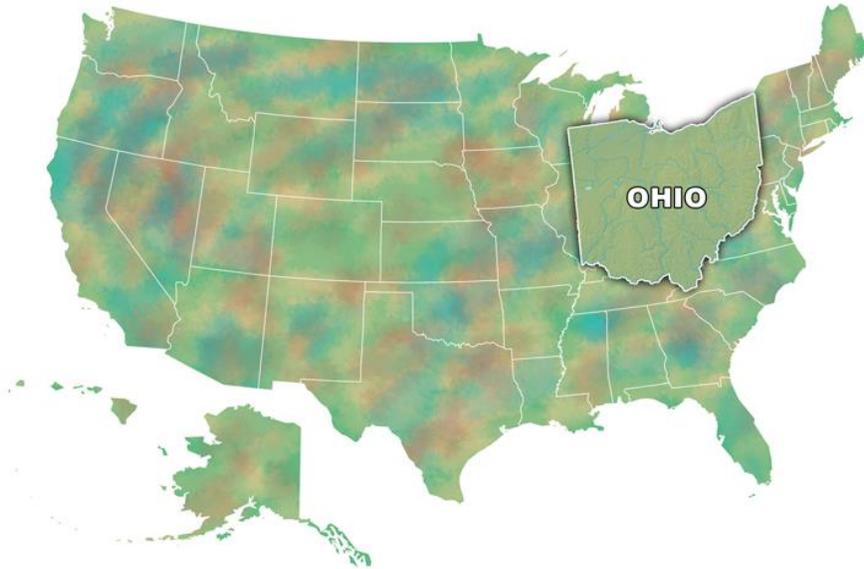


State Report

Ohio

This document is excerpted from:

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



Ohio

State Profile and Underage Drinking Facts*

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

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	25.6	369,000
Past-Month Binge Alcohol Use	16.4	236,000
Ages 12–14		
Past-Month Alcohol Use	4.1	19,000
Past-Month Binge Alcohol Use	1.8	8,000
Ages 15–17		
Past-Month Alcohol Use	20.8	97,000
Past-Month Binge Alcohol Use	11.9	55,000
Ages 18–20		
Past-Month Alcohol Use	49.2	253,000
Past-Month Binge Alcohol Use	33.5	172,000
Alcohol-Attributable Deaths (under 21)		142
Years of Potential Life Lost (under 21)		8,667
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	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/shippments 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 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	23,593
Number of licensees checked for compliance by state agencies (including random checks)	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 random underage compliance checks/decoy operations</i>	
Number of licensees subject to random state compliance checks/ decoy operations	Yes 1,019
Number of licensees that failed random 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 ⁴	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 ⁵	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 ⁶	5
Numbers pertain to the 12 months ending	12/31/2013
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

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: https://www.drugfreeactionalliance.org	
URL for more program information: https://www.drugfreeactionalliance.org	

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

Additional Information Related to Underage Drinking Prevention Programs	
State collaborates with federally recognized tribal governments in the prevention of underage drinking Description of collaboration: Not applicable	No recognized tribal governments
State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing Description of program: Not applicable	No
State has adopted or developed best practice standards for underage drinking prevention programs 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:	Yes Yes Yes No No
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.	
Additional Clarification	
No data	

State Interagency Collaboration	
A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Committee contact information: Not applicable	No
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
Underage Drinking Reports	
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: Not applicable Plan can be accessed via: Not applicable	No
Additional Clarification	
No data	

State Expenditures for the Prevention of Underage Drinking	
Compliance checks in retail outlets: Estimate of state funds expended Estimate based on the 12 months ending	Data not available Data not available
Checkpoints and saturation patrols: Estimate of state funds expended Estimate based on the 12 months ending	Data not available Data not available
Community-based programs to prevent underage drinking: Estimate of state funds expended Estimate based on the 12 months ending	\$0 Data not available
K–12 school-based programs to prevent underage drinking: 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.