodrug pressures.	
<b>Too Good for Drugs (TGFD)</b>	
Program serves specific or general population	Specific population
Number of youth served	33,920
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=75">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=75</a>	
<b>Program Description:</b> TGFD is a school-based prevention program for kindergarten through 12th grade that builds students' resiliency by teaching them how to be socially competent and autonomous problem solvers. The program aims to benefit everyone in the school by providing needed education in social and emotional competencies and by reducing risk factors and building protective factors that affect students in these age groups. TGFD focuses on developing personal and interpersonal skills regarding resisting peer pressure, goal setting, decisionmaking, bonding with others, respecting oneself and others, managing emotions, communicating effectively, and interaction socially. It also provides information about negative consequences of drug use and benefits of a nonviolent, drug-free lifestyle.	
<b>Positive Action</b>	
Program serves specific or general population	Specific population
Number of youth served	1,218
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://legacy.nreppadmin.net/ViewIntervention.aspx?id=400">http://legacy.nreppadmin.net/ViewIntervention.aspx?id=400</a>	
<b>Program Description:</b> Positive Action is an integrated and comprehensive program designed to improve academic achievement, school attendance, and problem behaviors such as substance use, violence, suspensions, disruptive behaviors, dropping out, and sexual behavior. It is also designed to improve parent-child bonding, family cohesion, and family conflict. Positive Action has materials for schools, homes, and community agencies. All materials are based on one unifying broad concept (one feels good about oneself when taking positive actions) with six explanatory subconcepts (positive actions for the physical, intellectual, social, and emotional areas) that elaborate on the overall theme.	
<b>All Stars</b>	
Program serves specific or general population	Specific population
Number of youth served	783
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=28">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=28</a>	
<b>Program Description:</b> All Stars is a school-based program for middle school students (11–14 years old) designed to prevent and delay the onset of high-risk behaviors such as drug use, violence, and premature sexual activity. The program focuses on five topics important to preventing high-risk behaviors: (1) developing positive ideals that do not fit with high-risk behavior; (2) creating a belief in conventional norms; (3) building strong personal commitments to avoid high-risk behaviors; (4) bonding with school, prosocial institutions, and family; and (5) increasing positive parental attentiveness such as	

<p>positive communication and parental monitoring. The All Stars curriculum includes highly interactive group activities, games and art projects, small-group discussions, one-on-one sessions, a parent component, optional online activities and worksheets, and a celebration ceremony.</p>	
<p><b>Keepin' It REAL</b></p>	
Program serves specific or general population	Specific population
Number of youth served	108
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	
<p><a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=133">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=133</a></p>	
<p><b>Program Description:</b> Keepin' it REAL is a multicultural, school-based substance use prevention program for students 12–14 years old. Keepin' it REAL uses a 10-lesson curriculum taught by trained classroom teachers in 45-minute sessions over 10 weeks, with booster sessions delivered the following school year. The curriculum aims to help students assess the risks associated with substance abuse, enhance decisionmaking and resistance strategies, improve antidrug normative beliefs and attitudes, and reduce substance use. The curriculum places special emphasis on resistance strategies represented in the acronym REAL: Refuse offers to use substances, Explain why you do not want to use substances, Avoid situations in which substances are used, and Leave situations in which substances are used.</p>	
<p><b>Stay on Track</b></p>	
Program serves specific or general population	Specific population
Number of youth served	486
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	
<p><a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=167">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=167</a></p>	
<p><b>Program Description:</b> Stay on Track is a school-based substance abuse prevention curriculum conducted over a 3-year period with students in grades 6–8. The intervention is designed to help students assess the risks associated with substance abuse; enhance decisionmaking, goal-setting, communication, and resistance strategies; improve antidrug normative beliefs and attitudes; and reduce substance use. The program empowers youth by providing knowledge and life skills relevant to health-promoting behavior.</p>	
<p><b>LifeSkills Training (LST)</b></p>	
Program serves specific or general population	Specific population
Number of youth served	12,007
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	
<p><a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=109">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=109</a></p>	
<p><b>Program Description:</b> LST is a school-based program that aims to prevent alcohol, tobacco, and marijuana use and violence by targeting major social and psychological factors that promote initiation of substance use and other risky behaviors. LST is based on both the social influence and the competence enhancement models of prevention. Consistent with this theoretical framework, LST addresses multiple risk and protective factors and teaches personal and social skills that build resilience and help youth navigate developmental tasks, including the skills necessary to understand and resist prodrug influences.</p>	

LST is designed to provide information relevant to the important life transitions that adolescents and young teens face, using culturally sensitive and developmentally and age-appropriate language and content. Facilitated discussion, structured small-group activities, and role-playing scenarios are used to stimulate participation and promote the acquisition of skills.

**Guiding Good Choices (GGC)**

Program serves specific or general population	Specific population
Number of youth served	0
Number of parents served	36
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	
<a href="http://legacy.nreppadmin.net/ViewIntervention.aspx?id=302">http://legacy.nreppadmin.net/ViewIntervention.aspx?id=302</a>	

**Program Description:** GGC is a drug use prevention program that provides parents of children in grades 4–8 (9–14 years old) with the knowledge and skills needed to guide their children through early adolescence. It seeks to strengthen and clarify family expectations for behavior, enhance the conditions that promote bonding within the family, and teach skills that allow children to resist drug use successfully. GGC is based on research showing that consistent, positive parental involvement is important to helping children resist substance use and other antisocial behaviors. The current intervention is a 5-session curriculum that addresses preventing substance abuse in the family, setting clear family expectations about drugs and alcohol, avoiding trouble, managing family conflict, and strengthening family bonds.

**Strengthening Families Program – For Parents and Youth 10–14 (SFP 10–14)**

Program serves specific or general population	Specific population
Number of youth served	870
Number of parents served	861
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	
<a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=63">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=63</a>	

**Program Description:** SFP 10–14 is a family skills training intervention designed to enhance school success and reduce youth substance use and aggression among 10- to 14-year-olds. The program includes seven 2-hour sessions and four optional booster sessions in which parents and youth meet separately for instruction during the first hour and together for family activities during the second hour. The sessions provide instruction for parents on understanding the risk factors for substance use, enhancing parent–child bonding, monitoring compliance with parental guidelines and imposing appropriate consequences, managing anger and family conflict, and fostering positive child involvement in family tasks. Children receive instruction on resisting peer influences to use substances.

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

**Responsible Alcohol Management Program (RAMP)**

URL for more program information: <http://www.lcb.state.pa.us/PLCB/Education/RAMP/index.htm>

Program description: RAMP aims to help licensees and their employees serve alcohol responsibly. RAMP was created by the Pennsylvania Liquor Control Board and offers practical advice for licensees operating restaurants, hotels, clubs, distributors, and even special-occasion permit holders. RAMP explains how to detect signs of impairment and intoxication; effectively cut off service to a customer who has had too much to drink; identify underage individuals; detect altered, counterfeit, and borrowed identification; avoid unnecessary liability; and help reduce alcohol-related problems in the community.

**Additional Clarification**

Program data are from state FY 7/1/2012 through 6/30/2013.

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i> Description of collaboration: Not applicable	No recognized tribal governments
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i> Description of program: Not applicable	No
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i> Agencies/organizations that established best practices standards: Federal agency(ies): Not applicable Agency(ies) within your state: Not applicable Nongovernmental agency(ies): Not applicable Other: Not applicable Best practice standards description: Not applicable	No
<b>Additional Clarification</b>	
No data	

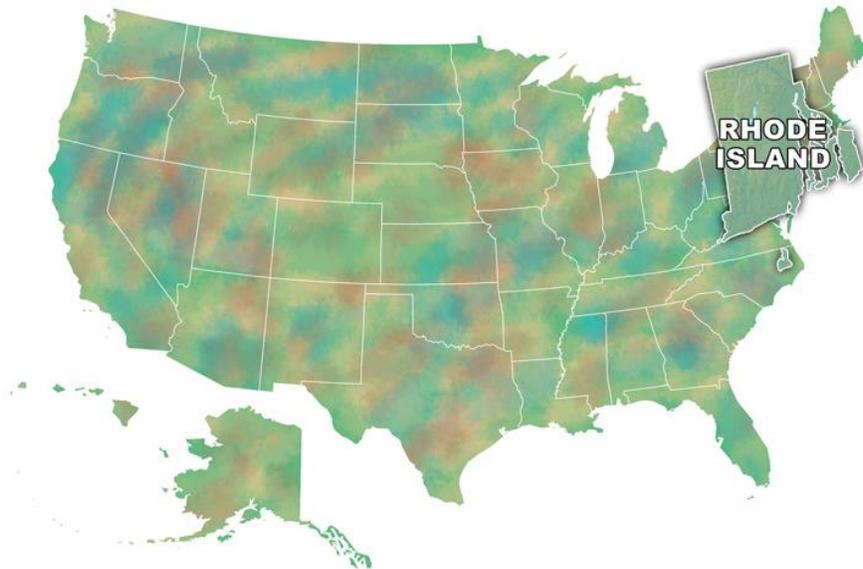
<b>State Interagency Collaboration</b>	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	No
<i>Committee contact information:</i> Not applicable	
<i>Agencies/organizations represented on the committee:</i> Not applicable	
<i>A website or other public source exists to describe committee activities</i> URL or other means of access: Not applicable	Not applicable

<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i> Prepared by: Not applicable Plan can be accessed via: Not applicable	No
<i>State has prepared a report on preventing underage drinking in the last 3 years</i> Prepared by: Pennsylvania Liquor Control Board, Act 85 biennial Report to the Pennsylvania General Assembly on High-Risk and Underage Drinking Plan can be accessed via: <a href="http://www.lcb.beta.state.pa.us/cons/groups/alchooleducation/documents/adacct/001990.pdf">http://www.lcb.beta.state.pa.us/cons/groups/alchooleducation/documents/adacct/001990.pdf</a>	Yes
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$96,746
Estimate based on the 12 months ending	12/31/2013
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$148,088
Estimate based on the 12 months ending	12/31/2013
<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

<b>Funds Dedicated to Underage Drinking</b>	
<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	
<b>Additional Clarification</b>	
No data	



# Rhode Island

## State Profile and Underage Drinking Facts\*

State Population: 1,051,511  
 Population Ages 12–20: 130,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	32.6	42,000
Past-Month Binge Alcohol Use	21.2	28,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.5	2,000
Past-Month Binge Alcohol Use	2.6	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	23.8	9,000
Past-Month Binge Alcohol Use	12.6	5,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	59.8	31,000
Past-Month Binge Alcohol Use	41.3	22,000
<b>Alcohol-Attributable Deaths (under 21)</b>		10
<b>Years of Potential Life Lost (under 21)</b>		575
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	50	1

\* 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 not explicitly prohibited.

### **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.

### **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.
- It is a criminal offense to manufacture or distribute 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.

## 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*

- 30 days

## Graduated Driver’s License

### *Learner stage*

- Minimum entry age: 16
- 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
- Unsupervised night driving
  - Prohibited after: 1 a.m.
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one passenger under 21, unless an immediate family or household member
  - Primary enforcement of the passenger-restriction rule

### *License stage*

- Minimum age to lift restrictions: 17 years, 6 months

## Laws Targeting Alcohol Suppliers

### **Furnishing of Alcohol to Minors**

Furnishing is prohibited with the following exception(s): Parent/guardian

### **Compliance Check Protocols**

No data

### **Penalty Guidelines for Sales to Minors**

No data

### **Responsible Beverage Service**

#### *Mandatory provisions*

*Mandatory beverage service training for managers, servers*

- Applies only to on-sale establishments
- Applies only to existing outlets

#### *Voluntary provisions*

*Voluntary beverage service training*

- The law does not specify on- or off-sale establishments.
- The law does not specify new or existing outlets.

#### *Incentives for training*

- Defense in dram shop liability lawsuits

### **Minimum Ages for Off-Premises Sellers**

- Beer: 18
- Wine: 18
- Spirits: 18

### **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

### **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
  - On-premises outlets: Yes—within 200 feet
  - Alcohol products: Beer, wine, spirits

*Note:* There are numerous exceptions for specific locations within cities and towns.

### **Dram Shop Liability**

Statutory liability exists.

*Note:* R.I. Gen. Laws § 3-14-12 includes a responsible beverage service defense.

### **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: Consumption
- Property type(s) covered by liability law: Residence, outdoor
- Standard for hosts' knowledge or action regarding the party: Knowledge—host must have actual knowledge of the occurrence
- Exception(s): Family

### **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: Undefined
- Prohibited: Destroying the label on a keg—maximum fine/jail \$500
- 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

*Note:* No particular volume or range of volumes is specified for kegs in Rhode Island.

### **Home Delivery**

- Beer: Permitted
- Wine: Permitted
- Spirits: Permitted

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5% alcohol)***

- Specific excise tax: \$0.11 per gallon

#### ***Wine (12 percent alcohol)***

- Specific excise tax: \$1.40 per gallon

#### ***Spirits (40 percent alcohol)***

- Specific excise tax: \$5.40 per gallon

### **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: Prohibited
- Increased volume: Prohibited

### **Wholesale Pricing**

No pricing restrictions

## Rhode Island State Survey Responses

<b>State Agency Information</b>	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Rhode Island Department of Behavioral Healthcare, Developmental Disabilities and Hospitals (BHDDH). Rhode Island does not have a separate alcohol beverage control agency. BHDDH cannot issue citations, fines, or the like. Enforcement happens at the local level (local police departments).	
<b>Enforcement Strategies</b>	
<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	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>	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
<b>Enforcement Statistics</b>	
<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	2
Number pertains to the 12 months ending	6/30/2013
Data include arrests/citations issued by local law enforcement agencies	Don't know
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	1,701
Number of licensees checked for compliance by state agencies (including random checks)	360
Number of licensees that failed state compliance checks	19
Numbers pertain to the 12 months ending	6/30/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	Yes
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	225
Number of licensees that failed <b>random</b> state compliance checks	27
<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	200
Number of licensees that failed local compliance checks	14
Numbers pertain to the 12 months ending	12/31/2012
<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	No

Number of fines imposed by the state <sup>4</sup>	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 specifically for furnishing minors</i>	
	No
Number of suspensions imposed by the state <sup>5</sup>	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>	
	Don't know
Number of license revocations imposed <sup>6</sup>	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Additional Clarification</b>	
Unless otherwise indicated, the “state alcohol law enforcement agency” refers to BHDDH. RI does not have an “Alcohol Beverage Control”-type enforcement agency. BHDDH uses federal funds allocated to local police departments, to support conducting an alcohol purchase survey, and compliance checks of a random sample of on- and off-premise alcohol retailers; the survey is conducted by local law enforcement agencies. BHDDH also provides some federal funding to local law enforcement agencies for underage sales compliance activities.	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

<b>Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>Enforcement of Underage Drinking Laws</b>	
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
<b>Program Description:</b> This program is a statewide advisory committee with public education, law enforcement, and youth subcommittees and a statewide youth committee. The advisory committee develops statewide environmental strategies for implementation in local communities. The advisory committee also advises the department on policies related to underage drinking. The advisory committee works closely with local, municipal coalitions and with local and state law enforcement; collects enforcement data and develops; and implements statewide public education campaigns.	
<b>Rhode Island Substance Abuse Prevention Act (RISAPA)</b>	
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
<b>Program Description:</b> RISAPA is legislation that enables the funding of municipal substance abuse prevention task forces/coalitions—35 coalitions represent all of the state’s 39 cities and towns. Each coalition produces an annual program plan and logic model. For the past few years, all of the coalitions have implemented strategies to reduce underage drinking. Included among these strategies are local policy initiatives (an environmental strategy) and public education. The number of individuals touched by these activities is not routinely collected.	

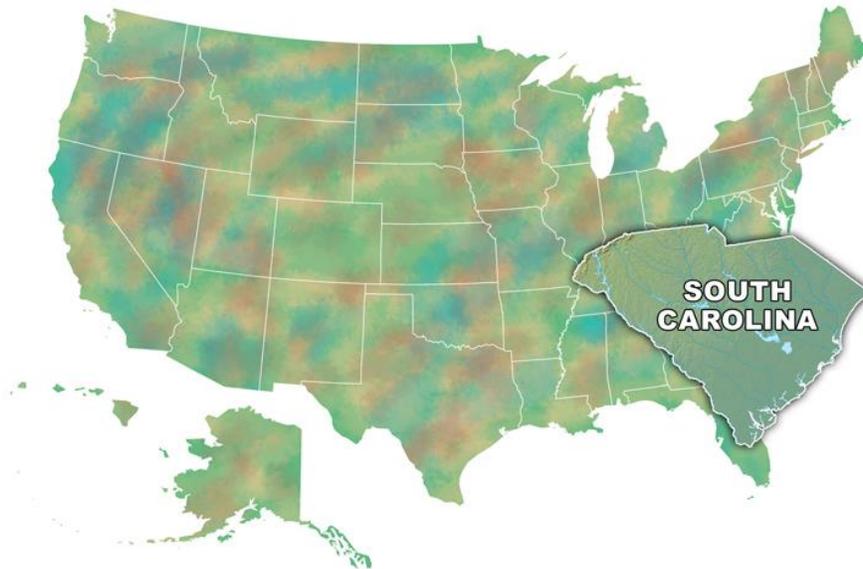
<b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>No data</b>	
URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
The Enforcing Underage Drinking Laws advisory committee is managed under a contract with Rhode Island Mothers Against Drunk Driving and funded with federal funds. The RISAPA is funded with state and federal funds.	

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	Yes
Description of collaboration: The Chariho Prevention Coalition, funded by BHDDH, has been working with the Narragansett Tribe, whose land is within their service area. A member of the tribe now sits on their coalition and participates in planning of prevention initiatives, including 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):	No
Agency(ies) within your state: BHDDH	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: BHDDH requires use of evidence-based programs and practices by all funded prevention providers, and the Strategic Planning Framework (SPF) is the planning model. The state has also promulgated rules and regulations for certification of prevention programs. These are incorporated into contracts.	
<b>Additional Clarification</b>	
Beyond recommending use of evidence-based practices, we have not published standards specific to underage drinking.	

<b>State Interagency Collaboration</b>	
<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: Elizabeth Kretchman	
E-mail: Elizabeth.kretchman@bhddh.ri.gov	
Address: BHDDH, 14 Harrington Rd., Cranston, RI 02920	
Phone: 401-462-0644	

<i>Agencies/organizations represented on the committee:</i>	
Tobacco-Free RI	
Youth Pride of RI, Inc.	
RI Department of Education	
RI Dept. of Children, Youth and Families	
Mothers Against Drunk Driving-RI	
Brown University	
Ocean State Prevention Alliance	
University of Rhode Island	
Mental Health Consumer Advocate of RI	
RI Youth Suicide Prevention Project	
Rhode Island Student Assistance Services	
Representation from municipal prevention coalitions	
<i>A website or other public source exists to describe committee activities</i>	No
URL or other means of access: Not applicable	
<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Prevention Services, BHDDH	
Plan can be accessed via: Contact Elizabeth.kretchman@bhddh.ri.gov	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Statewide Epidemiology and Outcomes Workgroup (SEOW)	
Plan can be accessed via: Please contact Elizabeth.kretchman@bhddh.ri.gov	
<b>Additional Clarification</b>	
Underage drinking is included in the Prevention Strategic Plan, and report(s) on underage drinking are included in SEOW reports. No free-standing plans or reports published.	
<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2013
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2013
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$930,500
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	\$0
Estimate based on the 12 months ending	6/30/2013
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2014
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2014
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2013
<i>Other programs:</i>	
No data	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2013

<b>Funds Dedicated to Underage Drinking</b>	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No
Fees	No
Other:	No data
<i>Description of funding streams and how they are used:</i>	
Not applicable	
<b>Additional Clarification</b>	
<p>The state uses Substance Abuse Prevention and Treatment Block Grant (SAPTBG) funding for Student Assistance Programs (SAPs) in a number of middle and high schools and has a SAPTBG-funded school-based prevention initiative. SAPs and the school-based initiatives work to prevent underage drinking, but are not funded expressly for this purpose. The state uses other federal dollars to support alcohol compliance surveys and activities; these are carried out by local law enforcement.</p>	



# South Carolina

## State Profile and Underage Drinking Facts\*

State Population: 4,774,839  
 Population Ages 12–20: 538,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	22.9	123,000
Past-Month Binge Alcohol Use	13.9	75,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.4	8,000
Past-Month Binge Alcohol Use	1.3	2,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	18.9	33,000
Past-Month Binge Alcohol Use	10.3	18,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	44.9	82,000
Past-Month Binge Alcohol Use	29.8	54,000
<b>Alcohol-Attributable Deaths (under 21)</b>		83
<b>Years of Potential Life Lost (under 21)</b>		4,999
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	41	18

\* 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): Parent/guardian's home

### Underage Consumption of Alcohol

Consumption is prohibited—no explicit exceptions noted in the law.

### Internal Possession by Minors

Internal possession is prohibited with the following exception(s): Parent/guardian's home

### 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.
- 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.

## 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*

- 120 days

### Graduated Driver's License

#### *Learner stage*

- Minimum entry age: 15
- Minimum learner stage period: 6 months

- Minimum supervised driving requirement: 40 hours, of which 10 must be at night

### ***Intermediate stage***

- Minimum age: 15 years, 6 months
- Unsupervised night driving
  - Prohibited after: 6 p.m.—may only drive unsupervised during daylight hours; nighttime is defined as starting at 6 p.m. EST or 8 p.m. EDT
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than two nonfamily passengers under 21 unless supervised by driver at least 21 years (unless transporting students to school)
  - 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):

- Private residence AND EITHER
- Parent/guardian OR
- Spouse
- There is an affirmative defense if the minor is not charged

*Note:* South Carolina’s parent/guardian and spouse exceptions apply when the alcohol is furnished in the home of the spouse or in the home of the parent or guardian.

### **Compliance Check Protocols**

No data

### **Penalty Guidelines for Sales to Minors**

No written guidelines

### **Responsible Beverage Service**

No beverage service training requirement

### **Minimum Ages for Off-Premises Sellers**

- Beer: Not specified
- Wine: Not specified
- Spirits: 21

*Note:* Although no minimum age is specified to sell beer and wine at off-sale establishments licensed to sell beer and wine, an employee of a retail liquor establishment must be at least 21 years old.

### **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***

- Prohibitions against outlet siting:
  - Off-premises outlets: Yes—within 300 feet if school is within a municipality; within 500 feet if school is outside of a municipality.
  - On-premises outlets: Yes—within 300 feet if school is within a municipality; within 500 feet if school is outside of a municipality.
  - 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.
- The courts recognize common law social host 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: Other
- Standard for hosts' knowledge or action regarding the party: Overt act—host must have actual knowledge and commit an act that contributes to the occurrence

## **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:*** None

***State approval/permit requirements***

- Producer/shipper must obtain state permit.

***Reporting requirements:*** None

***Shipping label statement requirements***

- Contains alcohol
- Recipient must be 21

## **Keg Registration**

- Keg definition: 5.16 gallons or more
- Prohibited:
  - Possessing an unregistered, unlabeled keg—maximum fine/jail \$500/30 days
  - Destroying the label on a keg—maximum fine/jail \$500/30 days

- Purchaser information collected:
  - Purchaser’s name and address
  - Verified by a government-issued ID
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- 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: \$0.77 per gallon

***Wine (12 percent alcohol)***

- Specific excise tax: \$1.08 per gallon

***Spirits (40 percent alcohol)***

- Specific excise tax: \$2.96 per gallon
- Ad valorem excise tax (on-premises retail): 5 percent

*Note:* Base tax rate is \$2.72 per gallon plus a 9 percent surtax of \$0.24 added to the base rate, for a total of \$2.96 per gallon.

**Drink Specials**

- Free beverages: Not prohibited—licensee may offer a free drink on a case-by-case basis.
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price, specified day or time: Not prohibited—not permitted before 4 p.m. or after 8 p.m.
- Unlimited beverages: Not prohibited

**Wholesale Pricing**

Pricing restrictions exist.

***Beer (5 percent alcohol)***

- Retailer credit: Not permitted

***Wine (12 percent alcohol)***

- Retailer credit: Not permitted

***Spirits (40 percent alcohol)***

- Retailer credit: Not permitted

## South Carolina State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> State Law Enforcement Division (SLED)	
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	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/shipments of alcohol to minors	Yes SC Law Enforcement Div.
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>	
Number of minors found in possession by state law enforcement agencies	Yes 985
Number pertains to the 12 months ending	6/30/2013
Data include arrests/citations issued by local law enforcement agencies	Yes
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	16,000
Number of licensees checked for compliance by state agencies (including random checks)	1,571
Number of licensees that failed state compliance checks	257
Numbers pertain to the 12 months ending	6/30/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	Yes 1,571
Number of licensees that failed <b>random</b> state compliance checks	257
<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	Yes
Number of licensees checked for compliance by local agencies	7,830
Number of licensees that failed local compliance checks	941
Numbers pertain to the 12 months ending	6/30/2013

<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	Yes
Number of fines imposed by the state <sup>4</sup>	257
Total amount in fines across all licensees	\$150,000
Smallest fine imposed	\$50
Largest fine imposed	\$2,000
Numbers pertain to the 12 months ending	6/30/2013

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	3
Total days of suspensions across all licensees	No data
Shortest period of suspension imposed (in days)	5
Longest period of suspension imposed (in days)	55
Numbers pertain to the 12 months ending	6/30/2013

<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	6
Numbers pertain to the 12 months ending	6/30/2013

<b>Additional Clarification</b>	
No data	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

<b>Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>South Carolina Alcohol Enforcement Teams (AETs) – Enforcement Efforts</b>	
Program serves specific or general population	Specific population
Number of youth served	440,358
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
<a href="http://ncweb.pire.org/scdocuments/documents/301AnnualReport2013.pdf">http://ncweb.pire.org/scdocuments/documents/301AnnualReport2013.pdf</a>	
URL for more program information:	
<a href="http://www.scoutoftheirhands.org/environmental-enforcement-strategies.html">http://www.scoutoftheirhands.org/environmental-enforcement-strategies.html</a>	
<b>Program Description:</b> The AETs are a statewide network of local law enforcement and prevention agency partnerships. Each of 16 judicial circuits has an AET that conducts best-practice law enforcement operations while offering prevention activities and raising community awareness. Typical enforcement strategies include compliance checks, public safety checkpoints, and controlled party dispersals. The program is separated into two parts (enforcement and education) in this report to distinguish the numbers served by enforcement efforts and education efforts. Given the population-level impact of the strategies conducted by AETs (with no individual being directly “served”), the state considers the affected population to be almost its entire population of 14- to 20-year-olds.	
<b>South Carolina Alcohol Enforcement Teams – Education Efforts</b>	
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: <a href="http://www.scoutoftheirhands.org">http://www.scoutoftheirhands.org</a>	
<p><b>Program Description:</b> Typical education efforts include community presentations on underage drinking and youth alcohol trends, casual contacts with young people who educate them about ongoing enforcement, visits with alcohol retailers to discuss policy enhancements and ongoing enforcement, and media engagement. We recorded a total number served in these efforts as 225,965. We cannot easily calculate how many of these were youth and not adults. This total includes those reached with media efforts. Limiting numbers served to those in formal or informal speaking engagements/community contacts lowers the figure to 10,811. In addition to these citizen awareness efforts, the AETs also have an active training component primarily aimed at instructing law enforcement on proper ways to enforce underage drinking laws. In FY2012, 28 trainings were held across the state with a total audience of 591, mostly officers.</p>	
<p><b>Substance Abuse Curricula Programs</b></p>	
Program serves specific or general population	Specific population
Number of youth served	7,703
Number of parents served	397
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report: <a href="http://ncweb.pire.org/scdocuments/documents/301AnnualReport2013.pdf">http://ncweb.pire.org/scdocuments/documents/301AnnualReport2013.pdf</a>	
URL for more program information:	No data
<p><b>Program Description:</b> Most of the 33 local prevention providers deliver one or more substance abuse prevention curriculum programs to youth, mostly for middle school ages. These include curricula primarily focused on alcohol like Project Northland and Class Action and more general curricula like All Stars and Life Skills Training. Forty-six curricula programs were offered in FY2013, with approximately 8,100 reached in these programs. There were also three adult curricula offerings, typically aimed at parents to reduce youth substance use.</p>	
<p><b>Palmetto Retailer Education Program (PREP)</b></p>	
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	Yes
URL for evaluation report: <a href="http://ncweb.pire.org/scdocuments/documents/301AnnualReport2013.pdf">http://ncweb.pire.org/scdocuments/documents/301AnnualReport2013.pdf</a>	
URL for more program information: <a href="http://www.daodas.state.sc.us/prep_main.asp">http://www.daodas.state.sc.us/prep_main.asp</a>	
<p><b>Program Description:</b> PREP is a merchant education program designed and offered in South Carolina for those who sell alcohol or tobacco products. PREP is almost exclusively offered by local alcohol and drug service providers. The state's Department of Alcohol and Other Drug Abuse Services (DAODAS) supports the program by purchasing most of the local materials, making content updates, maintaining the website, maintaining a database of participants and trainers, and sending out certification cards to those who pass the posttest. The program lasts 2.5 to 3 hours, with an additional section for on-premises alcohol retailers. A total of 1,147 merchants were served in FY2013.</p>	
<p><b>Community Action for a Safer Tomorrow (CAST)</b></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: <a href="http://www.daodas.state.sc.us/prevention.asp">http://www.daodas.state.sc.us/prevention.asp</a>	

**Program Description:** In July 2009, Center for Substance Abuse Prevention awarded a Strategic Prevention Framework State Incentive Grant (SPF SIG) to DAODAS. The SPF SIG is a 5-year, \$10 million grant intended to prevent the onset and reduce the progression of substance abuse; reduce substance abuse-related problems; and build prevention capacity and infrastructure at the state and community levels. Eighty-five percent of the funds will be distributed to communities in South Carolina. The South Carolina SPF SIG has been titled “Community Action for a Safer Tomorrow.” CAST addresses two priority issues: alcohol-related (DUI) car crashes and underage alcohol use. These priority issues are two of four that were identified by the State Epidemiological Outcomes Workgroup (SEOW) through an intensive prioritization process. Using a data-driven process and in collaboration with the department’s partners, 13 high-need counties were identified and funded in these priority areas. State-level staff and funded communities follow the SPF steps to address priority areas; assess prevention needs; build capacity; develop a comprehensive strategic plan; implement evidence-based prevention programs, policies, and practices; and evaluate the process and outcomes. Two cross-cutting SPF components are cultural competency and sustainability. CAST is coalition-driven at the local level. Due to the broad range of strategies, mostly environmental, it is not possible to determine a number served for CAST.

<b>Alcohol Education Program (AEP)</b>	
Program serves specific or general population	Specific population
Number of youth served	763
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data

**Program Description:** AEP is a diversionary program option for youth charged with an alcohol-related offense. State law requires all 16 solicitors to operate an AEP, although each can determine the fines and programs involved. (The solicitors are equivalent to county district attorneys, but instead of serving one county, these elected officials serve multiple counties in the 16 judicial districts throughout the state. Some of the judicial circuits include two counties, and one of the circuits has up to five counties. The solicitor serves the counties covered by the judicial circuit that they are elected to serve.) In most areas, the DAODAS local provider is contracted to deliver an 8-hour alcohol education program. There are data only for the number of youth who go through that system.

**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**

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

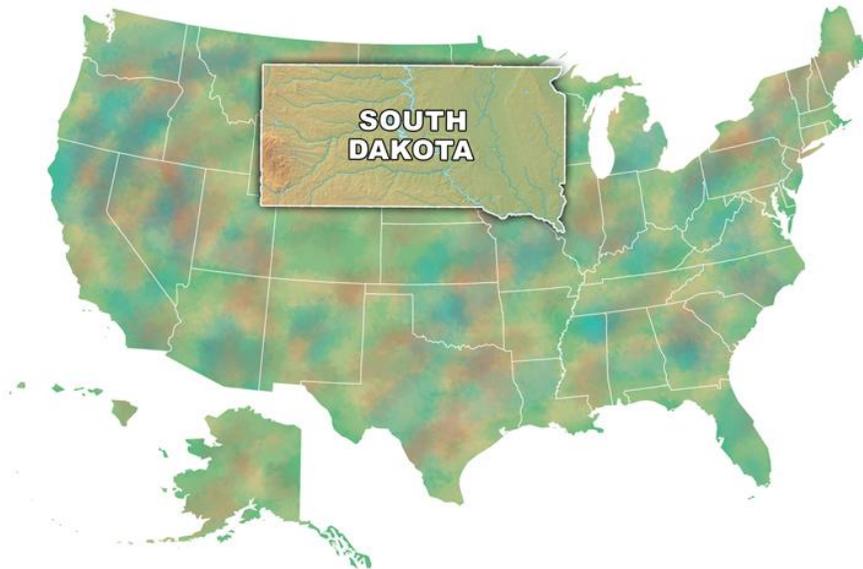
Agencies/organizations that established best practices standards:	
Federal agency(ies): Office of Juvenile Justice and Delinquency Prevention (OJJDP)	Yes
Agency(ies) within your state: South Carolina Department of Alcohol and Other Drug Abuse Services	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: The state relies heavily on OJJDP's <i>Strategies to Reduce Underage Alcohol Use: Typology and Brief Overview</i> (PIRE, 1999a). SC DAODAS has a Toolkit for Evidence-Based Programs and Strategies with an environmental section on underage drinking prevention that defines the effectiveness of a range of strategies. We are currently updating this list of strategies.	
<b>Additional Clarification</b>	
No data	

<b>State Interagency Collaboration</b>	
<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: Michael George	
E-mail: mgeorge@daodas.sc.gov	
Address: PO Box 8268, Columbia, SC 29202	
Phone: 803-351-5862	
<i>Agencies/organizations represented on the committee:</i>	
SC Department of Alcohol and Other Drug Abuse Services	
State Law Enforcement Division	
Greenville County Sheriff's Office	
Phoenix Center	
University of South Carolina	
Clemson University	
Department of Juvenile Justice	
Joint Base Charleston	
Lexington/Richland Alcohol and Drug Abuse Commission	
Circle Park Behavioral Health Services	
Pacific Institute for Research and Evaluation	
Behavioral Health Services Association	
<i>A website or other public source exists to describe committee activities</i>	No
URL or other means of access: Not applicable	

<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Governor's Council on Substance Abuse Prevention and Treatment and SC Department of Alcohol and Other Drug Abuse Services (SPF SIG focuses on addressing underage drinking and alcohol-related car crashes in SC). South Carolina also includes underage drinking prevention as a focus area in the Substance Abuse Prevention Treatment Block Grant (SAPTBG) plan that is submitted to the Substance Abuse and Mental Health Services Administration every year. Plan can be accessed via: No data	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	No
Prepared by: Not applicable	
Plan can be accessed via: Not applicable	
<b>Additional Clarification</b>	
Although South Carolina does not produce a report specific to underage drinking, the state does produce an annual prevention outcomes report for SC that includes underage drinking prevention efforts.	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<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	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

<b>Funds Dedicated to Underage Drinking</b>	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No
Fees	Yes
Other:	No
<i>Description of funding streams and how they are used:</i>	
A portion of the alcohol license fee goes to the State Law Enforcement Division for enforcement of those licenses, which includes doing alcohol compliance checks.	
<b>Additional Clarification</b>	
No data	



# South Dakota

## State Profile and Underage Drinking Facts\*

State Population: 844,877  
 Population Ages 12–20: 98,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	25.5	25,000
Past-Month Binge Alcohol Use	17.9	18,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	3.6	1,000
Past-Month Binge Alcohol Use	2.1	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	22.8	7,000
Past-Month Binge Alcohol Use	15	5,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	49.6	17,000
Past-Month Binge Alcohol Use	36.4	12,000
<b>Alcohol-Attributable Deaths (under 21)</b>		15
<b>Years of Potential Life Lost (under 21)</b>		883
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	12	1

\* 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 not explicitly prohibited.

### 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 retailers*

- 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.

## 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*

- Discretionary

***Length of suspension/revocation***

- Minimum: 30 days
- Maximum: 365 days

**Graduated Driver’s License**

***Learner stage***

- Minimum entry age: 14
- Minimum learner stage period: 3 months with driver education; 6 months without
- No minimum supervised driving requirement

***Intermediate stage***

- Minimum age: 14 years, 3 months
- Unsupervised night driving
  - Prohibited after: 10 p.m.
  - Primary enforcement of the night-driving rule
- No passenger restrictions

***License stage***

- Minimum age to lift restrictions: 16

**Laws Targeting Alcohol Suppliers**

**Furnishing of Alcohol to Minors**

Furnishing is prohibited with the following exception(s): EITHER

- Parent/guardian OR
- Spouse

**Compliance Check Protocols**

No data

**Penalty Guidelines for Sales to Minors**

No data

**Responsible Beverage Service**

***Voluntary beverage service training***

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

***Incentive for training***

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

**Minimum Ages for Off-Premises Sellers**

- Beer: Not specified
- 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

***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***

- Limitations on outlet siting:
  - Off-premises outlets: Yes—no license on campus
  - On-premises outlets: Yes—no license on campus
  - Alcohol products: Beer, wine, spirits

***Primary and secondary schools***

- No distance limitation

**Dram Shop Liability**

There is no statutory liability.

**Social Host Liability Laws**

There is no statutory liability.

**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 not permitted.

*Note:* Exception is that a farm winery license (any winery producing wines with a majority of the ingredients grown or produced in South Dakota) may ship no more than 12 cases of wine per person per calendar year directly to a resident of another state, if the state to which the wine is sent allows residents of the state to receive wine sent from outside that state.

**Keg Registration**

- Keg definition: 8.00 or 16.00
- Purchaser information collected: Purchaser's name and address
- Warning information to purchaser: Not required
- Deposit: Not required
- Provisions do not specifically address disposable kegs

*Note:* A "keg" is defined as an 8- or 16-gallon reusable plastic or metal container.

**Home Delivery**

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

## Alcohol Pricing Policies

### Alcohol Tax

#### *Beer (5 percent alcohol)*

- Specific excise tax: \$0.27 per gallon

#### *Wine (12 percent alcohol)*

- Specific excise tax: \$0.93 per gallon
- Ad valorem excise tax (on-premises wholesale): 2 percent
- Ad valorem excise tax (off-premises wholesale): 2 percent

#### *Spirits (40 percent alcohol)*

- Specific excise tax: \$3.93 per gallon
- Ad valorem excise tax (on-premises wholesale): 2 percent
- Ad valorem excise tax (off-premises wholesale): 2 percent

### Drink Specials

No law

### Wholesale Pricing

Pricing restrictions exist.

#### *Beer (5 percent alcohol)*

- Minimum markup/maximum discount: Yes—no sales below cost
- Price posting requirements: Post
- Retailer credit: Not permitted

#### *Wine (12 percent alcohol)*

- Minimum markup/maximum discount: Yes—no sales below cost
- Price posting requirements: Post—10 days minimum hold only if price amended to match a competitor's post down
- Retailer credit: Restricted—30 days maximum

#### *Spirits (40 percent alcohol)*

- Minimum markup/maximum discount: Yes—no sales below cost
- Price posting requirements: Post—10 days minimum hold only if price amended to match a competitor's post down
- Retailer credit: Restricted—30 days maximum

## South Dakota State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
Department of Revenue (DOR)	
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	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	No
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	DOR
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>	
Number of minors found in possession by state law enforcement agencies	4,926
Number pertains to the 12 months ending	6/30/2013
Data include arrests/citations issued by local law enforcement agencies	Yes
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	No
Number of retail licensees in state <sup>3</sup>	Do not collect
Number of licensees checked for compliance by state agencies (including random checks)	Do not collect
Number of licensees that failed state compliance checks	Do not collect
Numbers pertain to the 12 months ending	6/13/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Not applicable
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	NA
Number of licensees that failed <b>random</b> state compliance checks	NA
<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	Yes
Number of licensees checked for compliance by local agencies	946
Number of licensees that failed local compliance checks	86
Numbers pertain to the 12 months ending	6/30/2013
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state <sup>4</sup>	81
Total amount in fines across all licensees	\$81,500
Smallest fine imposed	Unknown
Largest fine imposed	Unknown
Numbers pertain to the 12 months ending	6/30/2013

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	4
Total days of suspensions across all licensees	45
Shortest period of suspension imposed (in days)	Unknown
Longest period of suspension imposed (in days)	Unknown
Numbers pertain to the 12 months ending	6/30/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	0
Numbers pertain to the 12 months ending	6/30/2013
<b>Additional Clarification</b>	
No data	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

**Underage Drinking Prevention Programs Operated or Funded by the State**

*The state does not operate or use state general funds to fund underage drinking programming.*

Program serves specific or general population	No data
Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No data
Evaluation report is available	No data
URL for evaluation report:	No data
URL for more program information:	No data

**Program Description:** No data

**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**

*State collaborates with federally recognized tribal governments in the prevention of underage drinking* Yes

Description of collaboration: The state current funds one program for underage drinking with Strategic Prevention Framework State Incentive Grant (SPF SIG) federal dollars on the Sisseton-Wahpeton Reservation in the state.

*State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing* Yes

Program description: The state is using SPF SIG and Substance Abuse Prevention Treatment Block Grant (SAPTBG) dollars to fund local community coalitions for social marketing, social norms campaigns, and media advocacy campaigns.

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

Agencies/organizations that established best practices standards:	
Federal agency(ies):	No
Agency(ies) within your state: Department of Social Services (DSS) Prevention Program	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: Local coalitions are required to utilize Evidence-Based Programs within local communities and schools with the federal grant dollars they receive from the state for programming.	
<b>Additional Clarification</b>	
No data	

<b>State Interagency Collaboration</b>	
<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: Sandy Diegel	
E-mail: <a href="mailto:sdiegel@jtvf.org">sdiegel@jtvf.org</a>	
Address: John T. Vucurevich Foundation, 2800 Jackson Blvd., Suite 410, Rapid City, SD 57702	
Phone: 605-343-3141	
<i>Agencies/organizations represented on the committee:</i>	
Office of the Attorney General	
Tribal Representative	
Behavioral Health Representative	
Representative from the Department of Social Services Leadership	
SD National Guard	
Representatives from the Prevention Network	
Representative from Veteran's Administration	
Education representative	
<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: <a href="http://sdprevention.wikispaces.com/SD+Prevention+Network+Home">http://sdprevention.wikispaces.com/SD+Prevention+Network+Home</a>	

<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: The Behavioral Health Workgroup addressed the entire spectrum of behavioral issues in the state including prevention. This document formed the basis for the development of the 5-year strategic plan that includes underage drinking issues.	
Plan can be accessed via: Five-Year Plan: <a href="http://sdprevention.wikispaces.com/SD+Prevention+Network+Home">http://sdprevention.wikispaces.com/SD+Prevention+Network+Home</a>	
Lt. Governor's report: <a href="http://dss.sd.gov/behavioralhealthservices/index.asp">http://dss.sd.gov/behavioralhealthservices/index.asp</a>	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: DSS has prepared an internal report on the process and outcome information related to the SPF SIG-funded underage drinking coalitions. Final report will be completed spring 2015.	
Plan can be accessed via: This interim report has not been posted on the website.	
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Date not available
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$13,440
Estimate based on the 12 months ending	6/30/2013

<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
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	\$0
Estimate based on the 12 months ending	6/30/2013
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2013
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2013
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2013
<i>Other programs:</i>	
Programs or strategies included: None supported with State funds.	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2013

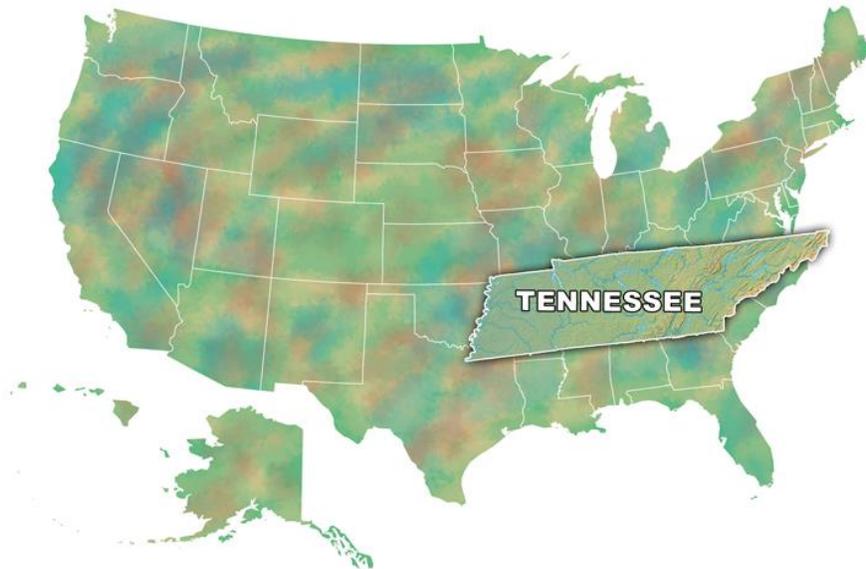
**Funds Dedicated to Underage Drinking**

<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No
Fees	No
Other	No

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

**Additional Clarification**

The Prevention Program for underage drinking contains no general funds. The funds utilized for underage drinking activities include the following: SAPT block grant funds, SPF SIG funds, and funds from the Office of Highway Safety.



# Tennessee

## State Profile and Underage Drinking Facts\*

State Population: 6,495,978  
 Population Ages 12–20: 764,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	17.6	134,000
Past-Month Binge Alcohol Use	11.6	88,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	3.1	7,000
Past-Month Binge Alcohol Use	1.4	3,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	15.4	40,000
Past-Month Binge Alcohol Use	9.5	25,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	32.8	86,000
Past-Month Binge Alcohol Use	22.9	60,000
<b>Alcohol-Attributable Deaths (under 21)</b>		109
<b>Years of Potential Life Lost (under 21)</b>		6,551
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	18	9

\* 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.

### **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.
- 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 above the limit is per se (conclusive) evidence of a violation.
- Applies to drivers age 16 or above
- 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 (for those 18 and under)

#### *Authority to impose driver's license sanction*

- Mandatory

#### *Length of suspension/revocation*

- 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
- Unsupervised night driving
  - Prohibited after: 11 p.m.
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one passenger, unless accompanied by driver over 21 or passengers are household members being transported to school
  - 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—no explicit exceptions noted in the law.

### **Compliance Check Protocols**

#### ***Age of decoy***

- Minimum: 18
- Maximum: 20

*Note:* Minors under 18 allowed only in extreme circumstances.

#### ***Appearance requirements***

- Youthful appearance
- Male: No facial hair

#### ***ID possession***

- Not specified

#### ***Verbal exaggeration of age***

- Prohibited

#### ***Decoy training***

- Not specified

### **Penalty Guidelines for Sales to Minors**

- Time period/conditions: 1 year
- First offense: \$300 to \$1,000 fine

### **Responsible Beverage Service**

#### ***Mandatory provisions***

*Mandatory beverage service training for managers, servers*

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

### ***Voluntary provisions***

#### *Voluntary beverage service training*

- Applies only to off-sale establishments
- The law does not specify new or existing outlets.

#### ***Incentives for training***

- Mitigation of fines or other administrative penalties for sales to minors
- Protection against license revocation for sales to minors

### **Minimum Ages for Off-Premises Sellers**

- Beer: 18
- Wine: 18
- Spirits: 18

### **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

### **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**

Statutory liability exists subject to the following conditions:

- Limitations on elements/standards of proof: Fact finder must determine that retailer knew customer was a minor beyond a reasonable doubt.

### **Social Host Liability Laws**

There is no statutory liability.

*Note: Biscan v. Brown* held that a property owner who does not furnish the alcohol may be held liable to third parties under common law if he/she knowingly allows minors to consume alcohol on his/her property and it is foreseeable that minors may then operate motor vehicles. In that case, the court held that the person who actually furnished the alcohol to the minor was shielded from liability under Tenn. Code Ann. § 57-10-101.

### **Host Party Laws**

Social host law is not specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: 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:* Social host liability in Tennessee is limited to an owner, occupant, or other person having a lawful right to the exclusive use and enjoyment of property to knowingly allow an “underage

adult“ to consume alcoholic beverages, wine, or beer on the property. An “underage adult“ is defined as a person who is at least 18 years old but less than 21 years old.

### **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**

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

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Specific excise tax: \$1.29 per gallon
- Ad valorem excise tax (on-premises wholesale): 17 percent
- Ad valorem excise tax (off-premises wholesale): 17 percent

#### ***Wine (12 percent alcohol)***

- Specific excise tax: \$1.21 per gallon
- Ad valorem excise tax (on-premises retail): 15 percent

#### ***Spirits (40 percent alcohol)***

- Specific excise tax: \$4.40 per gallon
- Ad valorem excise tax (on-premises retail): 15 percent

### **Drink Specials**

- Free beverages: Prohibited
- Multiple servings at one time: Prohibited—not permitted after 10 p.m.
- Multiple servings for same price as single serving: Not prohibited

- Reduced price, specified day or time: Not prohibited—not permitted after 10 p.m.
- Unlimited beverages: Prohibited
- Increased volume: Prohibited—not permitted after 10 p.m.

### **Wholesale Pricing**

Pricing restrictions exist.

#### ***Beer (5 percent alcohol)***

- Volume discounts: Banned
- Price posting requirements: Post and hold—360 days minimum
- Retailer credit: Not permitted

#### ***Wine (12 percent alcohol)***

- Retailer credit: Restricted—10 days maximum

#### ***Spirits (40 percent alcohol)***

- Retailer credit: Restricted—10 days maximum

## Tennessee State Survey Responses

<b>State Agency Information</b>	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Tennessee Alcoholic Beverage Commission and Local Law Enforcement	
<b>Enforcement Strategies</b>	
<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	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
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/shipments of alcohol to minors	Yes TN Alcoholic Beverage Commission
Such laws are also enforced by local law enforcement agencies	No
<b>Enforcement Statistics</b>	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession by state law enforcement agencies	Yes 790
Number pertains to the 12 months ending	6/30/2014
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	3,309
Number of licensees checked for compliance by state agencies <b>(including random checks)</b>	814
Number of licensees that failed state compliance checks	267
Numbers pertain to the 12 months ending	6/30/2014
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	No Not applicable
Number of licensees that failed <b>random</b> 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>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by local agencies	Not available
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	6/30/2014
<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state <sup>4</sup>	Yes No data
Total amount in fines across all licensees	No data
Smallest fine imposed	\$1,500
Largest fine imposed	\$1,500 per violation
Numbers pertain to the 12 months ending	6/30/2014

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	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	6/30/2014
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	No
Number of license revocations imposed <sup>6</sup>	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Additional Clarification</b>	
No data	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

**Underage Drinking Prevention Programs Operated or Funded by the State**

<b>Tennessee Prevention Network</b>	
Program serves specific or general population	Specific population
Number of youth served	8,409
Number of parents served	143
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:	No data
<p><b>Program Description:</b> The Tennessee Prevention Network is a statewide prevention program directed at providing primary prevention services to individuals who have not been determined to require treatment for substance abuse. The array of services falls into two categories. (1) Selective prevention services, including programs and practices delivered to subgroups of individuals identified on the basis of their membership in a group that has an elevated risk for developing substance abuse problems. An individual’s personal risk is not specifically assessed or identified and is based solely on a presumption given his or her membership in the at-risk subgroup. (2) Indicated prevention services, including programs that focus on populations identified on the basis of individual risk factors or initiation behaviors that put an individual at high risk for developing substance abuse problems. The individuals targeted at this stage, although showing signs of early substance use, have not yet reached the point where a clinical diagnosis of substance abuse can be made.</p>	

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

<b>No data</b>	
URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
No data	

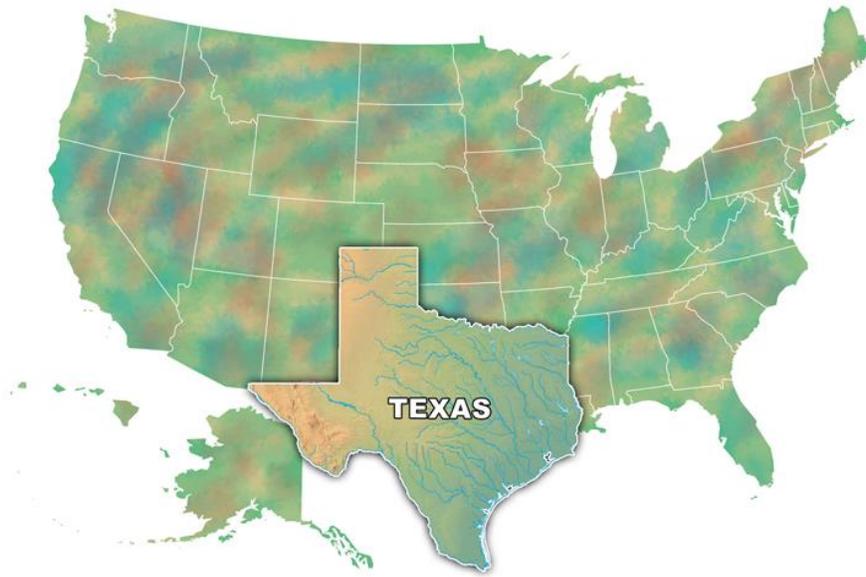
**Additional Information Related to Underage Drinking Prevention Programs**

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	No recognized tribal governments
Description of collaboration:	Not applicable

<p><i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i></p> <p>Program description: Tennessee funds 36 community coalitions using Partnership for Success and Block Grant funds. These coalitions use environmental strategies intended to reduce or counter alcohol advertising or marketing.</p>	Yes
<p><i>State has adopted or developed best practice standards for underage drinking prevention programs</i></p> <p>Agencies/organizations that established best practices standards:</p> <p>Federal agency(ies):</p> <p>Agency(ies) within your state: Tennessee Department of Mental Health and Substance Abuse Services</p> <p>Nongovernmental agency(ies):</p> <p>Other: Tennessee Evidence-Based Practice Workgroup</p> <p>Best practice standards description: Tennessee’s Evidence-Based Practice Workgroup has established standards for evidence-based best practices such that a practice must meet at least one of the following criteria.</p> <ol style="list-style-type: none"> <li>1. Inclusion in federal registries of evidence-based interventions</li> <li>2. Reported, with positive effects on the primary targeted outcome, in peer-reviewed journals</li> <li>3. Documented effectiveness supported by other information sources and the consensus of informed experts as described in the following set of guidelines, all of which must be met:</li> </ol> <p><i>Guideline 1:</i> The intervention is demonstrated to be similar in theory of change, general principles of effective prevention, or content and structure to the interventions that appear in registries, federal agency publications, and/or peer reviewed literature. <i>Guideline 2:</i> The intervention is supported by documentation of effective implementation in the past, including at least one replication. <i>Guideline 3:</i> The intervention is reviewed and deemed appropriate by six or more informed prevention experts, including well-qualified prevention researchers who are experienced in evaluating prevention interventions similar to those under review, and local prevention practitioners and/or key community leaders as appropriate, such as officials from law enforcement and education sectors or elders in religious communities.</p>	<p>Yes</p> <p>No</p> <p>Yes</p> <p>No</p> <p>Yes</p>
<p><b>Additional Clarification</b></p> <p>No data</p>	

<p><b>State Interagency Collaboration</b></p>	
<p><i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i></p>	Yes
<p><i>Committee contact information:</i></p> <p>Name: Angela McKinney-Jones, State of Tennessee Director of Prevention Services  E-mail: angela.mckinneyjones@tn.gov  Address: Andrew Jackson Building, 5th floor, 500 Deaderick St., Nashville, TN 37243  Phone: 615-532-7786</p>	
<p><i>Agencies/organizations represented on the committee:</i></p> <p>Alliance of Citizens Together Improving Our Neighborhoods Coalition  Boys and Girls Clubs of the Tennessee Valley  Centerstone Community Mental Health Center  Community Anti-Drug Coalition of Jackson County  Community Anti-Drug Coalition of Rutherford County  Council for Alcohol and Drug Abuse Services  Franklin County Prevention Coalition  Frontier Health  Grundy Safe Communities Coalition  Memphis/Shelby County Anti-Drug Coalition  Power of Putnam  Professional Care Services of West Tennessee  Schools Together Allowing No Drugs Coalition  Students Taking A Right Stand-Nashville</p>	

University of Memphis Weakley County Alliance for a Safe and Drug Free Tennessee	
<i>A website or other public source exists to describe committee activities</i>	No
URL or other means of access: Not applicable	
<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Tennessee Department of Mental Health and Substance Abuse Services, Division of Substance Abuse Services	
Plan can be accessed via: No data	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	No
Prepared by: Not applicable	
Plan can be accessed via: Not applicable	
<b>Additional Clarification</b>	
No data	
<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	6/30/2014
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	6/30/2014
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$728,633
Estimate based on the 12 months ending	6/30/2014
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$1,218,358
Estimate based on the 12 months ending	6/30/2014
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$185,000
Estimate based on the 12 months ending	6/30/2014
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$279,539
Estimate based on the 12 months ending	6/30/2014
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$101,727
Estimate based on the 12 months ending	6/30/2014
<i>Other programs: Other programs target youth that are economically disadvantaged with educational programs.</i>	
Programs or strategies included: Education programs	
Estimate of state funds expended	\$319,695
Estimate based on the 12 months ending	6/30/2014
<b>Funds Dedicated to Underage Drinking</b>	
<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	
<b>Additional Clarification</b>	
No data	



# Texas

## State Profile and Underage Drinking Facts\*

State Population: 26,448,193  
 Population Ages 12–20: 3,376,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	22.7	766,000
Past-Month Binge Alcohol Use	14.4	486,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.3	49,000
Past-Month Binge Alcohol Use	2	23,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	18.8	209,000
Past-Month Binge Alcohol Use	10.6	118,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	44.9	508,000
Past-Month Binge Alcohol Use	30.4	345,000
<b>Alcohol-Attributable Deaths (under 21)</b>		372
<b>Years of Potential Life Lost (under 21)</b>		22,574
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	38	69

\* 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

*Note:* In Texas, a minor may possess an alcoholic beverage if the minor is in the visible presence of his or her adult parent, guardian, or spouse.

### Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s): EITHER

- Parent/guardian OR
- Spouse

*Note:* In Texas, a minor may consume an alcoholic beverage if it is in the visible presence of the minor's adult parent, guardian or spouse.

### 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.

### 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*

- State provides incentives to retailers who use electronic scanners that read birthdate and other information digitally encoded on valid identification cards.
- 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: 0.00
- 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 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***

- 30 days

**Graduated Driver’s License*****Learner stage***

- Minimum entry age: 15
- Minimum learner stage period: 6 months
- Minimum supervised driving requirement: 30 hours, 10 of which 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: No more than one nonfamily passenger under 21
  - No primary enforcement of the passenger-restriction rule

***License stage***

- Minimum age to lift restrictions: 18

**Laws Targeting Alcohol Suppliers****Furnishing of Alcohol to Minors**

Furnishing is prohibited with the following exception(s): EITHER

- Parent/guardian OR
- Spouse

*Note:* In Texas, a person may purchase an alcoholic beverage for or give an alcoholic beverage to a minor if the person is the minor’s adult parent, guardian, or spouse, or an adult in whose custody the minor has been committed by a court, and the person is visibly present when the minor possesses or consumes the alcoholic beverage.

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

- Minimum: Not specified
- Maximum: 18

***Appearance requirements***

- Youthful appearance; attire typical for teenagers in target area
- Male: No facial hair

***ID possession***

- Discretionary

***Verbal exaggeration of age***

- Prohibited

***Decoy training***

- Mandated—orientation meeting required

**Penalty Guidelines for Sales to Minors**

- Time period/conditions: 3 years
- First offense: 8- to 12-day suspension or \$300 per suspension day
- Second offense: 16- to 24-day suspension or \$300 per suspension day
- Third offense: 48-day suspension or license revocation/\$300 per suspension day

**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***

- Protection against license revocation for sales to minors

**Minimum Ages for Off-Premises Sellers**

- Beer: 16
- Wine: 16
- Spirits: 21

**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

**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**

Statutory liability exists subject to the following conditions:

- Limitations on who may sue: Retailers may be held liable if they are 21 or over and furnish alcohol to a minor under age 18.
- Limitations on elements/standards of proof: Knowledge of underage status.

*Note:* Any retailer may be held liable for furnishing alcohol to individuals 18 or older who are obviously intoxicated to the extent that they present a clear danger to themselves or others at the time of furnishing. There is no common law liability when the underage person is 18 or over. It is unclear whether there is common law liability when the drinker is under age 18. Licensees (but not their employees) are shielded from liability if the licensee requires all employees to attend Responsible Beverage Service training; if the employee who furnished the minor attended the training; and if the licensee did not directly or indirectly encourage the employee to violate the law.

## Social Host Liability Laws

Statutory liability exists subject to the following conditions:

- Limitations on who may be sued: Social hosts may be held liable if they are 21 or over and furnish alcohol to a minor under age 18.
- Limitations on elements/standards of proof: Knowledge of underage status.

*Note:* There is no common law liability when the underage person is 18 or over. It is unclear whether there is common law liability when the drinker is under age 18.

## 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.
- State must approve common carrier.

### *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

- Beer: Permitted—package store permittees must have a cartage permit. Vehicles used to transport alcoholic beverages must be clearly marked.
- Wine: Permitted—package store permittees must have a cartage permit. Vehicles used to transport alcoholic beverages must be clearly marked.
- Spirits: Permitted—package store permittees must have a cartage permit. Vehicles used to transport alcoholic beverages must be clearly marked.

## Alcohol Pricing Policies

### Alcohol Tax

#### *Beer (5 percent alcohol)*

- Specific excise tax: \$0.19 per gallon
- Additional taxes: \$0.20 per gallon for alcohol content of more than 5 percent

- Ad valorem excise tax (on-premises retail): 14.95 percent
  - Sales tax does NOT apply
  - Sales tax: 6.25 percent
  - Sales tax adjusted retail ad valorem rate: 8.70

*Note:* In Texas, holders of a wine and beer retailer’s permit or a beer retail dealer’s license are subject to the state sales tax of 6.25 percent rather than the Ad Valorem Excise Tax On-Premises rates.

***Wine (12 percent alcohol)***

- Specific excise tax: \$0.20 per gallon
- Ad valorem excise tax (on-premises retail): 14.95 percent
  - Sales tax does NOT apply
  - Sales tax: 6.25 percent
  - Sales tax adjusted retail ad valorem rate: 8.70

*Note:* In Texas, the holder of a wine and beer retailer’s permit is subject to the state sales tax rate of 6.25 percent rather than the Ad Valorem Excise Tax On-Premises rates.

***Spirits (40 percent alcohol)***

- Specific excise tax: \$2.40 per gallon
- Ad valorem excise tax (on-premises retail): 14.95 percent
  - Sales tax does NOT apply
  - Sales tax: 6.25 percent
  - Sales tax adjusted retail ad valorem rate: 8.7 percent

**Drink Specials**

- Free beverages: Not prohibited—licensee may offer a free drink on a case-by-case basis.
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price, specified day or time: Not prohibited—not permitted after 11 p.m.
- Unlimited beverages: Prohibited
- Increased volume: Prohibited

**Wholesale Pricing**

Pricing restrictions exist.

***Beer (5 percent alcohol)***

- Retailer credit: Not permitted

***Wine (12 percent alcohol)***

- Retailer credit: Restricted—25 days maximum

***Spirits (40 percent alcohol)***

- Retailer credit: Restricted—25 days maximum

## Texas State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
Texas Alcoholic Beverage Commission	
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	No
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	Yes Texas Alcoholic Beverage Commission
Such laws are also enforced by local law enforcement agencies	Don't know
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	Yes 1,841
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	47,606
Number of licensees checked for compliance by state agencies (including random checks)	8,940
Number of licensees that failed state compliance checks	1,029
Numbers pertain to the 12 months ending	12/31/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	Yes 0
Number of licensees that failed <b>random</b> state compliance checks	0
<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	Yes No
Number of licensees checked for compliance by local agencies	Data not available
Number of licensees that failed local compliance checks	Data not available
Numbers pertain to the 12 months ending	12/31/2013

<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	Yes
Number of fines imposed by the state <sup>4</sup>	414
Total amount in fines across all licensees	\$963,000
Smallest fine imposed	\$900
Largest fine imposed	\$13,500
Numbers pertain to the 12 months ending	12/31/2013

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	178
Total days of suspensions across all licensees	1,709
Shortest period of suspension imposed (in days)	1
Longest period of suspension imposed (in days)	60
Numbers pertain to the 12 months ending	12/31/2013

<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	4
Numbers pertain to the 12 months ending	12/31/2013

<b>Additional Clarification</b>	
No data	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

<b>Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>Department of State Health Services (DSHS) Universal, Selective, Indicated Programs</b>	
Program serves specific or general population	Specific population
Number of youth served	1,165,266
Number of parents served	259,942
Number of caregivers served	No data
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><b>Program Description:</b> DSHS funds over 130 programs that serve universal, selective, and indicated target populations across Texas. Youth Prevention Universal (YPU) programs provide universal prevention services for youth that preclude the onset of alcohol, tobacco, and other drugs (ATOD) use and foster development of social and physical environments that promote healthy and drug-free lifestyles. Individuals participate in the universal prevention programs without regard to individual risk factors. The primary population is youth ages 6–18 (1st–12th grades) from the general population (e.g., all students in a school). The secondary population may include parents, grandparents, guardians, and siblings of the youth participants or all members of the general community. Youth Prevention Selective (YPS) programs provide selective prevention services for youth that preclude the onset of ATOD use by those youth and foster development of social and physical environments that promote healthy and drug-free lifestyles. Participants for the selective prevention programs are youth who have been determined to be at risk for substance use. The primary population is youth ages 6–18 (1st–12th grades). Participants are at high risk for substance use because they are exhibiting, or are subject to, risk factors that increase their chances of developing a drug abuse problem, such as school failure, interpersonal</p>	

social problems, delinquency, or other antisocial behaviors, or they have parents who use drugs. The secondary population may include parents, grandparents, guardians, and siblings of the youth participants. Youth Prevention Indicated (YPI) programs prevent or interrupt the onset or progression of substance use for youth and young adults who exhibit early signs of substance use and other related problem behaviors associated with substance use. The eligible primary population includes youth ages 11–17 (6th–12th grades) and young adults 18–21 years old who are in high school and meet the program and curriculum criteria. These individuals may or may not be using substances, but may exhibit risk factors such as school failure, interpersonal social problems, delinquency, or other antisocial behaviors, or psychological problems, such as depression or suicidal behaviors that increase their chances of developing a substance abuse problem. The individuals identified at this stage, although showing signs of early substance use, have not reached the point where a clinical diagnosis of substance use disorder can be made. The comprehensive indicated prevention programs must conduct an indicated prevention screening that identifies the youth participant’s risk and protective factors in five domains: individual, family, school, peer relationships, and community. The provider must facilitate access to services not within the scope of prevention if the youth participant and/or family member needs a more intensive level of service. In addition, indicated prevention counseling should be provided to the youth in order to meet their needs with an indicated service plan that identifies the goals for each youth. The secondary population may include parents, grandparents, guardians, and siblings of the youth participants.

The YPU, YPS, and YPI programs provide a comprehensive approach that is inclusive of the six effective Center for Substance Abuse Prevention (CSAP) strategies: prevention education, drug-free alternative activities, information dissemination, problem identification and referral, community-based process, and environmental and social policy. One of these strategies is prevention education, which provides an evidence-based curriculum with structured sessions. The 10 approved curricula used to serve these at-risk and high-risk youth include the following: All Stars, Creating Lasting Family Connections, Curriculum-Based Support Group, LifeSkills Training, Positive Action, Project Towards No Drug Abuse, Reconnecting Youth, Strengthening Families 6-16, Strengthening Families 10-14, and Too Good For Drugs. The outcomes are focused on ATOD prevention for many of these curricula, which include underage drinking. The programs were funded through a competitive procurement process for FY2014. These programs are delivered in schools and communities across the state by Certified Prevention Specialists or Associate Prevention Specialists who deliver the curriculum approved by the National Registry of Evidence-based Programs and Practices (NREPP).

The program must conduct alcohol and other drugs (AOD) presentations for youth and adults in school and/or community settings. AOD presentations must have an educational goal and objective specific to the presentation topic to prevent or reduce AOD among youth and adults. Presentation topics must include the state’s three prevention priorities: alcohol (underage drinking), marijuana, and prescription drugs. AOD alternative activities are facilitated by prevention program staff and include an educational goal and objective to prevent or reduce substance use/abuse. AOD alternative activities must create awareness of the health consequences of substance use/abuse, must be substance free and age-appropriate, and must teach and/or reinforce skills that promote a healthy and substance-free lifestyle. AOD alternative activities must serve as an alternative to activities that might otherwise lead to AOD use.

**Department of State Health Services Community Coalition Partnerships (CCPs)**

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

**Program Description:** DSHS funds 44 community coalitions across Texas whose primary focus is alcohol and underage drinking. Alcohol use is the number one choice of substances of abuse for underage youth according to the Texas School Survey and the National Household Survey. Underage

drinking is the focus for the 44 coalitions that provide effective environmental strategies addressing community change through policies, attitudes, behaviors, and laws. The purpose of many of these coalitions is to prevent and reduce underage drinking across Texas. Eligible populations include the primary population of adolescents and young adults ages 18–25 in colleges and universities and the secondary population of the general population across the lifespan within a community. The environmental strategies must target communities based on identified gaps in services as shown by the data collected to assess the needs of the community(ies). Services may target a specific zip code, neighborhood, city, or county. The priorities in Texas for these community coalitions include alcohol, marijuana, and prescription drug abuse. Many of the coalitions are involved in media awareness activities including public service announcements, billboards, editorials, press releases, television, social norm campaigns, and task force meetings. Task force members from the community come from various sectors including youth; parents; law enforcement faith-based providers; business communities; media; schools; civic and volunteer groups; health care professionals; organizations that serve youth, young adults, and are involved in reducing substance abuse; etc. The task forces meet monthly or quarterly to determine priorities for their catchment area. They begin by conducting a needs assessment to determine trends and consumption patterns in their community. Coalitions implement evidence-based environmental strategies and activities that target policy and social norm changes in the targeted community(ies). The coalitions conduct a community needs assessment and develop a summary that includes region-specific data on substance use consumption patterns, consequences, and risk factors; emotional and behavioral prevalence data; population and cultural-specific effects; and data about assets that protect against substance use and promote emotional well-being. The summary also includes data that identify trends in incidence and prevalence of alcohol use, misuse, and abuse, and related problems for the targeted community(ies). It identifies trends in incidence and prevalence of the secondary focus, which may be marijuana or prescription drug use, misuse, and abuse, and related problems for the targeted community(ies). It also includes data that demonstrate the prioritized risk and protective factors based on a risk assessment that captures the specific cultural and demographics characteristics of the targeted community(ies). This identifies who their target population will be in regard to alcohol including underage drinking. Coalitions work with schools, universities, medical facilities, hospitals, emergency rooms, and substance abuse treatment facilities, and look at local data from these areas including the Texas School Survey, National Household survey, and local community surveys as well,

A total of \$2,310,182 were awarded through a competitive procurement process in FY2014.

**Enforcing Underage Drinking Laws (EUDL)**

Program serves specific or general population	Specific population
Number of youth served	65,972
Number of parents served	851
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report: <a href="http://www.ojdp-dctat.org">http://www.ojdp-dctat.org</a>	
URL for more program information: <a href="http://www.tabc.state.tx.us">http://www.tabc.state.tx.us</a>	

**Program Description:** EUDL is the only federal initiative directed exclusively at preventing underage drinking. The program is administered by the Department of Justice’s Office of Juvenile Justice and Delinquency Prevention and involves using strategic goals to reduce the availability of alcoholic beverages to minors, defined as persons younger than 21 years old, throughout the 50 states, the District of Columbia, and 5 U.S. Territories. Statutory authority for the EUDL Program can be found in Section 504 of the Juvenile Justice and Delinquency Prevention Act, 42 U.S.C. 5783.

Texas uses the EUDL grant to support activities in law enforcement, educational programs including specialized law enforcement training, and innovative methods for reaching youth. Most recently, funding has been used to encourage voluntary compliance from retailers, community members, and youth, as well as to enforce the zero tolerance laws and Alcoholic Beverage Code throughout the state. Law enforcement campaigns have been conducted to prevent the sale of alcohol to minors and enforce social hosting/third-party provision laws. Educational and prevention campaigns have been conducted to educate youth on the laws and consequences of underage drinking as well as provide youth with examples of alternative solutions to underage drinking.

<b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>No data</b>	
URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
No data	
<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	Yes
Description of collaboration: The Department of State Health Services meets with two of the federally recognized tribes annually. Discussions and collaboration continue with local substance abuse and mental health providers and tribal leaders. A Memorandum of Understanding between the tribes and DSHS is currently in draft. Currently, the Department funds the Ysleta Del Sur Tigua Tribe to provide prevention services to the indicated population. They implement a comprehensive program with the six effective Center for Substance Abuse Prevention (CSAP) strategies. The prevention education strategy includes a structured evidence-based curriculum approved on NREPP.	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes
Description of program: No data	
<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): Substance Abuse and Mental Health Services Administration 's CSAP	Yes
Agency(ies) within your state:	No
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: CSAP has provided the states with tools to implement the Strategic Prevention Framework (SPF). The Center for the Application of Prevention Technologies (CAPT) system provides an opportunity for Texas grantees to receive training around the SPF steps. These steps have been incorporated within the procurement application and the scopes of work for the prevention contracts. Both the prevention resource centers (PRCs) and the community coalition partnerships (CCPs) begin their services by conducting a regional and community needs assessment to determine the need within their catchment area. The data collection component has now been incorporated within the scope of the regional PRC, and a position has been allocated to analyze the data. The PRCs will work with local entities such as universities, emergency rooms, and hospitals to determine the trends and consumption rates in order to move forward with effective environmental strategies within their area. Many of the coalitions also incorporate environmental strategies by working with a task force to mobilize community sectors to work toward a change in policy, behaviors, attitudes, and laws. Because the task force meets on a monthly or quarterly basis, it is able to report on change that has occurred once action has been taken. Community surveys will also be conducted in order to report the information from nontraditional target populations that reside within the area. This information will be compiled to help assist with the priorities for the region. The coalitions will focus on alcohol, marijuana, and prescription drug abuse based on regional needs assessments, treatment admission rates for youth in treatment facilities in Texas, and data from the Texas School Survey. Evidence-based programs for youth are currently being implemented at over 133 sites and will include two family-focused curricula: (1) Strengthening Families and (2) Creative Lasting Family Connections. Also in use are another eight curricula: (1) LifeSkills Training, (2) Project Toward No Drug Use, (3) Curriculum Based Support Groups, (4) Reconnecting Youth, (5) All Stars, (6) Positive Action, (7) Too Good For Drugs, and (8) Strengthening Families. A comprehensive approach includes the six effective CSAP strategies: prevention education, information dissemination, alternative activities, problem identification and referral, community-based process, and environmental/social policy, which are incorporated in the program design of the YPU, YPS, and YPI programs.	

<b>Additional Clarification</b>	
No data	
<b>State Interagency Collaboration</b>	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	No

<i>Committee contact information:</i>	
Not applicable	
<i>Agencies/organizations represented on the committee:</i>	
Not applicable	
<i>A website or other public source exists to describe committee activities</i>	Not applicable
URL or other means of access: Not applicable	

<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: See the response provided by Texas Department of Transportation (TxDOT). Plan can be accessed via: TxDOT Annual Report, <a href="https://www.txdot.gov/apps/eGrants/eGrantsHelp/index.html">https://www.txdot.gov/apps/eGrants/eGrantsHelp/index.html</a> and the Texas TxDOT Texas Highway Safety Plan: <a href="https://www.txdot.gov/apps/eGrants/eGrantsHelp/index.html">https://www.txdot.gov/apps/eGrants/eGrantsHelp/index.html</a>	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: See TxDOT. Contact Frank Saenz at 512-416-2235. Plan can be accessed via: No data	

<b>Additional Clarification</b>	
The Department of State Health Services oversees the Drug Demand Reduction Advisory Committee (DDRAC), which has established an memorandum of understanding with over 16 state agencies. The 77th Texas Legislature (2001) passed Senate Bill 558 establishing the Committee with a mandate to develop comprehensive statewide strategy and legislative recommendations that will reduce drug demand in Texas. The statute mandates that 16 state agencies participate in this effort, as well as five at-large members from different geographical areas within the state. The focus in the past has been prevention, treatment, and enforcement. Priorities for the current year appear to be prescription drug abuse and neonatal abstinence syndrome. The overall effort can be located at <a href="http://www.dshs.state.tx.us/sa/ddrac/default.shtm">http://www.dshs.state.tx.us/sa/ddrac/default.shtm</a> .	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$520,945
Estimate based on the 12 months ending	12/31/2013
<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	\$50,044,390
Estimate based on the 12 months ending	08/31/2014
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$35,089,977
Estimate based on the 12 months ending	08/31/2014
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$18,785
Estimate based on the 12 months ending	12/31/2013
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	No data
<i>Programs that target youth in the child welfare system:</i>	

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	No data
<i>Other programs:</i>	
Programs or strategies included:	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	No data

**Funds Dedicated to Underage Drinking**

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

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

*Description of funding streams and how they are used:*

No data

**Additional Clarification**

One source of funding is the Substance Abuse Prevention and Treatment Block Grant (SAPTBG).



# Utah

## State Profile and Underage Drinking Facts\*

State Population: 2,900,872  
 Population Ages 12–20: 389,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	14.5	56,000
Past-Month Binge Alcohol Use	10.2	40,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	2.9	4,000
Past-Month Binge Alcohol Use	1.5	2,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	11.8	16,000
Past-Month Binge Alcohol Use	8.1	11,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	30.3	37,000
Past-Month Binge Alcohol Use	22.2	27,000
<b>Alcohol-Attributable Deaths (under 21)</b>		32
<b>Years of Potential Life Lost (under 21)</b>		1,954
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	22	2

\* 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 prohibited—no explicit exceptions noted in the law.

### 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.
- 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*

- State provides incentives to retailers who use electronic scanners that read birthdate and other information digitally encoded on valid identification cards.
- 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 statutory right to sue a minor who uses a false ID to purchase alcohol for any losses or fines suffered by the retailer as a result of the illegal sale.
- Retailer has the authority to detain a minor suspected of using a false ID in connection with the purchase of alcohol.

## 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 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***

- 365 days

**Graduated Driver’s License**

***Learner stage***

- Minimum entry age: 15
- Minimum learner stage period: 6 months
- Minimum supervised driving requirement: 40 hours, of which 10 must be at night

***Intermediate stage***

- Minimum age: 16
- Unsupervised night driving
  - Prohibited after: 12 a.m.
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No passengers who are not immediate family members, unless accompanied by driver over 21
  - No primary enforcement of the passenger-restriction rule

***License stage***

- Minimum age to lift restrictions: 17. Passenger restrictions are lifted at age 16 years, 6 months; unsupervised night-driving restrictions remain until age 17

## **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: 19

***Appearance requirements***

- Age-appropriate appearance with no age enhancements
- Males: clean shaven
- Females: no excessive makeup or provocative attire
- No jewelry on hands
- Clothing consistent with casual attire worn by peer group

***ID possession***

- Required

***Verbal exaggeration of age***

- Prohibited

***Decoy training***

- Mandated

**Penalty Guidelines for Sales to Minors**

- Time period/conditions: Not specified
- First offense: 5- to 30-day suspension and/or \$500 to \$3,000 fine
- Second offense: 10- to 90-day suspension and/or \$1,000 to \$9,000 fine
- Third offense: 15–120 day suspension up to revocation and/or \$9,000 to \$25,000 fine

*Note:* List of mitigating and aggravating factors provided to retailers.

**Responsible Beverage Service*****Mandatory beverage service training for managers, servers***

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

*Note:* In Utah, the off-premises establishments subject to mandatory training are “off-premise beer retailers.” “Off-premise beer retailers” are licensed to sell “beer,” which in Utah is any product that contains not more than 3.2 percent alcohol by weight (ABW) and is obtained by fermentation, infusion, or decoction of any malted grain.

**Minimum Ages for Off-Premises Sellers**

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

*Note:* Although employees must be at least 21 years old to sell “liquor” at off-sale establishments in Utah, persons between 16 and 21 years old may sell “beer” (defined as containing not more than 4 percent ABV or 3.2 percent ABW) on the premises of a beer retailer for off-premise consumption if under the supervision of a person 21 years old or older who is on the premises.

**Minimum Ages for On-Premises Sellers**

- Beer: 21 for both servers and bartenders
- Wine: 21 for both servers and bartenders
- Spirits: 21 for both servers and bartenders

**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
  - On-premises outlets: Yes—within 200 feet
  - Alcohol products: Beer, wine, spirits

**Dram Shop Liability**

- Limitations on damages: \$1 million limit for one person and \$2 million limit for all injured parties per occurrence
- Limitations on who may sue: Retailers that furnish beer only for off-premises consumption are exempt.

*Note:* Liability is strictly imposed for furnishing alcohol to an underage drinker. Evidence of retailer’s negligence is not required.

### **Social Host Liability Laws**

Statutory liability exists subject to the following conditions:

- Limitations on damages: \$1 million limit for one person and \$2 million limit for all injured parties per occurrence
- Limitations on who may be sued: Social host must be 21 years old or older.

### **Host Party Laws**

Social host law is specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Not specified
- 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:* In Utah, an individual may not knowingly conduct, aid, or allow an “underage drinking gathering.” An “underage drinking gathering” means a gathering of two or more individuals: (a) at which an individual knowingly serves, aids in the service of, or allows the service of an alcoholic beverage to an underage person; and (b) to which an emergency response provider is required to respond, except for a response related solely to providing medical care at the location of the gathering. The definition does not otherwise specify a property type or an action by underage guest.

### **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: Keg sales prohibited
- Provisions do not specifically address disposable kegs.

### **Home Delivery**

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

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Control state

#### ***Wine (12 percent alcohol)***

- Control state
- Spirits (40 percent alcohol)
- Control state

### **Drink Specials**

- Free beverages: 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: Prohibited
- Increased volume: Prohibited

### **Wholesale Pricing**

Pricing restrictions exist.

#### ***Beer (5 percent alcohol)***

- Control state

#### ***Wine (12 percent alcohol)***

- Control state

#### ***Spirits (40 percent alcohol)***

- Control state

## Utah State Survey Responses

<b>State Agency Information</b>	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
Utah Department of Public Safety, State Bureau of Investigations, Alcohol Enforcement Team	
<b>Enforcement Strategies</b>	
<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	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No
<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/shipments of alcohol to minors	Not applicable
Such laws are also enforced by local law enforcement agencies	Not applicable
<b>Enforcement Statistics</b>	
<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	301
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	Don't know
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	1,830
Number of licensees checked for compliance by state agencies (including random checks)	1,295
Number of licensees that failed state compliance checks	198
Numbers pertain to the 12 months ending	6/30/2014
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	On-sale establishments only
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
	Yes
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	1,830
Number of licensees that failed <b>random</b> state compliance checks	198
<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	1,307
Number of licensees that failed local compliance checks	120
Numbers pertain to the 12 months ending	12/31/2013
<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
	Yes
Number of fines imposed by the state <sup>4</sup>	132
Total amount in fines across all licensees	\$185,600

Smallest fine imposed	\$150
Largest fine imposed	\$18,000
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	106
Total days of suspensions across all licensees	772
Shortest period of suspension imposed (in days)	5
Longest period of suspension imposed (in days)	45
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	0
Numbers pertain to the 12 months ending	12/31/2013
<b>Additional Clarification</b>	
<p>In the past, funding was provided for underage alcohol enforcement through a grant from the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) in the form of an Enforcing Underage Drinking Laws (EUDL) Block Grant. The Utah Department of Public Safety, Highway Safety Office (UHSO) administered the grant with local and state law enforcement agencies. The funding was used to create 25 multiagency task forces throughout the state that conducted party patrols, enforcement of social host laws, shoulder-tap operations, parking lot surveillance, sobriety checkpoints with a focus on youth, fake ID enforcement, and source investigations. Funding was also used to support Youth Court Programs/Conferences, purchase equipment for law enforcement such as passive breath testers, surveillance cameras/equipment, training for law enforcement geared toward youth alcohol enforcement, and public information and education for the community as well as students in colleges and universities.</p> <p>With the minimal funding left, the UHSO created a “UHSO Youth Alcohol Enforcement Challenge.” The challenge is a competition between law enforcement agencies. It recognizes and rewards the best overall youth alcohol enforcement programs in Utah. The areas of concentration are party patrol/enforcement of social host laws, shoulder-tap operations, parking lot surveillance, sobriety checkpoints with a focus on youth, fake ID enforcement, and source investigations. Agencies may have also participated in the EASY (Eliminate Alcohol Sales to Youth) statewide compliance check program. Departments were required to submit an application that documented and/or summarized their agency’s efforts and effectiveness in these areas. The winning programs were those that combined officer training, public information, and enforcement to reduce underage drinking within their respective jurisdictions.</p> <p>This program is financed through remaining funding awarded through the OJJDP EUDL block grant. The challenge hopes to increase state and local community effectiveness in their efforts to enforce underage drinking laws, prevent underage drinking, and eliminate the devastating consequences associated with alcohol use by underage youth. This competition is a way for departments to increase their attention on youth alcohol enforcement. It provides an incentive for continuing youth alcohol enforcement activities, and documentation of agency effectiveness that can be used for accountability to their community leaders. This demonstrates the value of having a strong reputation of a department that prioritizes and makes a commitment to ensure the success and future of their youth.</p> <p>As a reward for this challenge, the UHSO provided a scholarship for officer(s) to attend the Northwest Alcohol Conference held July 16-18, 2014, in Boise, Idaho. The cost covered travel, hotel, conference registration, and per diem. See <a href="http://www.northwestalcoholconference.org">http://www.northwestalcoholconference.org</a> for conference information. Agencies applied by submitting department contact information beginning with agency contact, complete mailing address, phone, fax, address, email, and number of sworn officers. They were asked to include a detailed description of their agency’s prior, current, and future plans/solutions for youth alcohol enforcement activities/enforcement in their community. Applications were due April 1, 2014. Because of the response, UHSO was able to provide 26 scholarships for law enforcement officers to attend the conference.</p>	

<sup>1</sup>Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

<b>Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>Protecting You Protecting Me (PYPM)</b>	
Program serves specific or general population	Specific population
Number of youth served	2,000–3,000
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No URL available
<b>Program Description:</b> PYPM is an alcohol use prevention curriculum for children in grades 1–5 PYPM is an educational program best used in a classroom environment. Curriculum is presented for 40–55 minutes, once a week for 8 weeks.	
<b>Parents Empowered</b>	
Program serves specific or general population	General population
Number of youth served	No data
Number of parents served	Approx. 750,000
Number of caregivers served	Approx. 750,000
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	<a href="http://parentsempowered.org">http://parentsempowered.org</a>
<b>Program Description:</b> This statewide media program targets parents with teenagers ages 10–16 to teach skills relating to talking points and recognizing alcohol use behavior. Media for dissemination include a website, newspaper, prevention bulletins, and radio in English and Spanish. Press releases are sent out on a quarterly basis to various media outlets. Collateral information is distributed at each event.	
<b>Prevention Dimensions Teacher Training</b>	
Program serves specific or general population	Specific population
Number of youth served	No data
Number of parents served	Approximately 390 teachers annually
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:	<a href="http://www.utahpd.org">http://www.utahpd.org</a>
<b>Program Description:</b> Prevention Dimensions is an educational program designed to prevent alcohol and other drug use among students K–12. Teachers and/or prevention professionals teach curriculum to students in health classes in various schools in Utah. Opportunities are provided to train teachers onsite or at an afterschool facility to meet prevention objectives for reducing underage drinking.	
<b>All Stars</b>	
Program serves specific or general population	General population
Number of youth served	Approx. 200/year
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes

Evaluation report is available	Yes
URL for evaluation report: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
URL for more program information: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
<b>Program Description:</b> All Stars is a school-based program for middle school students (11–14 years old) designed to prevent or delay the onset of high-risk behaviors such as drug use, violence, and premature sexual activity.	
<b>Prime For Life Under 21</b>	
Program serves specific or general population	General population
Number of youth served	Approximately 768
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: <a href="http://www.primeforlife.org/">http://www.primeforlife.org/</a>	
<b>Program Description:</b> This program is designed to address and reduce underage drinking in at-risk youth who have been referred for drinking offenses. It addresses risk factors such as having favorable attitudes toward drug use and having access to alcohol.	
<b>Peer Court</b>	
Program serves specific or general population	Specific population
Number of youth served	Approximately 120
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:	No data
<b>Program Description:</b> This program is designed to advise all youth who come through several courts throughout Utah. It assists youth offenders in gaining life skills and resources through prevention programs, so they can get out of the criminal justice system as soon as possible.	
<b>Strengthening Families (SFP)</b>	
Program serves specific or general population	General population
Number of youth served	Approximately 150
Number of parents served	Approximately 120
Number of caregivers served	Approximately 120
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
URL for more program information: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
<b>Program Description:</b> SFP is a family skills training program designed to increase resilience and reduce risk factors for behavioral, emotional, academic, and social problems in children 3–16 years old.	
<b>Parenting with Love &amp; Logic</b>	
Program serves specific or general population	Specific population
Number of youth served	No data
Number of parents served	Approximately 200
Number of caregivers served	Approximately 200
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

<p><b>Program Description:</b> This program is designed to target parents who may need to improve family management and parenting skills. Classes are taught in elementary schools, local substance abuse authorities, and other locations as needed.</p>	
<p><b>Guiding Good Choices (GGC)</b></p>	
Program serves specific or general population	Specific population
Number of youth served	No data
Number of parents served	Approximately 200
Number of caregivers served	Same as above
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
URL for more program information: <a href="http://www.nrepp.samhsa.gov">http://www.nrepp.samhsa.gov</a>	
<p><b>Program Description:</b> GGC is a drug use prevention program that provides parents of children in grades 4–8 (9–14 years old) with the knowledge and skills needed to guide their children through early adolescence. Parents are referred or volunteer.</p>	
<p><b>High Risk Skill Building – Supportive Education for Children of Addicted Parents</b></p>	
Program serves specific or general population	Specific population
Number of youth served	Approx. 50/year
Number of parents served	35-40
Number of caregivers served	35–40
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report: Not applicable	
URL for more program information: <a href="http://store.samhsa.gov/shin/content/MS939/MS939.pdf">http://store.samhsa.gov/shin/content/MS939/MS939.pdf</a>	
<p><b>Program Description:</b> This program is designed for youth ages 4–17 from homes with parental substance abuse and their kinship or foster caregivers. Youth will attend a support group 1 hour once a week for 8 weeks. The program is supplemented with the <i>Children’s Program Kit</i> from the Substance Abuse and Mental Health Services Administration (SAMHSA, 2002).</p>	
<p><b>Communities That Care (CTC)</b></p>	
Program serves specific or general population	General population
Number of youth served	Approx. 250,000/year
Number of parents served	Approx. 250,000
Number of caregivers served	Approx. 250,000
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report: <a href="http://www.communitiesthatcare.net">http://www.communitiesthatcare.net</a>	
URL for more program information: <a href="http://www.communitiesthatcare.net">http://www.communitiesthatcare.net</a>	
<p><b>Program Description:</b> CTC employs a proven, community-change process for reducing youth violence, alcohol and tobacco use, and delinquency, through tested and effective programs and policies. CTC uses prevention science to promote healthy youth development. We guide local coalitions through a tested five-phase process. CTC fosters young people’s well-being using a Social Development Strategy that promotes opportunities, skills, and recognition. A rigorous scientific trial demonstrated that CTC showed reductions in rates of youth violence, crime, alcohol, and tobacco use.</p>	
<p><b>Parent and Teen Alternative Program – Adolescents</b></p>	
Program serves specific or general population	Specific population
Number of youth served	35-40 annually
Number of parents served	20-25
Number of caregivers served	20–25
Program has been evaluated	Yes
Evaluation report is available	No

URL for evaluation report:	Not applicable
URL for more program information:	No data
<b>Program Description:</b> This program is designed to target youth ages 12–17 who have been referred by the juvenile court or local school as a result of a substance use violation. It is held once a week for 2.5 hours over 6 weeks. It is an educational group held at Weber Human Services on topics such as communication, addiction, stress management, goal setting, and prescription drugs.	
<b>Governing Youth Council (GYC)</b>	
Program serves specific or general population	General population
Number of youth served	Approximately 8,100
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:	No data
<b>Program Description:</b> This peer leadership program targets youth ages 12–18 from each secondary school in more than 15 of the 29 Utah counties. The program focuses on leadership training, training on prevention science, presenting and/or speaking to peers about substance abuse–related issues, and development and implementation of alcohol, tobacco, and other drug use (ATOD) prevention activities through GYC groups.	
<b>Prevention Dimensions</b>	
Program serves specific or general population	Specific population
Number of youth served	502,425
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report: <a href="http://www.utahpd.org">http://www.utahpd.org</a>	
URL for more program information: <a href="http://www.utahpd.org">http://www.utahpd.org</a>	
<b>Program Description:</b> This is a classroom-based curriculum delivered by trained health teachers to teach knowledge and skill-based practices for preventing and resisting ATOD. The curriculum is designed to reach K through 6th-grade students throughout the state.	
<b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>No data</b>	
URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
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 Division of Substance Abuse and Mental Health (DSAMH) meets with the Tribal Indian Issues Committee (TIIC) at their bimonthly meeting. Communication remains open as to how DSAMH can collaborate with the state's nine tribes in participating in their prevention efforts to reduce substance abuse (particularly underage drinking) and mental health risks. DSAMH is also engaged in planning and discussing ways to develop a shared purpose and mission for TIIC and participating in several Native American conferences and celebrations, such as the annual Native American Summit.

DSAMH also offered scholarships to the TIIC for the Utah Substance Abuse Fall Conference, which has been an ongoing partnership to help maintain traditional Native American breakouts and

presentations relating to prevention, treatment, and justice. Vital prevention information on underage drinking and family conflict regarding alcohol use and abuse is presented during these breakouts. DSAMH maintains a willingness and commitment to work with the nine Utah tribes in collaborating on resources to reduce substance abuse in Native American communities as well as increasing community resources. The tribes are identified as sovereign nations; therefore, we are able to collaborate only to the extent we're allowed. Annually, we take opportunities to participate in the Governor's Native American Summit, other Native American conferences, and Indian Health Services trainings and assist our LSAA network in providing resources and statistics on risk related to underage drinking.

Some of these objectives are addressed during annual site visits and monitoring of the state's 13 Local Substance Abuse Authorities (LSAAs), which collaborate on prevention and treatment resources where necessary.

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes
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Program description: Parents Empowered Media Campaign

ParentsEmpowered.org is a media and education campaign funded by the Utah Legislature and designed to prevent and reduce underage drinking in Utah by providing parents and guardians with information about the harmful effects of alcohol on the developing teenage brain, along with proven skills for preventing underage alcohol use.

The Utah Department of Alcoholic Beverage Control is the lead agency for the campaign and is working in partnership with other state agencies and organizations, including the following: Attorney General's Office, Department of Health, Department of Public Safety/Highway Patrol and Highway Safety Office, DSAMH, Juvenile Court, State Office of Education, Mothers Against Drunk Driving (MADD) Utah Chapter, Utah Prevention Network, and Utah Substance Abuse and Anti-Violence Coordinating Council.

How was ParentsEmpowered.org formed? In 2006, in response to the alarming new research compiled by the National Institutes of Health on how alcohol affects the developing teenage brain (causing early addiction and brain impairment), the U.S. Department of Health and Human Services began an underage drinking initiative. They asked each state to form an eight-person Underage Drinking Prevention Team with a representative from each of the state agencies affected by the problems caused by underage drinking (e.g., the juvenile courts, DSAMH, schools, Department of Health, Department of Alcoholic Beverage Control).

The president of MADD-Utah joined this team when they were summoned back to Washington for a round-table discussion. Teams from each of the 50 states met to discuss the problem of underage drinking and come up with solutions. Their first task was to hold town hall meetings in schools and community centers across their states, talk about the problems of underage drinking, and try to come up with strategies to prevent it. To our credit, Utah held more town hall meetings than any other state, and had more attendees.

The objective of ParentsEmpowered.org is to eliminate underage drinking in Utah, along with the devastating effects that alcohol has on children. We do this by motivating and enabling parents to take a more active role in keeping their children alcohol-free. Research shows parental disapproval of underage drinking is the number one reason youth choose not to drink (SAMSHA, U.S. Department of Health and Human Services, 2005).

<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
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Agencies/organizations that established best practices standards:

Federal agency(ies): SAMHSA and Center for Substance Abuse Prevention (CSAP)	Yes
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Agency(ies) within your state: DSAMH and Department of Alcohol and Beverage Control, The 13 LSAAs that are funded by the 29 counties and state and federal funding	Yes
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Nongovernmental agency(ies):	No
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Other:	No
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Best practice standards description: We have adopted the National Institute on Drug Abuse (NIDA) Guiding Principles document and created the Utah Guiding Principles, which outlines principles and guidelines for substance abuse prevention programs, strategies, and policies in Utah, and is designed to ensure prevention resources being used are effective and appropriate. The document was created in partnership with the DSAMH, Utah Behavioral Healthcare Committee’s Prevention Network, and Utah State Office of Education.

Much of this information has been taken from research cited by SAMHSA and the publication *Preventing Drug Abuse among Children and Adolescents* (NIDA, 2003).

Before the implementation of any prevention program or activity, it is imperative to contact the substance abuse prevention coordinator in each area. Consulting with these experts will help make sure an appropriate, effective, and consistent message is delivered to each community.

We also follow CSAP’s (2009) evidence-based guidelines for implementing evidence-based policies, programs, and strategies.

To ensure that all interventions are evidence-based, the DSAMH has convened an Evidence-Based Workgroup to review proposed interventions. CSAP (2009) has created a guidance document with criteria for evaluating whether an intervention is evidence-based. Interventions may be considered evidence-based if they meet one of the following definitions:

*Definition 1:* It is included on DSAMH-approved federal lists or registries of evidence-based interventions.

*Definition 2:* It is reported (with positive effects) in peer-reviewed journals.

*Definition 3:* Documented effectiveness supported by other sources of information and the consensus judgment of informed experts, as described in the following set of guidelines, all of which must be met. (Please note that all four criteria must be met.):

- a. The intervention is based on a theory of change that is documented in a clear logic or conceptual model.
- b. The intervention is similar in content and structure to interventions that appear in registries and/or the peer-reviewed literature.
- c. The intervention is supported by documentation that it has been effectively implemented multiple times in a manner attentive to scientific standards of evidence and with results that show a consistent pattern or credible and positive effects.
- d. The intervention is reviewed and deemed appropriate by a panel of informed prevention experts that includes well-qualified prevention researchers who are experienced in evaluating prevention interventions similar to those under review; local prevention practitioners; and key community leaders as appropriate (e.g., officials from law enforcement and education sectors or elders from indigenous cultures).

The Evidence-Based Workgroup will serve as the informed experts for Utah.

**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: Mary Lou Emerson  
 E-mail: memerson@utah.gov  
 Address: Utah Substance Abuse Advisory Council, 350 N State Street, Salt Lake City, UT 84114  
 Phone: 801-538-1921

*Agencies/organizations represented on the committee:*

Utah Department of Health  
 Weber Human Services

Utah State Office of Education Department of Alcoholic Beverage Control Indian Walk In Center Department of Public Safety DSAMH Department of Human Services, Executive Director Office Salt Lake City Mayor's Office Bach-Harrison Research Company Utah Council for Crime Prevention Tooele County Substance Abuse South Salt Lake Coalition	
A website or other public source exists to describe committee activities URL or other means of access: Not applicable	No

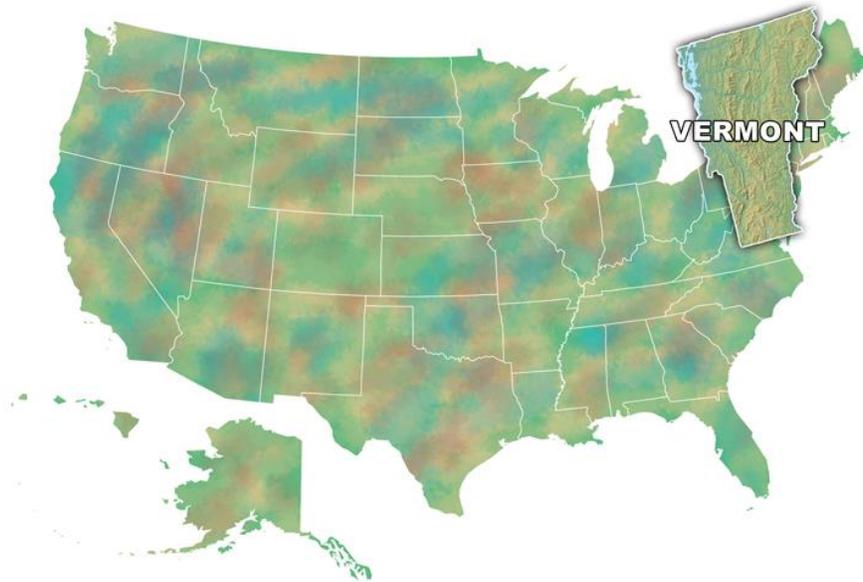
<b>Underage Drinking Reports</b>	
State has prepared a plan for preventing underage drinking in the last 3 years Prepared by: Not applicable Plan can be accessed via: Not applicable	No
State has prepared a report on preventing underage drinking in the last 3 years Prepared by: DSAMH, Department of Alcohol and Beverage Control, Utah Prevention Advisory Council Plan can be accessed via: No data	Yes
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$36,714
Estimate based on the 12 months ending	12/31/2013
<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	Data not available
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	Data not available
Estimate based on the 12 months ending	6/30/2013
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	6/30/2013
<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	6/30/2013
<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	6/30/2013
<i>Other programs:</i>	
Programs or strategies included: None at this time	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	6/30/2013

<b>Funds Dedicated to Underage Drinking</b>	
State derives funds dedicated to underage drinking from the following revenue streams:	

Taxes	No
Fines	No
Fees	No
Other: Allocation from General Fund	Yes
<p><i>Description of funding streams and how they are used:</i></p> <p>The funding stream is from the general fund that is allocated to the Department of Alcohol and Beverage Control and Department of Public Safety by the Utah Legislature each year to fund the ParentsEmpowered.org media and education campaign, which is designed to prevent and reduce underage drinking in Utah by providing parents and guardians with information about the harmful effects of alcohol on the developing teenage brain and proven skills for preventing underage alcohol use.</p> <p>The Utah Department of Alcoholic Beverage Control is the lead agency for the campaign and is working in partnership with other state agencies and organizations, including the Attorney General's Office, Department of Health, Department of Public Safety/Highway Patrol and Highway Safety Office, DSAMH, Juvenile Court, State Office of Education, MADD Utah Chapter, Utah Prevention Network, and Utah Substance Abuse and Anti-Violence Coordinating Council.</p>	

**Additional Clarification**



# Vermont

## State Profile and Underage Drinking Facts\*

State Population: 626,630  
 Population Ages 12–20: 72,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	33.6	24,000
Past-Month Binge Alcohol Use	22.5	16,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	6.0	1,000
Past-Month Binge Alcohol Use	2.8	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	28.1	7,000
Past-Month Binge Alcohol Use	16.5	4,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	59.1	16,000
Past-Month Binge Alcohol Use	42.5	12,000
<b>Alcohol-Attributable Deaths (under 21)</b>		6
<b>Years of Potential Life Lost (under 21)</b>		382
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	60	3

\* 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.

*Note:* Although Vermont does not prohibit Internal Possession as defined in this report, it has a statutory provision that makes it unlawful for a minor to “consume malt or vinous beverages or spirituous liquors. A violation of this subdivision may be prosecuted in a jurisdiction where the minor has consumed malt or vinous beverages or spirituous liquors, or in a jurisdiction where the indicators of consumption are observed.” Laws that punish minors for displaying “indicators of consumption” or for “exhibiting the effects” of having consumed alcohol, but do so without reference to a blood, breath, or urine test, are not considered as prohibiting Internal Possession for purposes of this report.

### Underage Purchase of Alcohol

Purchase is NOT prohibited and there is no specific 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.
- 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”)

No use/lose law

### Graduated Driver’s License

#### *Learner stage*

- Minimum entry age: 15
- Minimum learner stage period: 12 months
- Minimum supervised driving requirement: 40 hours, of which 10 must be at night

***Intermediate stage***

- Minimum age: 16
- Unsupervised night driving
  - Night driving is not restricted
- Passenger restrictions exist: During first 3 months, the driver is restricted to driving alone or with a licensed parent, instructor, or person at least 25 years old. During next 3 months, the driver may also transport family members.
  - 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—no explicit exceptions noted in the law.

### **Compliance Check Protocols**

***Age of decoy***

- Minimum: 18
- Maximum: 20

*Note:* Director’s permission required for 17-year-olds

***Appearance requirements***

- Exhibit a young adult appearance
- Male: No facial hair
- Female: No excessive makeup

***ID possession***

- Required

***Verbal exaggeration of age***

- Prohibited

***Decoy training***

- Not specified

### **Penalty Guidelines for Sales to Minors**

- Time period/conditions: Not specified
- First offense: Sale/service (non-compliance check) to 20-year-old: \$250.00 fine; to 19-year-old: \$500.00 fine; to 18-year-old or younger: hearing

### **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: 16
- Wine: 16

- Spirits: Not specified

*Note:* Vermont statutes and regulations are silent on the minimum age of seller for distilled spirits sold for off-premises consumption, which occur only in state-controlled outlets. Vermont's Liquor Control Board establishes minimum age of seller in its outlets as a matter of internal board policy.

### **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

### **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**

Statutory liability exists.

*Note:* Vt. Stat. Ann. tit. 7, § 501 includes a responsible beverage service defense.

### **Social Host Liability Laws**

Statutory liability exists.

### **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 beer and 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.
- State must approve common carrier.

#### *Reporting requirements*

- Producer must record/report purchaser's name.

#### *Shipping label statement requirements*

- Contains alcohol
- Recipient must be 21

### **Keg Registration**

- Keg definition: At least 5 gallons
- Prohibited: Destroying the label on a keg—maximum fine/jail \$1,000/2 years
- Purchaser information collected:
  - Purchaser’s name and address
  - Verified by a government-issued ID
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- Deposit required: \$25
- Provisions do not specifically address disposable kegs

*Note:* Although Vermont does not require a retailer to record the number of a keg purchaser’s ID, it does require that the purchaser’s name, address, and date of birth be recorded as they appear on the purchaser’s identification.

### **Home Delivery**

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

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Specific excise tax: \$0.27 per gallon
- Ad valorem excise tax (on-premises retail): 10 percent
  - Sales tax does NOT apply
  - Sales tax: 6 percent
  - Sales tax adjusted retail ad valorem rate: 4 percent

#### ***Wine (12 percent alcohol)***

- Specific excise tax: \$0.55 per gallon
- Ad valorem excise tax (on-premises retail): 10 percent
  - Sales tax does NOT apply
  - Sales tax: 6 percent
  - Sales tax adjusted retail ad valorem rate: 4 percent

#### ***Spirits (40 percent alcohol)***

- Control state

### **Drink Specials**

- Free beverages: 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: Not prohibited
- Increased volume: Not prohibited

### **Wholesale Pricing**

Pricing restrictions exist.

***Beer (5 percent alcohol)***

- Volume discounts: Banned
- Price posting requirements: Post and hold—there is a 14-day minimum hold. Each licensee in wholesale dealer’s territory must receive at least one opportunity to buy at the changed price.
- Retailer credit: Not permitted

***Wine (12 percent alcohol)***

- Retailer credit: Not permitted

***Spirits (40 percent alcohol)***

- Control state

## Vermont State Survey Responses

State Agency Information	
Agency with primary responsibility for enforcing underage drinking laws: Vermont Department of Liquor Control	
Enforcement Strategies	
State law enforcement agencies use:	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
Local law enforcement agencies use:	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
State has a program to investigate and enforce direct sales/shipment laws	No
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Vermont Dept. of Liquor Control
Such laws are also enforced by local law enforcement agencies	No
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	2,819
Number pertains to the 12 months ending	6/30/2013
Data include arrests/citations issued by local law enforcement agencies	Yes
State conducts underage compliance checks/decoy operations <sup>2</sup> 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 <sup>3</sup>	2,500
Number of licensees checked for compliance by state agencies (including random checks)	591
Number of licensees that failed state compliance checks	50
Numbers pertain to the 12 months ending	12/31/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
State conducts <b>random</b> underage compliance checks/decoy operations	Yes
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	591
Number of licensees that failed <b>random</b> state compliance checks	50
Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors	No
Data are collected on these activities	Not applicable
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	
State collects data on fines imposed on retail establishments that furnish minors	Yes
Number of fines imposed by the state <sup>4</sup>	7
Total amount in fines across all licensees	\$2,100
Smallest fine imposed	\$300
Largest fine imposed	\$300
Numbers pertain to the 12 months ending	12/31/2013

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	28
Total days of suspensions across all licensees	28
Shortest period of suspension imposed (in days)	1
Longest period of suspension imposed (in days)	1
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	0
Numbers pertain to the 12 months ending	12/31/2013
<b>Additional Clarification</b>	
No clarification required.	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

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

##### **School-Based Substance Abuse Services (SBSAS) 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	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	
<a href="http://healthvermont.gov/adap/sap/StudentAssistanceProgram.aspx">http://healthvermont.gov/adap/sap/StudentAssistanceProgram.aspx</a>	

**Program Description:** The SBSAS grant provides and enhances substance abuse prevention and early intervention services in Vermont schools, leading to reductions in students' alcohol and other drug use. Twenty-one awards, up to \$40,000 each (totaling approximately \$800,000), were made resulting from a competitive process that considered need, readiness, strength of proposed plan, budget, and number of students to be served. A 10 percent match in funds or in-kind services was required. We anticipate these will be 3-year continuation grants contingent on satisfactory performance and availability of funds. Training and evaluation services will be supported statewide with up to \$30,000.

For the funded services, required activities include (1) support of coordinated school health initiatives (all 21 grantees) and (2) screening and referral to substance abuse and mental health services (all 21 grantees). Optional activities include:

- Support of classroom health curricula (17 grantees)
- Advising and training of youth empowerment groups (20 grantees)
- Delivery of parent information and educational programs (20 grantees)
- Delivery of teacher and support staff training (21 grantees)
- Delivery of educational support groups (17 grantees)

##### **ParentUp**

Program serves specific or general population	Specific population
Number of youth served	No data
Number of parents served	8,002
Number of caregivers served	No data
Program has been evaluated	Yes

Evaluation report is available URL for evaluation report: URL for more program information: <a href="http://www.ParentUpVT.org">http://www.ParentUpVT.org</a>	Yes only hard copy available
<b>Program Description:</b> In 2010, the Health Department’s Prevention Unit of the Alcohol and Drug Abuse Programs (ADAP) created the ParentUp campaign to educate parents about roles and responsibilities related to the dangers of underage drinking. The campaign addresses parents of middle school and high school students with age-specific information. An online resource center was created and promoted with direct mail, radio ads, and online advertising. With limited funds, ADAP continues to advertise ParentUp. The overall program goals are to: (1) increase the number of parents who talk with their children about underage drinking and (2) increase parents’ awareness of underage drinking laws and consequences.	
<b>Stop Teen Alcohol Risk Team (START)</b>	
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
<b>Program Description:</b> START started as a statewide system of taskforces to reduce underage drinking in Vermont, but due to decreased funding from the Office of Juvenile Justice and Delinquency Prevention it no longer operates statewide. Three counties receive START funding to increase enforcement for underage drinking and to support implementation of research-based prevention being undertaken by substance abuse coalitions. START programs are encouraged to increase enforcement of the underage drinking laws by addressing locally identified, unmet needs. This program is funded by the Enforcing Underage Drinking Laws (EUDL) program.	
<b>We Check ID — 1-866-ITS-FAKE</b>	
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
<b>Program Description:</b> This statewide telephone system uses computers and staff to answer a telephone line. The line supports stores with identification (ID) verification. We Check ID – 1-866-ITS-FAKE is the publicized name of the project aimed at preventing sales to minors. Clerks can call the number to verify the match between the name on an ID (from any state) and the date of birth. This is a federally funded program (EUDL funds).	
<b>Annual College Symposium</b>	
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
<b>Program Description:</b> In October 2013, Castleton State College hosted the 2nd Annual College Symposium to address high-risk drinking sponsored by the Vermont Department of Health. The Symposium provided an opportunity to showcase some of the efforts to address this issue, and to learn more about implementation and how those efforts might be replicated on other campuses. St. Michael’s	

<p>College, Middlebury College, the University of Vermont, Castleton State College, Johnson State College, and Marlboro College provided information on their programs and initiatives focused on student engagement, parent engagement, screening, and recovery and community partnerships. More than 100 participants represented 15 colleges and universities, community coalitions, law enforcement, court diversion, and Health Department staff.</p>	
<p><b>Partnership for Success (PFS)</b></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><b>Program Description:</b> The PFS grant is a 3-year (10/1/12–9/30/15) cooperative agreement with Substance Abuse and Mental Health Services Administration. Its purpose is to reduce underage drinking and prescription drug misuse and abuse. In collaboration with multiple state and local community partners, the Vermont Department of Health (VDH) supports regional prevention strategies in the 6 out of 12 VDH Districts identified through an analysis of prevalence data, size of target population, and socioeconomic disparities. Each region must employ evidence-based prevention strategies. The grant also supports training and communications activities aimed at strengthening the prevention infrastructure in all 12 districts of the state.</p>	
<p><b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b></p>	
<p><b>No data</b></p>	
<p>URL for more program information: No data</p>	
<p>Program description: No data</p>	
<p><b>Additional Clarification</b></p>	
<p>With the exception of the SBSAS program, all programs related to underage drinking prevention are federally funded.</p>	
<p><b>Additional Information Related to Underage Drinking Prevention Programs</b></p>	
<p><i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i></p>	<p>No recognized tribal governments</p>
<p>Description of collaboration: Not applicable</p>	
<p><i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i></p>	<p>Yes</p>
<p>Program description: The Healthy Retailer Program takes into account that supermarkets provide a larger selection of healthy foods at lower prices compared with smaller grocery and convenience stores. These smaller stores are often frequented by Vermonters who do not have regular access to full-scale supermarkets and thus may be exposed to more unhealthy choices. A public health best practice includes implementation of strategies that create an environment where making a healthy choice is an easy choice. The VDH's Healthy Retailers Program promotes healthy choices at small retailers throughout Vermont and brings together the Tobacco Control, Alcohol and Drug Prevention, and Nutrition Programs.</p> <p>Project Goal: The goal of this initiative is to further health promotion efforts by changing the environment within independently owned grocery and convenience stores. By reducing tobacco and alcohol marketing while promoting healthy foods, independent retailers can make small changes that will make a big impact.</p> <p>Strategies:</p> <ul style="list-style-type: none"> <li>• State-level health promotion programs worked collaboratively with a marketing agency to create a resource guide providing background information, strategies for working with retailers, and methods for engaging the community.</li> </ul>	

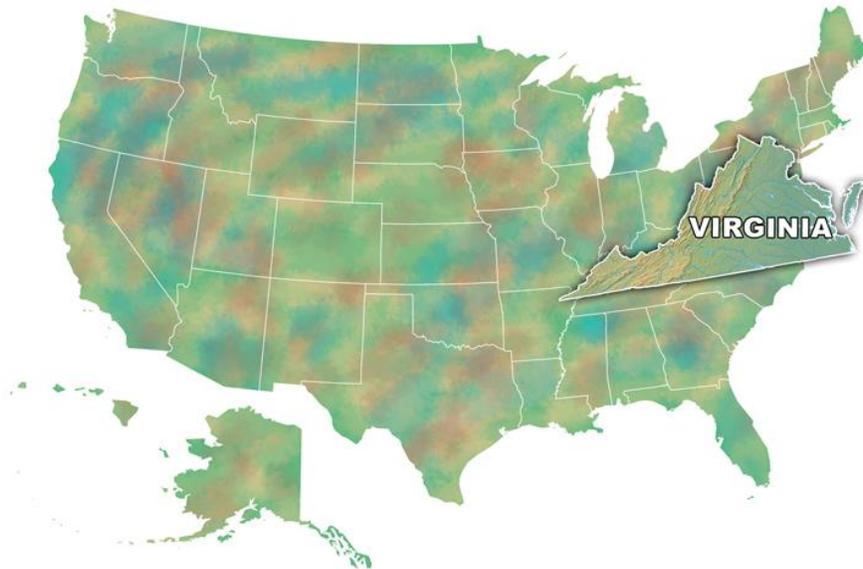
<ul style="list-style-type: none"> <li>• Community partners work with retailers to promote healthy choices using VDH’s Small Change Big Impact Resource, while limiting point-of-purchase advertising for tobacco and alcohol. Community coalitions work together to determine how to best serve the needs of the retailers, their customers, and the community.</li> <li>• Coalitions and community partners receive ongoing technical assistance and networking opportunities as they work collectively to reduce tobacco use, decrease alcohol consumption, and improve healthy choices.</li> <li>• VDH provides promotional materials to increase healthy options including fresh fruits and vegetables and serve as a replacement for advertising of some of the unhealthy messages.</li> </ul>	
<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:	No
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: Best practice standards are based on the CSAP’s (2009) <i>Identifying and Selecting Evidence-Based Interventions Revised Guidance Document for the Strategic Prevention Framework State Incentive Grant Program</i> and Centers for Disease Control and Prevention’s <i>The Guide to Community Preventive Services</i> (Zaza, Briss & Harris, 2005).	
<b>Additional Clarification</b>	
For Vermont standards, go to <a href="http://healthvermont.gov/adap/prevention/SPF/documents/FinalDraftGuidanceNov2008.pdf">http://healthvermont.gov/adap/prevention/SPF/documents/FinalDraftGuidanceNov2008.pdf</a>	

<b>State Interagency Collaboration</b>	
<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: Mitch Barron	
Email: <a href="mailto:mitchb@howardcenter.org">mitchb@howardcenter.org</a>	
Address: Centerpoint Adolescent Treatment Services, 1025 Airport Drive, South Burlington, VT 05403	
Phone: 802-488-7711	
<i>Agencies/organizations represented on the committee:</i>	
Vermont Department of Health	
Vermont Department of Mental Health	
Vermont Department of Motor Vehicles	
Vermont Agency of Human Services	
Prevention Works! VT	
Vermont Center for Problem Gambling	
Vermont Association of Mental Health and Addiction Recovery	
Vermont Agency of Education	
Vermont Department of Liquor Control	
Vermont Court Diversion, Office of the Attorney General	
Vermont Department of Corrections	
Vermont National Guard	
Montpelier Public Schools	
Central Vermont Medical Center	
Flood Brook School	
Centerpoint Adolescent Treatment Services	
Northwestern Counseling and Support Services	
Vermont Department of State’s Attorneys and Sheriff’s Association	
<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: <a href="http://healthvermont.gov/adap/vadaac/advisorycouncil.aspx">http://healthvermont.gov/adap/vadaac/advisorycouncil.aspx</a>	

<b>Underage Drinking Reports</b>	
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	Yes
Prepared by: Vermont's Epidemiological Workgroup	
Plan can be accessed via:	
<a href="http://healthvermont.gov/adap/clearinghouse/documents/EpiProfileExecutiveSummary_2012March16.pdf">http://healthvermont.gov/adap/clearinghouse/documents/EpiProfileExecutiveSummary_2012March16.pdf</a>	
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$50,000
Estimate based on the 12 months ending	12/31/2013
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$8,000
Estimate based on the 12 months ending	12/31/2013
<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	\$830,000
Estimate based on the 12 months ending	6/30/2014
<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	\$930,000
Estimate based on the 12 months ending	6/30/2014
<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

<b>Funds Dedicated to Underage Drinking</b>	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	Yes
Fines	No
Fees	Yes
Other:	No data
<i>Description of funding streams and how they are used:</i>	
Youth who violate Vermont's underage possession and consumption of alcohol laws (7 VSA §65) may participate in the Teen Alcohol Safety Program (TASP) or face a fine and driver's license suspension. Participants' fees and State General Fund dollars support TASP, run by the Court Diversion program in each county. Participants meet with a licensed or certified substance abuse counselor for a screening or assessment (and must follow counselor recommendations), and may participate in an educational program and perform community service. TASP case managers support youth to complete the program. Assessment and treatment are not covered through TASP funding.	
<b>Additional Clarification</b>	
No data	



# Virginia

## State Profile and Underage Drinking Facts\*

State Population: 8,260,405  
 Population Ages 12–20: 957,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	24.5	234,000
Past-Month Binge Alcohol Use	16.8	161,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	3.9	11,000
Past-Month Binge Alcohol Use	0.7	2,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	18.8	62,000
Past-Month Binge Alcohol Use	11.7	38,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	***	***
Past-Month Binge Alcohol Use	***	***
<b>Alcohol-Attributable Deaths (under 21)</b>		100
<b>Years of Potential Life Lost (under 21)</b>		6,085
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	24	9

\* 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 residence AND EITHER
- Parent/guardian OR
- Spouse

*Note:* Virginia law provides for two separate family exceptions. First, Virginia permits persons under 21 to possess alcoholic beverages due to such person’s “making a delivery of alcoholic beverages by order of his parent.” For purposes of this report, the phrase “by order of his parent” is interpreted as providing for parental consent. Second, Virginia permits underage possession when an alcoholic beverage is provided to an underage guest in a private residence and the underage guest is “accompanied by a parent, guardian, or spouse who is twenty-one years old or older.” The second exception is limited to specific locations, but the first one is not.

### Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s):

- Private residence AND EITHER
- Parent/guardian OR
- Spouse

### Internal Possession by Minors

Internal possession is not explicitly prohibited.

*Note:* Although Virginia does not prohibit Internal Possession as defined in this report, it has a statutory provision that makes it unlawful for a minor to “exhibit evidence of physical indicia of consumption of alcohol.” Laws that punish minors for displaying “indicators of consumption” or for “exhibiting the effects” of having consumed alcohol, but do so without reference to a blood, breath, or urine test, are not considered as prohibiting Internal Possession for purposes of this report.

### 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 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 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: 180 days
- Maximum: 365 days

### **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 purchase
- Underage possession
- Underage consumption

#### *Authority to impose driver’s license sanction*

- Mandatory

#### *Length of suspension/revocation*

- 180 days

### **Graduated Driver’s License**

#### *Learner stage*

- Minimum entry age: 15 years, 6 months
- Minimum learner stage period: 9 months
- Minimum supervised driving requirement: 45 hours, of which 15 must be at night

#### *Intermediate stage*

- Minimum age: 16 years, 3 months
- Unsupervised night driving
  - Prohibited after: 12 a.m.
  - No primary enforcement of the night-driving rule
- Passenger restrictions exist: For first year, no more than one passenger younger than age 21 who is not family or household member unless the driver is accompanied by a parent or person acting in loco parentis; then, no more than three passengers younger than age 21 who

are not family or household members unless driving to or from a school-sponsored activity or accompanied by a licensed driver who is at least 21 years old

- No primary enforcement of the passenger-restriction rule

#### ***License stage***

- Minimum age to lift restrictions: 18

## **Laws Targeting Alcohol Suppliers**

### **Furnishing of Alcohol to Minors**

Furnishing is prohibited with the following exception(s):

- Private residence AND EITHER
- Parent/guardian OR
- Spouse

### **Compliance Check Protocols**

#### ***Age of decoy***

- Minimum: 17
- Maximum: 19

#### ***Appearance requirements***

- Youthful in appearance and shall not appear older than their true age

#### ***ID possession***

- Required

#### ***Verbal exaggeration of age***

- Prohibited

#### ***Decoy training***

- Mandated

### **Penalty Guidelines for Sales to Minors**

- Time period/conditions: 3 years
- First offense: \$2,000 fine or 25-day license suspension

*Note:* For first offense in 3-year period, if licensee can demonstrate that its employees have received Responsible Beverage Service training in 12 months preceding violation, licensee can accept a reduced penalty of \$1,000 fine or 5-day license suspension.

### **Responsible Beverage Service**

#### ***Voluntary beverage service training***

- The law does not specify on- or off-sale establishments
- Applies only to existing outlets

#### ***Incentive for training***

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

### **Minimum Ages for Off-Premises Sellers**

- Beer: Not specified
- Wine: Not specified
- Spirits: Not specified

### **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

*Note:* Although bartenders are generally required to be at least 21 years old in Virginia, a person who is at least 18 years old may sell or serve beer for on-premises consumption at a counter in an establishment that sells beer only. A person who is at least 18 years old may also sell or serve wine for on-premises consumption in an establishment that sells wine only.

### **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.

### **Social Host Liability Laws**

There is no statutory liability.

### **Host Party Laws**

No state-imposed liability for hosting underage drinking parties

### **Retailer Interstate Shipments of Alcohol**

Prohibition against retailer interstate shipments:

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

### **Direct Sales/Shipments of Alcohol by Producers**

Direct sales/shipments from producers to consumers are permitted for beer and 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.
- State must approve common carrier.

#### ***Reporting requirements***

- Producer must record/report purchaser's name.
- Common carrier must record/report purchaser's name.

#### ***Shipping label statement requirements***

- Contains alcohol
- Recipient must be 21

**Keg Registration**

- Keg definition: 4 gallons or more
- Prohibited:
  - Possessing an unregistered, unlabeled keg: Maximum fine/jail—no penalty specified
  - Destroying the label on a keg: Maximum fine/jail—no penalty specified
- Purchaser information collected:
  - Purchaser’s name and address
  - Verified by a government-issued ID
  - Address where keg will be consumed
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- Deposit: Not required
- Provisions specifically address disposable kegs

**Home Delivery**

- Beer: Permitted—delivery permit required; four-case limit without written prior notification to the state including the name and address to the intended recipient
- Wine: Permitted—delivery permit required; four-case limit without written prior notification to the state including the name and address to the intended recipient
- Spirits: No law

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

- Specific excise tax: \$0.28 per gallon

*Note:* Virginia imposes a tax of \$0.2565 per gallon on each barrel of beer, defined as any container or vessel having a capacity of more than 43 ounces.

***Wine (12 percent alcohol)***

- Control state

***Spirits (40 percent alcohol)***

- Control state

**Drink Specials**

- Free beverages: Prohibited
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price, specified day or time: Not prohibited—not permitted after 9 p.m.
- Unlimited beverages: Prohibited
- Increased volume: Prohibited

**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

## Virginia State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
The Virginia Department of Alcoholic Beverage Control's (ABC) Bureau of Law Enforcement has continued to enforce the laws of the Commonwealth through several initiatives such as our Alcohol Compliance Program. In FY2013, 3,084 overall checks were conducted, resulting in a compliance rate of 85.4 percent. A total of 1,440 random checks were conducted, resulting in an alcohol compliance rate of 85.7 percent. More than 9,832 criminal investigations were conducted, resulting in 2,201 arrests, 1,224 written warnings, and 739 administrative violations against ABC licensed establishments.	
Enforcement Strategies	
<i>State 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>Local 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>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	VA Dept. of Alcoholic Beverage Control, Compliance Division
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	560
Number pertains to the 12 months ending	6/30/2013
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> 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 <sup>3</sup>	17,687
Number of licensees checked for compliance by state agencies (including random checks)	3,084
Number of licensees that failed state compliance checks	450
Numbers pertain to the 12 months ending	6/30/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	Yes
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	1,440
Number of licensees that failed <b>random</b> state compliance checks	206
<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 Numbers pertain to the 12 months ending	Not applicable Not applicable
<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	Yes
Number of fines imposed by the state <sup>4</sup>	343
Total amount in fines across all licensees	\$704,150
Smallest fine imposed	\$750
Largest fine imposed	\$7,500
Numbers pertain to the 12 months ending	4/30/2014
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	110
Total days of suspensions across all licensees	2,610
Shortest period of suspension imposed (in days)	3
Longest period of suspension imposed (in days)	60
Numbers pertain to the 12 months ending	4/30/2014
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	1
Numbers pertain to the 12 months ending	4/30/2014
<b>Additional Clarification</b>	
No data	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

<b>Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>Youth Alcohol and Drug Abuse Prevention Project (YADAPP)</b>	
Program serves specific or general population	Specific population
Number of youth served	412
Number of parents served	No data
Number of caregivers served	95
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.yadapp.com">http://www.yadapp.com</a> ; <a href="https://www.facebook.com/YadappGuy">https://www.facebook.com/YadappGuy</a>	
<p><b>Program Description:</b> The YADAPP summer leadership conference is a team-based leadership experience for high school students and sponsoring adults. YADAPP is designed to empower teams of high school students with the resources and motivation to develop projects that promote school safety and the prevention of alcohol and drug use among their peers. Since 1984, approximately 440 different high schools and community organizations and more than 10,000 students have participated in this unique “youth-led” experience. All high schools and community organizations in Virginia are encouraged to send a team to YADAPP. YADAPP conference objectives are to</p> <ul style="list-style-type: none"> <li>• Broaden participant knowledge of substance abuse prevention at the state, local, and regional level</li> <li>• Teach leadership skills and attitudes to address common issues among their peers</li> <li>• Allow youth from across Virginia the opportunity to network</li> <li>• Teach youth to work in teams to create a substance prevention activity for their school or community</li> </ul> <p>The 29th Annual YADAPP conference was held at Longwood University July 15–19, 2013. Ninety-three youth teams representing schools and communities across Virginia participated in the conference. The</p>	

conference format consists of a variety of educational and instructional activities for both youth and adult participants. Youth participant activities were focused on developing structured problem-solving, action planning (Strategies To Act Now [STAN] plan), communication, teamwork, and relationships. Activities at the weeklong conference included:

- Motivational general sessions
- Educational free-round workshops
- Experiential learning and teambuilding
- STAN planning participant structure

The summer leadership conference used six different levels of participation and was centered on the experience of youth participants and adult sponsors. The levels, which represented steps toward increasingly responsible leadership opportunities, enriched the conference experience. The conference was a collaborative effort between all participant levels, which consisted of 372 youth participants, 95 adult sponsors, 40 youth leaders, 24 junior staff, 5 conference interns, and 12 resource officers.

**College Tour**

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:	No data

**Program Description:** Since 1986, the Virginia ABC has sponsored a college conference on alcohol education and prevention for college students and the higher education community. The College Tour model is an expansion of the college conference, with a goal of reaching more students across the state. College Tour partners with Virginia’s colleges and universities to host a series of five 1-day regional conferences that focus on preventing and reducing underage and high-risk drinking and preventing alcohol-related injuries and fatalities by promoting healthy choices, social responsibility, collaboration, and leadership. Each 1-day conference unites student leaders and college staff with the common goal of making a difference on their campuses. The workshops equip participants with best practice strategies to prevent and reduce underage and high-risk drinking on their campuses and the opportunity to network and share resources with others. Five College Tour stops will occur in 2014. (No stops occurred during this reporting period, but survey, research, and planning continued.)

**Underage Buyer (UAB) 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	Yes
URL for evaluation report:	
<a href="https://www.abc.virginia.gov/enforcement/uab-program/uab-results">https://www.abc.virginia.gov/enforcement/uab-program/uab-results</a>	
URL for more program information:	No data

**Program Description:** The Virginia ABC frequently recruits teenage youth for part-time employment in its UAB program. The UAB program is an ongoing effort by ABC to visit alcohol and tobacco retailers throughout the Commonwealth to verify compliance with the state age requirements—18 for tobacco and 21 for alcohol sales. Candidates must be 15–17 years old to qualify for the tobacco program and 17–19 years old for the alcohol program. Operatives must be willing to testify in court if necessary, and they are asked to refrain from discussing their ABC activities with others to protect the integrity of the program. Special agents, who are sworn police officers from ABC’s Bureau of Law Enforcement, accompany underage operatives during attempts to purchase cigarettes or alcohol at grocery stores, convenience stores, restaurants, and other businesses, including state ABC stores. The operatives are instructed not

to alter their appearance or mannerisms or mislead clerks in any way while attempting to make a purchase. Operatives carry their own valid identification (ID). If the store clerk asks for ID, the UAB presents his or her valid identification. Regardless of whether the sale is made, the operative leaves the store immediately after the attempt.

ABC promotes zero tolerance for underage alcohol consumption as one of its most important messages.

<b>Substance Abuse Awareness Vital for Virginia Youth (SAVVY)</b>	
Program serves specific or general population	Specific population
Number of youth served	15
Number of parents served	20
Number of caregivers served	155
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	
<a href="http://www.vosap.virginia.gov/recognition.html">http://www.vosap.virginia.gov/recognition.html</a> ;	
<a href="https://www.facebook.com/VirginiaABCEducationandPrevention">https://www.facebook.com/VirginiaABCEducationandPrevention</a>	

**Program Description:** SAVVY, launched in 2012, is a collaborative effort among state agencies and community partners to promote successful substance abuse prevention efforts. The initiative is designed to inform parents, educators, students, and youth advocates about the dangers of substance abuse. SAVVY sponsored expos throughout Virginia to provide up-to-date prevention information to everyone concerned about Virginia’s youth. The fourth, and final, SAVVY Expo occurred at the Southwest Virginia Higher Education Center in Abingdon, VA.

<b>Miss Virginia School Tour</b>	
Program serves specific or general population	Specific population
Number of youth served	3,400
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data

**Program Description:** ABC partnered with Miss Virginia to deliver an alcohol, tobacco, and drug prevention message to approximately 3,400 students throughout Virginia. Miss Virginia incorporated talking points provided by ABC and shared the “Dominion the Dog” activity booklet with elementary school students. Miss Virginia presented a message entitled, Healthy Lifestyles for Virginia’s Youth. The content of this message included, but was not limited to, the following topics:

- Get Moving Today for a Healthier Tomorrow — Miss Virginia’s personal platform encouraging youth to be physically active, eat nutritious foods, make healthy choices, and respect others and themselves
- Saying NO to alcohol, tobacco, illegal substances, inhalants, and the improper usage of prescription and nonprescription drugs
- Ill effects of bullying (physical, verbal, emotional), including cyber-bullying
- Effective leadership skills and the importance of community service
- Obeying and following rules
- Healthy friendships and relationships

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

**No data**  
 URL for more program information: No data

Program description: No data

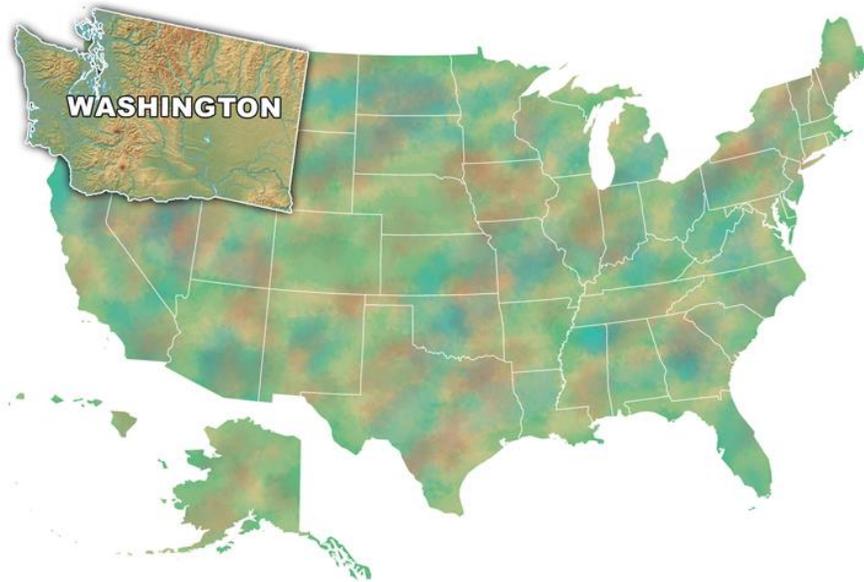
<b>Additional Clarification</b>	
No data	

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	No
Description of collaboration: Not applicable	
<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>	No data
Agencies/organizations that established best practices standards:	
Federal agency(ies):	No data
Agency(ies) within your state:	No data
Nongovernmental agency(ies):	No data
Other:	No data
Best practice standards description: No data	
<b>Additional Clarification</b>	
No data	

<b>State Interagency Collaboration</b>	
<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: Jennifer Farinholt	
E-mail: <a href="mailto:jennifer.farinholt@abc.virginia.gov">jennifer.farinholt@abc.virginia.gov</a>	
Address: 2901 Hermitage Road, Richmond, VA 23220	
Phone: No data	
<i>Agencies/organizations represented on the committee:</i>	
ABC	
Department of Education	
Virginia Foundation for Healthy Youth	
Department of Health	
Department of Social Services	
Division of Motor Vehicles	
Department of Criminal Justice Services	
Department of Behavioral Health and Developmental Disabilities	
Department of Fire Programs	
Virginia Commonwealth University School Community Collaborative	
<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: <a href="http://www.gosap.virginia.gov/about.html">http://www.gosap.virginia.gov/about.html</a>	

<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	No
Prepared by: Not applicable	
Plan can be accessed via: Not applicable	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Not sure
Prepared by: Not applicable	
Plan can be accessed via: Not applicable	
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<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	\$250,000
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	\$4,000
Estimate based on the 12 months ending	6/30/2014
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$10,000
Estimate based on the 12 months ending	6/30/2013
<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: development and distribution of educational materials; 78,451 educational brochures were dispersed during this period. Also produced and distributed “DO NOT SELL” and “STICKER SHOCK” stickers to prevent underage sales and social providing.	
Estimate of state funds expended	\$10,000
Estimate based on the 12 months ending	6/30/2013
<b>Funds Dedicated to Underage Drinking</b>	
<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	
<b>Additional Clarification</b>	
No state funds were dedicated to the enforcement of underage drinking. These initiatives were funded through the Office of Juvenile Justice and Delinquency Prevention Enforcing Underage Drinking Laws grant.	



# Washington

## State Profile and Underage Drinking Facts\*

State Population: 6,971,406  
 Population Ages 12–20: 825,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	23.8	196,000
Past-Month Binge Alcohol Use	15.5	127,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	6.9	19,000
Past-Month Binge Alcohol Use	4.3	12,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	17.4	45,000
Past-Month Binge Alcohol Use	12	31,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	44.3	133,000
Past-Month Binge Alcohol Use	28.4	85,000
<b>Alcohol-Attributable Deaths (under 21)</b>		71
<b>Years of Potential Life Lost (under 21)</b>		4,291
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	23	7

\* 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): Parent/guardian

### Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s): Parent/guardian

### Internal Possession by Minors

Internal possession is not explicitly prohibited.

*Note:* Although Washington does not prohibit Internal Possession as defined in this report, it has a statutory provision that makes it unlawful for a minor to “be in a public place...while exhibiting the effects of having consumed liquor.” Laws that punish minors for displaying “indicators of consumption” or for “exhibiting the effects” of having consumed alcohol, but do so without reference to a blood, breath, or urine test, are not considered as prohibiting Internal Possession for purposes of this report.

### 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.
- It is a criminal offense to manufacture or distribute a false ID.

#### *Provision(s) targeting retailers*

- 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 18.

#### *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***

- 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
- Unsupervised night driving
  - Prohibited after: 1 a.m.
  - No primary enforcement of the night-driving rule
- Passenger restrictions exist: First 6 months, no passengers under age 20 not in the immediate family; after 6 months, no more than three passengers under age 20 not in the immediate family
  - 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): Parent/guardian

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

- Minimum: 18
- Maximum: 20

***Appearance requirements***

- Must not be deceptively mature in appearance
- Shall not use a disguise or alter their appearance to look older

***ID possession***

- Discretionary

***Verbal exaggeration of age***

- Permitted

***Decoy training***

- Mandated—orientation required prior to field work

**Penalty Guidelines for Sales to Minors**

- Time period/conditions: 2 years
- First offense: 5-day suspension or \$500 fine

- Second offense: 7-day suspension, with monetary option only if mitigating circumstances apply
- Third offense: 30-day suspension with no monetary option
- Fourth offense: Cancellation of license

### **Responsible Beverage Service**

#### ***Mandatory beverage service training for managers, servers***

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

### **Responsible Beverage Service**

#### ***Voluntary beverage service training***

- Applies only to off-sale establishments
- Applies only to new outlets

#### ***Incentive for training***

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

### **Minimum Ages for Off-Premises Sellers**

- Beer: 18
- Wine: 18
- Spirits: 18

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

- Manager/supervisor is present.

*Note:* There must be at least two adults 21 years old or older on duty supervising the sale of spirits at the licensed premises.

### **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

#### ***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 500 feet if the public elementary or secondary school objects after receiving written notice
  - On-premises outlets: Yes—within 500 feet if the public elementary or secondary school objects after receiving written notice
  - 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.

*Note:* In *Reynolds v. Hicks*, the court held that a social host who furnishes alcohol to a minor can be held liable for resulting harms to the minor who was furnished, but is not liable for injuries caused by the minor to third parties.

**Host Party Laws**

Social host law is not specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Consumption
- Property type(s) covered by liability law: Residence, outdoor, other
- Standard for hosts' knowledge or action regarding the party: Negligence—host must have known or should have known of the event's occurrence
- Exception(s): Family

**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:*** None

***Shipping label statement requirements***

- Recipient must be 21.

**Keg Registration**

- Keg definition: 4 gallons or more
- Prohibited:
  - Possessing an unregistered, unlabeled keg—maximum fine/jail \$5000/1 year
  - Destroying the label on a keg—maximum fine/jail \$5000/1 year
- Purchaser information collected:
  - Purchaser's name and address
  - Verified by a government-issued ID
  - Address where keg will be consumed
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- Deposit: Not required
- Provisions do not specifically address disposable kegs

*Note:* Under a special endorsement from the liquor control board, a grocery store licensee may sell malt liquor in containers no larger than 5½ gallons. Research revealed no similar container size restriction imposed on other licensees.

### **Home Delivery**

- Beer: Permitted—To sell via the internet, a new license applicant must request internet sales privileges. Existing licensees must notify the board.
- Wine: Permitted—To sell via the internet, a new license applicant must request internet sales privileges. Existing licensees must notify the board.
- Spirits: Permitted—To sell via the internet, a new license applicant must request internet sales privileges. Existing licensees must notify the board.

## **Alcohol Pricing Policies**

### **Alcohol Tax**

#### ***Beer (5 percent alcohol)***

- Specific excise tax: \$0.76 per gallon

#### ***Wine (12 percent alcohol)***

- Specific excise tax: \$0.87 per gallon

#### ***Spirits (40 percent alcohol)***

- Specific excise tax (On-Premises): \$9.23 per gallon
- Specific excise tax (Off-Premises): \$14.25 per gallon
- Ad valorem excise tax (on-premises retail): 17 percent
- Ad valorem excise tax (off-premises retail): 37.5 percent
  - Sales tax does NOT apply
  - Sales tax: 6.5 percent
  - Sales tax adjusted retail ad valorem rate: 31 percent
- Ad valorem excise tax (on-premises wholesale): 23.7 percent
- Ad valorem excise tax (off-premises wholesale): 10 percent

### **Drink Specials**

- Free beverages: Not prohibited—licensee may offer a free drink on a case-by-case basis
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price, specified day or time: Not prohibited
- Unlimited beverages: Not prohibited
- Increased volume: Not prohibited

## **Wholesale Pricing**

Pricing restrictions exist.

### ***Beer (5 percent alcohol)***

- Volume discounts: Banned
- Minimum markup/maximum discount: Yes—no sales below cost
- Price posting requirements: Post
- Retailer credit: Not permitted

### ***Wine (12 percent alcohol)***

- Retailer credit: Not permitted

### ***Spirits (40 percent alcohol)***

- Minimum markup/maximum discount: Yes—no sales below cost
- Retailer credit: Not permitted

## Washington State Survey Responses

State Agency Information	
Agency with primary responsibility for enforcing underage drinking laws: Washington State Liquor Control Board	
Enforcement Strategies	
State law enforcement agencies use:	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
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	Yes
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	WA State Liquor Control Board
Such laws are also enforced by local law enforcement agencies	Don't know
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	16
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	No
State conducts underage compliance checks/decoy operations <sup>2</sup> 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 <sup>3</sup>	26,827
Number of licensees checked for compliance by state agencies (including random checks)	5,322
Number of licensees that failed state compliance checks	786
Numbers pertain to the 12 months ending	12/31/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
State conducts <b>random</b> underage compliance checks/decoy operations	Yes
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	1,526
Number of licensees that failed <b>random</b> state compliance checks	303
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	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	12/31/2013
Sanctions	
State collects data on fines imposed on retail establishments that furnish minors	Yes
Number of fines imposed by the state <sup>4</sup>	397
Total amount in fines across all licensees	\$249,700
Smallest fine imposed	\$300
Largest fine imposed	\$4,200
Numbers pertain to the 12 months ending	12/31/2013

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	82
Total days of suspensions across all licensees	573
Shortest period of suspension imposed (in days)	3
Longest period of suspension imposed (in days)	30
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	2
Numbers pertain to the 12 months ending	12/31/2013
<b>Additional Clarification</b>	
No data	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

**Underage Drinking Prevention Programs Operated or Funded by the State**

<b>Washington State Coalition to Reduce Underage Drinking</b>	
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: <a href="http://www.starttalkingnow.org">http://www.starttalkingnow.org</a>	
<b>Program Description:</b> This multiagency, multipartner group provides cross-system coordination and leveraged resources in support of underage drinking prevention efforts. The coalition is co-led by the state alcohol and drug agency (Division of Behavioral Health and Recovery [DBHR]) and the state's Liquor Control Board. The coalition also initiates and provides comments on communications efforts regarding underage drinking and policy initiatives.	
<b>Annual Let's Draw the Line Between Youth and Alcohol Campaign</b>	
Program serves specific or general population	Specific population
Number of youth served	5,000
Number of parents served	2,000
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: <a href="http://www.starttalkingnow.org">http://www.starttalkingnow.org</a>	
<b>Program Description:</b> This campaign provides minigrants to communities to partner with law enforcement to inventory alcohol advertising in their community and to increase community awareness about underage drinking and local policy initiatives. This year, 44 communities have participated and have involved more than 8,000 people across the state in underage drinking prevention efforts.	

<b>Law Enforcement Partnerships Initiative</b>	
Program serves specific or general population	Specific population
Number of youth served	50
Number of parents served	50

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: <a href="http://www.starttalkingnow.org">http://www.starttalkingnow.org</a>	
<b>Program Description:</b> This initiative provides support in targeted, high-risk communities for law enforcement and community coalitions to coordinate implementation of compliance checks, alcohol purchase surveys, and public awareness efforts regarding the enforcement efforts.	
<b>College Coalition on Substance Abuse Prevention</b>	
Program serves specific or general population	Specific population
Number of youth served	3,000
Number of parents served	16,000
Number of caregivers served	200
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://ccsap.wsu.edu">http://ccsap.wsu.edu</a>	
<b>Program Description:</b> This organization provides training and professional development support to college counseling and student affairs offices on issues impacted by alcohol and other drug use among college students in the state. Their annual 1-day conference features presentations from some of the top names in national and international research about alcohol and other drug issues, brain development, the impact of substances on college athletes, and so on.	
<b>Start Talking Now Website</b>	
Program serves specific or general population	General population
Number of youth served	No data
Number of parents served	2,000
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information: <a href="http://www.starttalkingnow.org">http://www.starttalkingnow.org</a>	
<b>Program Description:</b> This website is now our main vehicle for distributing news and materials regarding underage drinking to individuals and groups. The site features information about current trends in Washington State as well as information about biophysical impacts of substances on youth, guidance for parents in talking about substance use, and multiple free materials for download.	
<b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>No data</b>	
URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
No data	
<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	Yes
Description of collaboration: DBHR provides direct funding to the state's 29 federally recognized tribes to support services that prevent or treat substance abuse problems. Most of the tribes use these funds to support prevention efforts, most of which focus on youth issues including underage drinking.	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes

<p>Program description: In the past, Enforcing Underage Drinking Laws (EUDL) funds supported statewide media campaigns. In 2013, the Washington State Coalition for Reducing Underage Drinking (RUaD Coalition) decided that the funding available for media campaigns—following budget cuts in the federal EUDL program as well as significant cuts to the budgets of partner agencies—were insufficient to support quality statewide campaign implementation. However, several community outreach efforts remain. For example, the DBHR communications manager arranged for a major billboard company to run a series of underage drinking messages in 2013, and that company continues to provide these messages free of charge.</p>	
<p><i>State has adopted or developed best practice standards for underage drinking prevention programs</i></p>	<p>Yes</p>
<p>Agencies/organizations that established best practices standards:</p>	
<p>Federal agency(ies):</p>	<p>No</p>
<p>Agency(ies) within your state: DBHR</p>	<p>Yes</p>
<p>Non-governmental agency(ies):</p>	<p>No</p>
<p>Other:</p>	<p>No</p>
<p>Best practice standards description: DBHR requires that 60 percent of the programs and strategies implemented with the prevention set-aside from the federal Substance Abuse Prevention and Treatment Block Grant (SAPTBG) be evidence based. DBHR has successfully converted its prevention delivery system so it focuses on providing services to 52 high-risk communities, at least one in each of the state’s 39 counties. Communities have been developing strategic plans for addressing their community priorities, which must include underage drinking. In that process, best practices for community coalitions are being practiced, and implementation of the Strategic Prevention Framework is used as the planning platform for communities. Each participating community is required to organize and support a community coalition, deliver both direct service and environmental prevention services, and provide prevention/intervention services in the community’s schools.</p>	
<p><b>Additional Clarification</b></p>	
<p>No data</p>	

<p><b>State Interagency Collaboration</b></p>	
<p><i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i></p>	<p>Yes</p>
<p><i>Committee contact information:</i></p>	
<p>Name: Ray Horodowicz          Email: ray.horodowicz@dshs.wa.gov          Address: P.O. Box 45330, Olympia, WA 98504-5330          Phone: 360-725-3807</p>	
<p><i>Agencies/organizations represented on the committee:</i></p>	
<p>College Coalition for Substance Abuse Prevention          Juvenile court services/diversion          Faith community          Medical community          Mothers Against Drunk Driving (MADD)          Native American tribes          Office of Attorney General          Treatment community          Washington Association of Sheriffs and Police Chiefs          Washington Association of Substance Abuse and Violence Prevention          Washington Drug-free Communities          Coalition of Coalitions          Washington National Guard Counter Drug Task Force          Washington State Students Against Destructive Decisions (SADD)          Washington State Department of Commerce          Washington State Department of Health          Washington State Department of Social and Health Services, DBHR</p>	

Governor's Office Washington State Office of Superintendent of Public Instruction Washington State Partnership Council on Juvenile Justice Washington State Patrol Washington State Parent-Teacher Association (PTA) Washington Traffic Safety Commission and Target Zero Task Forces	
A website or other public source exists to describe committee activities	Yes
URL or other means of access: <a href="http://www.starttalkingnow.org">http://www.starttalkingnow.org</a>	
<b>Underage Drinking Reports</b>	
State has prepared a plan for preventing underage drinking in the last 3 years	Yes
Prepared by: Division of Behavioral Health and Recovery and Washington State Liquor Control Board in conjunction with the Washington State Coalition to Reduce Underage Drinking Plan can be accessed via: <a href="http://www.starttalkingnow.org">www.starttalkingnow.org</a>	
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	
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<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	\$52,000
Estimate based on the 12 months ending	12/31/2013
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$3,200,000
Estimate based on the 12 months ending	12/31/2013
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$23,000
Estimate based on the 12 months ending	12/31/2013
<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: Family Health and Safety Networks and Community Mobilization Against Substance Abuse and Violence	
Estimate of state funds expended	\$1,300,000
Estimate based on the 12 months ending	12/31/2013

<b>Funds Dedicated to Underage Drinking</b>	
<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**

It is difficult to quantify dollars spent because the programs have multiple focus points. The dollar amount given represents whole budgets for programs, not the specific pieces of the program that do underage drinking prevention work.



# West Virginia

## State Profile and Underage Drinking Facts\*

State Population: 1,854,304  
 Population Ages 12–20: 212,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	27.0	57,000
Past-Month Binge Alcohol Use	20.2	43,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	5.8	4,000
Past-Month Binge Alcohol Use	4	3,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	22.2	14,000
Past-Month Binge Alcohol Use	14.8	9,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	***	***
Past-Month Binge Alcohol Use	***	***
<b>Alcohol-Attributable Deaths (under 21)</b>		25
<b>Years of Potential Life Lost (under 21)</b>		1,506
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	19	4

\* 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.

### 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 an administrative procedure.

#### *Provision(s) targeting retailers*

- State provides incentives to retailers who use electronic scanners that read birthdate and other information digitally encoded on valid identification cards.
- 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”)

No use/lose law

### Graduated Driver’s License

#### *Learner stage*

- Minimum entry age: 15
- Minimum learner stage period: 6 months
- No minimum supervised driving requirement with driver education; 50 hours without, 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: For the first 6 months, no nonfamily passengers younger than 20 years old are permitted. For the second 6 months, no more than one nonfamily passenger younger than 20 years old is permitted.
  - 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): EITHER

- Parent/guardian OR
- Spouse

*Note:* West Virginia's exception allows relatives by blood or marriage to furnish alcohol to minors.

### **Compliance Check Protocols**

#### ***Age of decoy***

- Minimum: 18
- Maximum: 20

#### ***Appearance requirements***

- None

#### ***ID possession***

- Required

#### ***Verbal exaggeration of age***

- Prohibited

#### ***Decoy training***

- Not specified

### **Penalty Guidelines for Sales to Minors**

- Time period/conditions: Not specified
- First offense: Can impose one or combination of following sanctions: Revoke license, suspend license, place licensee on probationary status for no more than 12 months, or impose monetary penalty not to exceed \$1,000 for each violation

### **Responsible Beverage Service**

No beverage service training requirement

### **Minimum Ages for Off-Premises Sellers**

- Beer: 18
- Wine: 18
- Spirits: 18

### **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.

**Distance Limitations for New Alcohol Outlets near Universities and Schools**

***Colleges and universities***

- Limitations on outlet siting:
  - Off-premises outlets: No
  - On-premises outlets: Yes—within 300 feet. College and university have authority to override state restrictions if done in writing.
  - Alcohol products: Beer

***Primary and secondary schools***

- Prohibitions against outlet siting:
  - Off-premises outlets: No
  - On-premises outlets: Yes—within 300 feet
  - Alcohol products: Beer

**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**

No state-imposed liability for hosting underage drinking parties

**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***

- 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.
- Common carrier must record/report purchaser's name.

***Shipping label statement requirements***

- Contains alcohol
- Recipient must be 21

**Keg Registration**

Registration is not required.

**Home Delivery**

- Beer: No law
- Wine: Permitted—direct shipper’s license required. Two cases per month.
- Spirits: No law

**Alcohol Pricing Policies**

**Alcohol Tax**

***Beer (5 percent alcohol)***

- Specific excise tax: \$0.18 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)***

- Volume discounts: Banned
- Price posting requirements: Post
- Retailer credit: Not permitted

***Wine (12 percent alcohol)***

- Retailer credit: Not permitted

***Spirits (40 percent alcohol)***

- Control state

## West Virginia State Survey Responses

State Agency Information	
Agency with primary responsibility for enforcing underage drinking laws: West Virginia Alcohol Beverage Control Administration	
Enforcement Strategies	
State law enforcement agencies use:	
Cops in Shops	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
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	No
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	No
Number of minors found in possession by state law enforcement agencies	Not applicable
Number pertains to the 12 months ending	Not applicable
Data include arrests/citations issued by local law enforcement agencies	Not applicable
State conducts underage compliance checks/decoy operations <sup>2</sup> 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 <sup>3</sup>	4,761
Number of licensees checked for compliance by state agencies (including random checks)	2,442
Number of licensees that failed state compliance checks	698
Numbers pertain to the 12 months ending	12/31/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
State conducts <b>random</b> underage compliance checks/decoy operations	Yes
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	2,442
Number of licensees that failed <b>random</b> state compliance checks	698
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	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	12/31/2013
Sanctions	
State collects data on fines imposed on retail establishments that furnish minors	Yes
Number of fines imposed by the state <sup>4</sup>	144
Total amount in fines across all licensees	\$120,025
Smallest fine imposed	\$100
Largest fine imposed	\$4,500
Numbers pertain to the 12 months ending	12/31/2013

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	27
Total days of suspensions across all licensees	145
Shortest period of suspension imposed (in days)	2
Longest period of suspension imposed (in days)	45
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	0
Numbers pertain to the 12 months ending	12/31/2013
<b>Additional Clarification</b>	
No data	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

**Underage Drinking Prevention Programs Operated or Funded by the State**

<b>West Virginia Students Against Destructive Decisions (SADD)</b>	
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: <a href="http://www.wvsadd.org">http://www.wvsadd.org</a>	
<b>Program Description:</b> SADD’s mission is to provide students with the best prevention tools possible to deal with the issues of underage drinking, other drug use, risky and impaired driving, and other destructive decisions. West Virginia SADD is funded by the West Virginia Governor’s Highway Safety Program through grants received from the National Highway Traffic Safety Administration (NHTSA).	
<b>WV Collegiate Initiative to Address High Risk Alcohol Use (WVCIA)</b>	
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: <a href="http://www.wvcia.org">http://www.wvcia.org</a>	
<b>Program Description:</b> WVCIA is the state organization that proactively addresses collegiate alcohol, other drug, and associated violence issues through the use of evidence-based strategies in order to promote healthy campus environments through self-regulatory initiatives, information dissemination, public policy influence, cooperation with prevention partners, and technical assistance. Members are representatives of the state’s campuses, agencies, and communities, who encourage and enhance local, state, regional, and national initiatives through a commitment to shared standards for policy development, educational strategies, enforcement, evaluation, and community collaboration. WVCIA is funded by the WV Governor’s Highway Safety Program through grants received from NHTSA and the state’s Bureau for Behavioral Health and Health Facilities through grants received from the Substance Abuse and Mental Health Services Administration (SAMHSA).	

<b>Merchant Education</b>	
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
<b>Program Description:</b> West Virginia provides materials to alcohol merchants to educate them about the importance of selling alcohol legally and appropriately so as to avoid underage sales. The materials provided include posters bearing examples of West Virginia licenses and stickers that can be posted to inform the customer that identification is required by the merchant before selling alcohol. Additionally, our local county prevention coalitions conduct consumer and merchant education programs with the goal of reminding the public that purchasing alcohol for a minor is illegal and dangerous. Finally, one of our state-level staff members is certified as a responsible beverage service trainer (TIPS) and provides that training to merchants and colleges and universities that request it.	
<b>Compliance Checks</b>	
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
<b>Program Description:</b> Our state and local law enforcement agencies, in collaboration with the state's Alcohol Beverage Control Administration, conduct compliance checks in both on- and off-premise establishments to ensure that merchants are abiding by state code related to the sale of alcohol to minors. These compliance checks are funded in part by the West Virginia Governor's Highway Safety Program through grants received from NHTSA.	
<b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b>	
<b>No data</b>	
URL for more program information: No data	
Program description: No data	
<b>Additional Clarification</b>	
While the state of West Virginia operates the programs listed above, the funding for these programs comes from federal sources such as SAMHSA and NHTSA.	

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	No recognized tribal governments
Description of collaboration: Not applicable	
<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, Office of Juvenile Justice and Delinquency Prevention, National Institute on Drug Abuse, NHTSA	Yes
Agency(ies) within your state: Single State Authority, Governor's Highway Safety Program, Justice and Community Services	Yes

Nongovernmental agency(ies): Pacific Institute for Research and Evaluation, Center for Health and Safety Culture-Montana State University	Yes
Other:	No
Best practice standards description: West Virginia requires evidence-based programming and data-driven decisionmaking, enabling state and local entities to appropriately address issues on a statewide basis and on the county level. Examples of best practice standards include use of environmental strategies to reduce youth access to alcohol; peer-to-peer education with groups such as SADD, National Youth Leadership Initiative, Teen Institute, and Pride; and the use of evidence-based prevention education curricula such as Too Good for Drugs and Keep a Clear Mind.	
<b>Additional Clarification</b>	
No data	

<b>State Interagency Collaboration</b>	
<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: Vickie Jones, Commissioner, Bureau for Behavioral Health and Health Facilities E-mail: Victoria.L.Jones@wv.gov Address: 350 Capitol Street, Room 350, Charleston, WV 25301 Phone: 304-356-4771	
<i>Agencies/organizations represented on the committee:</i>	
Bureau for Behavioral Health and Health Facilities WV Supreme Court of Appeals West Virginia University (WVU) Department of Community Medicine WV Chiefs of Police Association Department of Military Affairs and Public Safety WV State Police, Bureau of Criminal Investigation-Drug Diversion Unit Bureau for Public Health WV Board of Pharmacy WVU School of Medicine, Department of Behavioral Medicine and Psychiatry Workforce WV WV Coalition to End Homelessness Department of Veterans Assistance WV Medical Professionals Health Program WV Behavioral Health Providers Association WV Board of Osteopathy WV State Department of Education Partnership of African-American Churches WV Coalition Against Domestic Violence A complete listing containing contact information can be found at: <a href="http://wvsubstancefree.org/docs/GACSA_Contact_List_web.pdf">http://wvsubstancefree.org/docs/GACSA_Contact_List_web.pdf</a>	
<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: <a href="http://www.wvsubstancefree.org">http://www.wvsubstancefree.org</a>	

<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: WV Governor's Advisory Council on Substance Abuse Plan can be accessed via: <a href="http://wvsubstancefree.org/resources.php">http://wvsubstancefree.org/resources.php</a>	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: WV Statewide Epidemiological Outcomes Workgroup Plan can be accessed via: <a href="http://www.dhhr.wv.gov/bhmf/Sections/programs/ProgramsPartnerships/AlcoholismandDrugAbuse/Research/Pages/DataResearch.aspx">http://www.dhhr.wv.gov/bhmf/Sections/programs/ProgramsPartnerships/AlcoholismandDrugAbuse/Research/Pages/DataResearch.aspx</a>	

**Additional Clarification**

The link provided for the report contains links to both a statewide epidemiological report and individual county profiles for each of West Virginia's 55 counties.

**State Expenditures for the Prevention of Underage Drinking**

<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$141,700
Estimate based on the 12 months ending	12/31/2013
<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	\$0
Estimate based on the 12 months ending	12/31/2013
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2013
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2013
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2013
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2013
<i>Other programs:</i>	
Programs or strategies included: None	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data

**Funds Dedicated to Underage Drinking**

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

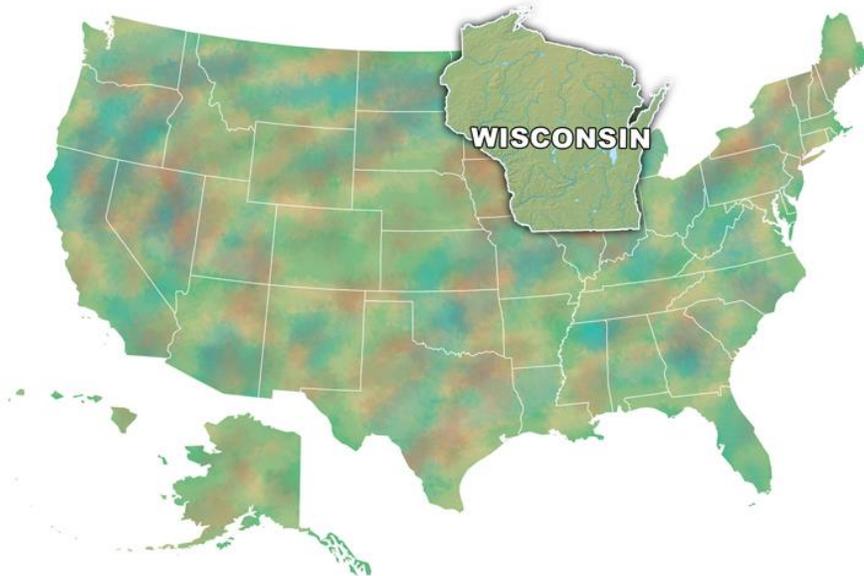
Taxes	No
Fines	No
Fees	No
Other:	No

Description of funding streams and how they are used:

Not applicable

**Additional Clarification**

Underage enforcement is funded by grants from the West Virginia Governor's Highway Safety Program with federal funding from NHTSA. Prevention activities are funded through federal grant programs from SAMHSA.



# Wisconsin

## State Profile and Underage Drinking Facts\*

State Population: 5,742,713  
 Population Ages 12–20: 674,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	28.4	192,000
Past-Month Binge Alcohol Use	18.0	121,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.3	10,000
Past-Month Binge Alcohol Use	0.9	2,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	25	56,000
Past-Month Binge Alcohol Use	12.6	28,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	55.5	126,000
Past-Month Binge Alcohol Use	40.1	91,000
<b>Alcohol-Attributable Deaths (under 21)</b>		72
<b>Years of Potential Life Lost (under 21)</b>		4,372
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	33	9

\* 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 not explicitly prohibited.

### 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.
- 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.
- It is a criminal offense to manufacture or distribute 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 statutory right to sue a minor who uses a false ID to purchase alcohol for any losses or fines suffered by the retailer as a result of the illegal sale.

## 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 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***

- Discretionary

***Length of suspension/revocation***

- Minimum: 30 days
- Maximum: 90 days

**Graduated Driver’s License**

***Learner stage***

- Minimum entry age: 15 years, 6 months
- Minimum learner stage period: 6 months
- Minimum supervised driving requirement: 30 hours, of which 10 must be at night

***Intermediate stage***

- Minimum age: 16
- Unsupervised night driving
  - Prohibited after: 12 a.m.
  - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one person under 21 who is not an immediate family member or instructor
  - Primary enforcement of the passenger-restriction rule

***License stage***

- Minimum age to lift restrictions: 16 years, 9 months

**Laws Targeting Alcohol Suppliers**

**Furnishing of Alcohol to Minors**

Furnishing is prohibited with the following exception(s): EITHER

- Parent/guardian OR
- Spouse

**Compliance Check Protocols**

No data

**Penalty Guidelines for Sales to Minors**

No data

**Responsible Beverage Service**

***Mandatory beverage service training for licensees, servers***

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

**Minimum Ages for Off-Premises Sellers**

- Beer: 18
- Wine: 18
- Spirits: 18

*Note:* No person, including a member of the licensee’s or permittee’s immediate family, other than the licensee, permittee, or agent, may serve fermented malt or alcohol beverages in any

place operated under a Class “A,” “Class A,” Class “B,” “Class B,” or “Class C” license or permit unless he or she has an operator’s license or is at least 18 years old and is under the immediate supervision of the licensee, permittee, agent, or a person holding an operator’s license who is on the premises at the time of the service. Thus, if an 18-year-old held an operator’s license, he or she would not require immediate supervision by a manager or supervisor.

### **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

*Note:* No person, including a member of the licensee’s or permittee’s immediate family, other than the licensee, permittee, or agent, may serve fermented malt or alcohol beverages in any place operated under a Class “A,” “Class A,” Class “B,” “Class B,” or “Class C” license or permit unless he or she has an operator’s license or is at least 18 years old and is under the immediate supervision of the licensee, permittee, agent, or a person holding an operator’s license who is on the premises at the time of the service. Thus, if an 18-year-old held an operator’s license, he or she would not require immediate supervision by a manager or supervisor.

### **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 300 feet. Local government has authority to override state restrictions
  - On-premises outlets: Yes—within 300 feet. Local government has authority to override state restrictions
  - Alcohol products: Wine, spirits

### **Dram Shop Liability**

Statutory liability exists.

### **Social Host Liability Laws**

Statutory liability exists.

### **Host Party Laws**

Social host law is not specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: 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
- Preventive action by the host negates the violation

*Note:* The “preventive action” provision in Wisconsin allows the prosecution to establish guilt by proving that the host failed to take preventive action.

### **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:* None

*State approval/permit requirements*

- Producer/shipper must obtain state permit.

*Reporting requirements*

- Producer must record/report purchaser's name.

*Shipping label statement requirements*

- Recipient must be 21.

### **Keg Registration**

Registration is not required.

### **Home Delivery**

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

## **Alcohol Pricing Policies**

### **Alcohol Tax**

*Beer (5 percent alcohol)*

- Specific excise tax: \$0.06 per gallon

*Wine (12 percent alcohol)*

- Specific excise tax: \$0.25 per gallon

*Spirits (40 percent alcohol)*

- Specific excise tax: \$3.36 per gallon

### **Drink Specials**

No law

### **Wholesale Pricing**

Pricing restrictions exist.

*Beer (5 percent alcohol)*

- Minimum markup/maximum discount: Yes—3 percent markup to cover a proportionate part of the cost of doing business or a lesser amount with proof. No sales below cost allowed.
- Retailer credit: Restricted—15 days maximum

***Wine (12 percent alcohol)***

- Minimum markup/maximum discount: Yes—3 percent markup to cover a proportionate part of the cost of doing business or a lesser amount with proof. No sales below cost allowed.
- Retailer credit: Restricted—30 days maximum

***Spirits (40 percent alcohol)***

- Minimum markup/maximum discount: Yes—3 percent markup to cover a proportionate part of the cost of doing business or a lesser amount with proof. No sales below cost allowed.
- Retailer credit: Restricted—30 days maximum

## Wisconsin State Survey Responses

<b>State Agency Information</b>	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> No state agency has primary responsibility.	
<b>Enforcement Strategies</b>	
<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	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/shipments of alcohol to minors	Not applicable
Such laws are also enforced by local law enforcement agencies	Not applicable
<b>Enforcement Statistics</b>	
<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
Number pertains to the 12 months ending	Not applicable
Data include arrests/citations issued by local law enforcement agencies	Not applicable
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	No
Number of retail licensees in state <sup>3</sup>	17,173
Number of licensees checked for compliance by state agencies (including random checks)	Not applicable
Number of licensees that failed state compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Not applicable
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	Not applicable
Number of licensees that failed <b>random</b> 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>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by local agencies	No
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state <sup>4</sup>	No
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 specifically for furnishing minors</i>	
Number of suspensions imposed by the state <sup>5</sup>	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 <sup>6</sup>	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Additional Clarification</b>	
Wisconsin is a local control state. Each city, town, and municipality is responsible for alcohol sales, licensing, compliance, and enforcement.	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

**Underage Drinking Prevention Programs Operated or Funded by the State**

**Parents Who Host Lose the Most**

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	Yes
URL for evaluation report: <a href="https://www.drugfreeactionalliance.org/parents-who-host/evaluation">https://www.drugfreeactionalliance.org/parents-who-host/evaluation</a>	
URL for more program information: <a href="https://sites.google.com/site/parentswhohostawi">https://sites.google.com/site/parentswhohostawi</a>	

**Program Description:** Developed by the Drug-Free Action Alliance of Ohio, the “Parents Who Host Lose the Most: Don’t be a party to teenage drinking” public awareness campaign is aimed at many well-meaning parents who think it is enough to take away car keys at their teens’ parties so the teens can’t drink and drive. Parents may provide the alcohol or allow alcohol to be consumed based on the false belief that it’s a rite of passage, especially at prom and graduation parties. The campaign was developed in 2000 to educate parents about the health and safety risks of serving alcohol at teen parties and to increase awareness of and compliance with the Ohio Underage Drinking Laws and was modified to meet the needs of Wisconsin communities. Some 62 communities annually implement the campaign with cooperation from law enforcement during prom and graduation season. In 2014, the governor signed a proclamation declaring April as Teenage Drinking Awareness Month to coincide with this campaign.

**Alliance for Wisconsin Youth**

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: <a href="http://www.allwisyouth.org">http://www.allwisyouth.org</a>	

<p><b>Program Description:</b> The Alliance for Wisconsin Youth brings together coalitions, individuals, and resources to prevent substance abuse and related behavioral health concerns from affecting young people and to promote positive youth development. The Alliance’s mission is to enhance and support the capacity of local alliances (member coalitions) in their prevention and youth development work. Over 120 local coalitions are members of the Alliance. The Alliance is served by five Regional Prevention Centers that provide support, training, and technical assistance to community coalitions to prevent alcohol and drug abuse. These coalitions work to implement environmental strategies to prevent underage drinking, among other state priorities.</p>																			
<p><b>Substance Abuse Prevention and Treatment Block Grant Programs</b></p> <table border="0"> <tr> <td>Program serves specific or general population</td> <td>General population</td> </tr> <tr> <td>Number of youth served</td> <td>Not applicable</td> </tr> <tr> <td>Number of parents served</td> <td>Not applicable</td> </tr> <tr> <td>Number of caregivers served</td> <td>Not applicable</td> </tr> <tr> <td>Program has been evaluated</td> <td>No</td> </tr> <tr> <td>Evaluation report is available</td> <td>Not applicable</td> </tr> <tr> <td>URL for evaluation report:</td> <td>Not applicable</td> </tr> <tr> <td>URL for more program information:</td> <td></td> </tr> <tr> <td colspan="2"><a href="http://scaoda.state.wi.us/docs/main/2014/MHSABGFINAL9313.pdf">http://scaoda.state.wi.us/docs/main/2014/MHSABGFINAL9313.pdf</a></td> </tr> </table>		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:		<a href="http://scaoda.state.wi.us/docs/main/2014/MHSABGFINAL9313.pdf">http://scaoda.state.wi.us/docs/main/2014/MHSABGFINAL9313.pdf</a>	
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Number of youth served	Not applicable																		
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Program has been evaluated	No																		
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<p><b>Program Description:</b> The Wisconsin Department of Health Services (DHS), Division of Mental Health and Substance Abuse Services, receives the Substance Abuse and Mental Health Services Administration Substance Abuse Prevention and Treatment Block Grant (SAPTBG). Of the funds received, 20 percent are used to support substance abuse prevention services, including underage drinking prevention. The majority of funds are distributed to county-operated Human Service Departments for the delivery of prevention services. Most provide individual-level prevention services.</p>																			
<p><b>Alcohol Policy Project</b></p> <table border="0"> <tr> <td>Program serves specific or general population</td> <td>General population</td> </tr> <tr> <td>Number of youth served</td> <td>Not applicable</td> </tr> <tr> <td>Number of parents served</td> <td>Not applicable</td> </tr> <tr> <td>Number of caregivers served</td> <td>Not applicable</td> </tr> <tr> <td>Program has been evaluated</td> <td>No</td> </tr> <tr> <td>Evaluation report is available</td> <td>Not applicable</td> </tr> <tr> <td>URL for evaluation report:</td> <td>Not applicable</td> </tr> <tr> <td>URL for more program information:</td> <td></td> </tr> <tr> <td colspan="2"><a href="http://law.wisc.edu/wapp">http://law.wisc.edu/wapp</a></td> </tr> </table>		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:		<a href="http://law.wisc.edu/wapp">http://law.wisc.edu/wapp</a>	
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:																			
<a href="http://law.wisc.edu/wapp">http://law.wisc.edu/wapp</a>																			
<p><b>Program Description:</b> This project is run out of the University of Wisconsin Law School. It provides training and education on a statewide level to coalitions and prevention professionals on alcohol policy and licensing issues. Since alcohol licensing is done at a municipal level, the alcohol policy project provides guidance to local prevention providers on how to work with elected officials to change the alcohol environment in their community.</p>																			
<p><b>Additional Underage Drinking Prevention Programs Operated or Funded by the State</b></p>																			
<p><b>No data</b></p> <p>URL for more program information: No data</p>																			
<p>Program description: No data</p>																			
<p><b>Additional Clarification</b></p> <p>Many of these questions refer to prevention “programs” that serve indicated or selected populations. Wisconsin has moved many of its services toward environmental strategies influencing population-level change through policies and strategies; thus, many of the questions requesting data on number of youth, parents, or caregivers served do not apply. In addition, Wisconsin is a “local control” state, meaning that alcohol policy is done locally (regarding licensure, sales, and enforcement). Wisconsin does not have a statewide Alcohol Control Board. Each city, town, or municipality has its own alcohol licensing board as part of local government that issues alcohol sales licenses and is also responsible for suspension or revocation of these licenses.</p>																			

<b>Additional Information Related to Underage Drinking Prevention Programs</b>	
<p><i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i></p> <p>Description of collaboration: The state has worked with the tribes through the Great Lakes Inter-Tribal Council (representing Wisconsin's 11 Tribes) on a state/tribal Strategic Prevention Framework State Incentive Grant, Strategic Prevention Enhancement Grant, and Partnership for Success II grant. The Wisconsin Department of Health Services (DHS) also consults on a Tribal State Collaborative for Positive Change. The single state authority on alcohol and drug abuse and tribal leaders of Wisconsin's 11 Native American tribes collaborate on alcohol and drug abuse and mental health services. DHS provides each of Wisconsin's 11 Native American tribes with funding to support alcohol and drug abuse prevention and treatment services and other behavioral health services.</p>	Yes
<p><i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i></p> <p>Description of program: Not applicable</p>	No
<p><i>State has adopted or developed best practice standards for underage drinking prevention programs</i></p> <p>Agencies/organizations that established best practices standards:</p> <p>Federal agency(ies): No</p> <p>Agency(ies) within your state: Wisconsin DHS, Division of Mental Health and Substance Abuse Services, Bureau of Prevention Treatment and Recovery Yes</p> <p>Nongovernmental agency(ies): No</p> <p>Other: No</p> <p>Best practice standards description: The state identified substance abuse programs that appear on a national list or registry including National Registry of Evidence-based Programs and Practices or Office of Justice Assistance, as well as in recommendation reports completed by the State Council on Alcohol and Other Drug Abuse. These reports were developed by a committee of experts and are considered to be evidence-based for the purposes of prevention funding in the state. To date, three recommendation reports are available, the Alcohol Culture and Environment Report, the Controlled Substances Call to Action report, and the 911 Good Samaritan Report. They can be accessed at <a href="http://www.scaoda.state.wi.us">http://www.scaoda.state.wi.us</a>.</p>	Yes
<b>Additional Clarification</b>	
No data	

<b>State Interagency Collaboration</b>	
<p><i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i></p>	Yes
<p><i>Committee contact information:</i></p> <p>Name: Michael Waupoose            E-mail: michael.waupoose@uwmf.wisc.edu            Address: 3414 Sunbrook Rd., Madison, WI 53704            Phone: No data</p>	
<p><i>Agencies/organizations represented on the committee:</i></p> <p>Governor's Office            Attorney General's Office            State Superintendent of Public Instruction Office            Commissioner of Insurance Office            Department of Corrections            Depart of Transportation            Pharmacy Examining Board            Controlled Substances Board            Citizen members            Wisconsin County Human Services Association            State Representative, Majority Party            State Representative, Minority Party</p>	

State Senator Majority Party State Senator Minority Party University of Wisconsin Extension Department of Revenue Department of Workforce Development Department of Regulation and Licensing Wisconsin Technical College System Department of Veterans Affairs Liaison to the Mental Health Council Liaison to the Developmental Disabilities Council Division of Public Health Department of Children and Families Department of Health Services	
A website or other public source exists to describe committee activities URL or other means of access: <a href="http://www.scaoda.state.wi.us">http://www.scaoda.state.wi.us</a>	Yes

<b>Underage Drinking Reports</b>	
State has prepared a plan for preventing underage drinking in the last 3 years Prepared by: Not applicable Plan can be accessed via: Not applicable	No
State has prepared a report on preventing underage drinking in the last 3 years Prepared by: WI State Epidemiological Outcomes Workgroup Plan can be accessed via: <a href="http://www.dhs.wisconsin.gov/publications/P4/P45718-12.pdf">http://www.dhs.wisconsin.gov/publications/P4/P45718-12.pdf</a>	Yes
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<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	\$200,000
Estimate based on the 12 months ending	12/31/2013
<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

<b>Funds Dedicated to Underage Drinking</b>	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	Yes
Fees	No
Other:	No
<i>Description of funding streams and how they are used:</i>	
Fines for underage drinking citations are used locally to support prevention efforts.	
<b>Additional Clarification</b>	
No data	



# Wyoming

## State Profile and Underage Drinking Facts\*

State Population: 582,658  
 Population Ages 12–20: 68,000

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	25.9	18,000
Past-Month Binge Alcohol Use	17.9	12,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	6.6	1,000
Past-Month Binge Alcohol Use	3.7	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	22.2	5,000
Past-Month Binge Alcohol Use	14.3	3,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	45.4	12,000
Past-Month Binge Alcohol Use	33.1	8,000
<b>Alcohol-Attributable Deaths (under 21)</b>		10
<b>Years of Potential Life Lost (under 21)</b>		591
	<b>Percentage of All Traffic Fatalities</b>	<b>Number</b>
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	24	2

\* 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***

- Not specified

#### ***Verbal exaggeration of age***

- Prohibited

#### ***Decoy training***

- Mandated

### **Penalty Guidelines for Sales to Minors**

No written guidelines

**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

## Wyoming State Survey Responses

<b>State Agency Information</b>	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Wyoming Department of Revenue, Liquor Division, Compliance Section Such laws are also enforced by local law enforcement agencies.	
<b>Enforcement Strategies</b>	
<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/shipments of alcohol to minors	Not applicable
Such laws are also enforced by local law enforcement agencies	Not applicable
<b>Enforcement Statistics</b>	
<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	315
Number pertains to the 12 months ending	12/31/2013
Data include arrests/citations issued by local law enforcement agencies	Yes
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	No
Data are collected on these activities	No
Number of retail licensees in state <sup>3</sup>	1,131
Number of licensees checked for compliance by state agencies <b>(including random checks)</b>	Not applicable
Number of licensees that failed state compliance checks	Not applicable
Numbers pertain to the 12 months ending	6/30/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	No
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	Not applicable
Number of licensees that failed <b>random</b> 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	1,069
Number of licensees that failed local compliance checks	140
Numbers pertain to the 12 months ending	6/30/2013
<b>Sanctions</b>	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	Don't know
Number of fines imposed by the state <sup>4</sup>	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 specifically for furnishing minors</i>	Don't know
Number of suspensions imposed by the state <sup>5</sup>	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>	Don't know
Number of license revocations imposed <sup>6</sup>	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<b>Additional Clarification</b>	
The only alcohol allowed by state law to be directly shipped into Wyoming is wine. Few if any known issues of underage purchase or use are associated with this practice. The Compliance Section has a good working relationship with local law enforcement in the enforcement of the state liquor laws.	

<sup>1</sup> Or having consumed or purchased per state statutes

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses

<sup>4</sup> Does not include fines imposed by local agencies

<sup>5</sup> Does not include suspensions imposed by local agencies

<sup>6</sup> Does not include revocations imposed by local agencies

**Underage Drinking Prevention Programs Operated or Funded by the State**

<b>Wyoming Substance Abuse Prevention Program</b>	
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	Yes
URL for evaluation report: <a href="http://www.health.wyo.gov/phsd/prevention/preventiondataandreports.html">http://www.health.wyo.gov/phsd/prevention/preventiondataandreports.html</a>	
URL for more program information: <a href="http://www.health.wyo.gov/phsd/prevention/index.html">http://www.health.wyo.gov/phsd/prevention/index.html</a>	
<b>Program Description:</b> The Substance Abuse Prevention Program is administered by the Public Health Division and braids together state general funds, tobacco settlement funds, and federal funds. Community funding is provided through a single servicing organization called the Prevention Management Organization (PMO). The PMO serves as the agency responsible for conducting and managing the Department of Health's population-based public health prevention activities associated with alcohol misuse and abuse, tobacco use, ther substance use, and suicide as well as wellness efforts to improve nutrition and physical activity in Wyoming communities. Services provided are part of the comprehensive plan in order to accomplish the Department's goals of reducing the primary health burden of substance use and abuse and secondary health burdens resulting from the chronic disease associated therewith.	
Programmatically, the PMO provides community funding for prevention efforts in Wyoming that is used primarily to (a) create environmental changes throughout communities and other systems (e.g., schools, workplaces); (b) promote behavioral changes in individuals that drive healthier lifestyle choices to prevent or reduce chronic disease (e.g., helping tobacco users quit smoking, encouraging adults to avoid unhealthy alcohol consumption, prevention youth from initiating alcohol and tobacco use, promoting improved nutritional and physical activity outcomes); and (c) educate residents and mobilize communities to create such changes through the strategic use of marketing and media. All of these efforts are developed and implemented in accordance with the best scientific research available in the pertinent prevention/early intervention fields and based on community-level data to ensure the most efficacious utilization of resources.	

Further efforts are with Wyoming law enforcement through the Wyoming Association of Sheriffs and Chiefs of Police (WASCOP), which conducts alcohol retailer education and compliance checks statewide. WASCOP promotes Training in Intervention Procedures (TIPS) for alcohol retailers. Many Wyoming law enforcement agencies provide this training free to retailers in their jurisdiction. This training is for retailers and their employees and trains them in detecting fake IDs, using appropriate server practices, and successfully handling intoxicated customers. These measures are intended to improve their business practices and business environment and improve profitability, while at the same time reducing underage drinking and overconsumption of alcohol and the social problems associated with them.

Evaluation of local and state prevention efforts is through the Wyoming Survey and Analysis Center, an extension of the University of Wyoming.

**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 WY Department of Health communicates and shares information and resources with both tribal nations located in Wyoming on prevention of underage drinking.	

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Program description: There is no statewide program or effort to reduce youth exposure to marketing. Work being done to reduce youth exposure is done at the community level with state support and funding. The Substance Abuse Prevention Program requires all community implementation of any strategy to be evidence-based. This mandate is reinforced through ongoing technical support and evaluation.	

<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): National Registry of Evidence-based Programs and Practices	Yes
Agency(ies) within your state:	No
Nongovernmental agency(ies):	No
Other: Evidence-Based Workgroup (subgroup of the State Epidemiological Outcomes Workgroup)	Yes
Best practice standards description: Communities funded through this program are charged with community collaboration, coalition mobilization, and environmental change promotion through data-driven strategic planning provided through evidence-based programs and services.	

**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
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*Committee contact information:*  
 No data

*Agencies/organizations represented on the committee:*  
 This organization is currently being created as a Governor’s Taskforce and shall be in effect within the coming fiscal year.

<i>A website or other public source exists to describe committee activities</i>	No
URL or other means of access: Not applicable	

<b>Underage Drinking Reports</b>	
State has prepared a plan for preventing underage drinking in the last 3 years	Yes
Prepared by: The Wyoming Department of Health in collaboration with law enforcement, other state agencies, and community stakeholders. Plan can be accessed via: No data	
State has prepared a report on preventing underage drinking in the last 3 years	Yes
Prepared by: The Wyoming Survey & Analysis Center under contract with the Wyoming Department of Health. Plan can be accessed via: <a href="http://www.health.wyo.gov/phsd/prevention/AlcoholPrevention.html">http://www.health.wyo.gov/phsd/prevention/AlcoholPrevention.html</a>	
<b>Additional Clarification</b>	
No data	

<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$150,000
Estimate based on the 12 months ending	6/30/2013
<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	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	\$485,000
Estimate based on the 12 months ending	12/31/2013
<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	No data
Estimate based on the 12 months ending	No data

<b>Funds Dedicated to Underage Drinking</b>	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No
Fees	No
Other: Tobacco Settlement Funds	Yes
<i>Description of funding streams and how they are used:</i>	
Tobacco settlement funds are used to fund statewide compliance checks.	
<b>Additional Clarification</b>	
No data	