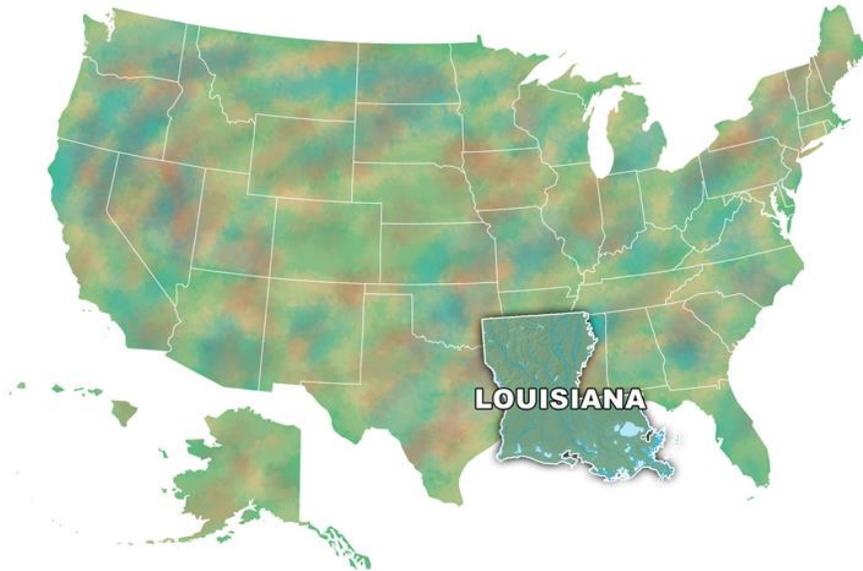


State Report

Louisiana

This document is excerpted from:

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



Louisiana

State Profile and Underage Drinking Facts*

State Population: 4,625,470
 Population Ages 12–20: 567,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	24.6	139,000
Past-Month Binge Alcohol Use	15.3	87,000
Ages 12–14		
Past-Month Alcohol Use	6.5	12,000
Past-Month Binge Alcohol Use	2.3	4,000
Ages 15–17		
Past-Month Alcohol Use	23	44,000
Past-Month Binge Alcohol Use	13.7	26,000
Ages 18–20		
Past-Month Alcohol Use	42.1	84,000
Past-Month Binge Alcohol Use	28.3	57,000
Alcohol-Attributable Deaths (under 21)		113
Years of Potential Life Lost (under 21)		6,832
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	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 OR
- Parent/guardian OR
- Spouse

Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s):

- Private residence OR
- 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

- 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.

Note: In Louisiana, beginning January 1, 2000, and thereafter, special identification cards issued to applicants less than 21 years old shall contain a highly visible distinctive color to clearly indicate that the card has been issued to an applicant less than 21 years old. The special identification card is to be accepted as valid identification of the person to whom it is issued but does not enable the person to whom it is issued to operate a motor vehicle.

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: 90 days
- Maximum: 365 days

Graduated Driver’s License

Learner stage

- Minimum entry age: 15
- Minimum learner stage period: 6 months
- Minimum supervised driving requirement: 50 hours, of which 15 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 under 21 who is not an immediate family member between the hours of 6 p.m. and 5 a.m., unless accompanied by a licensed driver at least 21 years old
 - 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

Compliance Check Protocols

No data

Penalty Guidelines for Sales to Minors

- Time period/conditions: 3 years
- First offense: \$50–\$500 fine
- Second offense: \$250–\$1,000 fine
- Third offense: \$500–\$2,500 fine

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: Not specified
- Wine: Not specified
- Spirits: Not specified

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

- 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

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: None

State approval/permit requirements

- Producer/shipper must obtain state permit.

Reporting requirements

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

Shipping label statement requirements

- Contains alcohol
- Recipient must be 21

Keg Registration

- Keg definition: 4 or more 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: Permitted—no more than 144 (750 ml) bottles per year per person per household.
- Spirits: No law

Alcohol Pricing Policies

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$0.32 per gallon

Wine (12 percent alcohol)

- Specific excise tax: \$0.11 per gallon
- Additional taxes: \$0.32 per gallon for alcohol content of 6 percent or less

Spirits (40 percent alcohol)

- Specific excise tax: \$2.50 per gallon

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
- Unlimited beverages: Prohibited—not permitted after 10 p.m.
- 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: Restricted—15 days maximum

Spirits (40 percent alcohol)

- Volume discounts: Banned
- Retailer credit: Restricted—15 days maximum

Louisiana State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Louisiana Office of Alcohol and Tobacco Control	
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	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 Office of Alcohol and Tobacco 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 108
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 operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of retail licensees in state ³	15,114
Number of licensees checked for compliance by state agencies (including random checks)	5,785
Number of licensees that failed state compliance checks	173
Numbers pertain to the 12 months ending	6/30/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	On- and off-sale establishments
<i>State conducts random underage compliance checks/decoy operations</i>	
Number of licensees subject to random state compliance checks/decoy operations	No Not applicable
Number of licensees that failed random state compliance checks	Not applicable
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	No data
Number of licensees checked for compliance by local agencies	No data
Number of licensees that failed local compliance checks	No data
Numbers pertain to the 12 months ending	No data
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state ⁴	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>	Yes
Number of suspensions imposed by the state ⁵	9
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	6/30/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed ⁶	1
Numbers pertain to the 12 months ending	6/30/2013
Additional Clarification	
No data	

¹ Or having consumed or purchased per state statutes.

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

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

Project Northland

Program serves specific or general population	General population
Number of youth served	8,241
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:	
http://www.hazelden.org/web/go/projectnorthland	

Program Description: Project Northland is a multilevel intervention involving students, peers, parents, and communities 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 to 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 through 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.

Protecting You/Protecting Me (PY/PM)

Program serves specific or general population	General population
Number of youth served	1,137
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:	http://www.hazelden.org/web/go/pypm

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 consists of a series of 40 science- and health-based lessons, with eight lessons per year for grades 1 to 5. All lessons are correlated with educational achievement objectives. 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.
3. Life skills, including decisionmaking, stress management, media awareness, resistance strategies, and communication.

Lessons are taught weekly and last 20–25 minutes or 45–50 minutes, depending on the grade level. A variety of ownership activities promote students’ ownership of the information and reinforce the skills taught during each lesson. 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. The curriculum can be taught by school staff or prevention specialists. PY/PM’s high school component is a youth-led implementation model involving delivery of the PY/PM curriculum to elementary students by trained high school students who are enrolled in a peer mentoring, family and consumer science, or leadership course for credit. The program’s benefits to high school students are derived from learning about the brain and how alcohol use can affect adolescents, serving as role models to the elementary school participants, and taking coursework in preparation for delivering the curriculum.

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

The state funds only two programs (Project Northland and Protecting You/Protecting Me) that specifically target underage drinking. The state funds additional prevention programs that are broader in scope as they address alcohol, tobacco, and other drugs. From July 1, 2012, to June 30, 2013, these additional programs served 78,652 youth across the state and are listed below:

Life Skills Training, Kids Don’t Gamble...Wanna Bet?, Second Step, Coping Skills, Too Good for Drugs, Al’s Pal, Positive Action, Guided Imagery Program, Project Alert, Project Toward No Tobacco Use, All Stars, Keep A Clear Mind, Strengthening Families, Insight Class Program

Additional Information Related to Underage Drinking Prevention Programs

<i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i>	No
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Description of collaboration: Not applicable

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
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Description of program: Not applicable

<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): Substance Abuse and Mental Health Services Administration (SAMHSA)	Yes
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Agency(ies) within your state: Office of Behavioral Health – SAPT Block Grant	Yes
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Nongovernmental agency(ies):	No
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Other:	No
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Best practice standards description: No data	
Additional Clarification	
The state looks to SAMHSA for guidance on best practices.	

State Interagency Collaboration	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<i>Committee contact information:</i> Name: Dawn Diez E-mail: Dawn.Diez@la.gov Address: 628 N. 4th Street, Baton Rouge, LA 70802 Phone: 225-342-7722	
<i>Agencies/organizations represented on the committee:</i> Office of the Governor - Drug Policy Board Department of Health and Hospitals (DHH)/Office of Behavioral Health Louisiana Highway Safety Commission Department of Education Louisiana State Police Attorney General's Office Louisiana Army National Guard Louisiana Commission on Law Enforcement Office of Juvenile Justice Louisiana Sheriff's Association Hispanic Community Representative Office of the Governor Elderly Affairs Historically Black Colleges & Universities Louisiana Commission on Addictive Disorders Private Organization Involved in Substance Abuse Prevention Louisiana Center Addressing Substance use in Collegiate Communities Louisiana State University School of Public Health DHH/Office of Public Health Chronic Disease Prevention and Control Unit Department of Public Safety and Corrections Louisiana Addictive Disorders Regulatory Authority MADD (Mothers Against Drunk Driving) District Attorney's Association Louisiana Department of Veteran Affairs Children's Cabinet Office of the Governor - Disability Affairs Supreme Court Drug Court Program State Epidemiology Workgroup	

<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: http://www.gov.state.la.us/index.cfm?md=pagebuilder&tmp=home&navID=252&parentNavID=93&catID=124&catID=0	

Underage Drinking Reports	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Prevention Systems Committee - a standing subcommittee of the Louisiana Drug Policy board Plan can be accessed via: http://www.gov.state.la.us/index.cfm?md=pagebuilder&tmp=home&navID=252&parentNavID=93&catID=124&catID=0	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes

Prepared by: State Epidemiology Workgroup
 Plan can be accessed via: <http://www.bach-harrison.com/lasocialindicators>

Additional Clarification

No data

State Expenditures for the Prevention of Underage Drinking

<i>Compliance checks in retail outlets:</i>		
Estimate of state funds expended		Data not available
Estimate based on the 12 months ending		Data not available
<i>Checkpoints and saturation patrols:</i>		
Estimate of state funds expended		Data not available
Estimate based on the 12 months ending		Data not available
<i>Community-based programs to prevent underage drinking:</i>		
Estimate of state funds expended		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		\$550,262
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		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: No state general funds are utilized to address underage drinking programs.		
Estimate of state funds expended		\$0
Estimate based on the 12 months ending		No data

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 data

Description of funding streams and how they are used:
 Expenditures included in K–12 school-based programs to prevent underage drinking are funds from the 20 percent prevention set-aside from the Substance Abuse Treatment and Prevention Block Grant. Funding expenditures included costs associated with Project Northland and Protecting You/Protecting Me.

Additional Clarification

No data