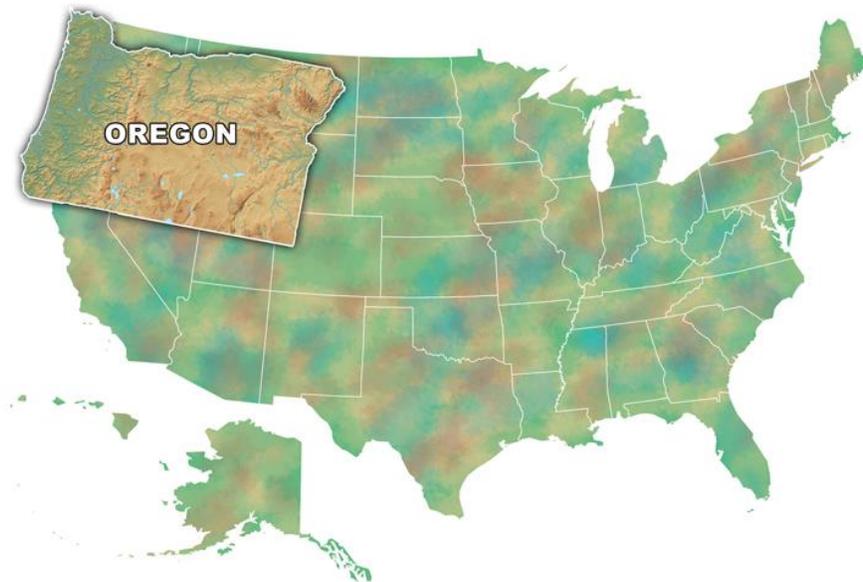


State Report

Oregon

This document is excerpted from:

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



Oregon

State Profile and Underage Drinking Facts*

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

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	26.5	118,000
Past-Month Binge Alcohol Use	16.9	75,000
Ages 12–14		
Past-Month Alcohol Use	4.6	7,000
Past-Month Binge Alcohol Use	1.8	3,000
Ages 15–17		
Past-Month Alcohol Use	22.1	33,000
Past-Month Binge Alcohol Use	12.8	19,000
Ages 18–20		
Past-Month Alcohol Use	50.9	79,000
Past-Month Binge Alcohol Use	34.8	54,000
Alcohol-Attributable Deaths (under 21)		38
Years of Potential Life Lost (under 21)		2,311
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	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
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 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 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	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 random underage compliance checks/decoy operations</i>	
Number of licensees subject to random state compliance checks/decoy operations	No data
Number of licensees that failed random 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
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state ⁴	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 ⁵	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 ⁶	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Additional Clarification	
OLCC Report available online at: http://www.oregon.gov/olcc/docs/enforcement/PublicSafetyAnnualReport_2012.pdf	

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

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: http://www.oregonmore.org	

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

Additional Information Related to Underage Drinking Prevention Programs	
<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 http://www.theathenaforum.org)</p> <p>Nongovernmental agency(ies):</p> <p>Other:</p> <p>Best practice standards description: See website: http://www.oregon.gov/oha/amh/ebp/ebp-definition.pdf</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No</p> <p>No</p>
Additional Clarification	
No data	

State Interagency Collaboration	
<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: Kerryann.Bouska@state.or.us 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 & Adolescent Mental Health Services Clackamas County Commission on Children & 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 & 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

Underage Drinking Reports	
State has prepared a plan for preventing underage drinking in the last 3 years	Not sure
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	Not sure
Prepared by: Not applicable	
Plan can be accessed via: Not applicable	
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	\$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

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