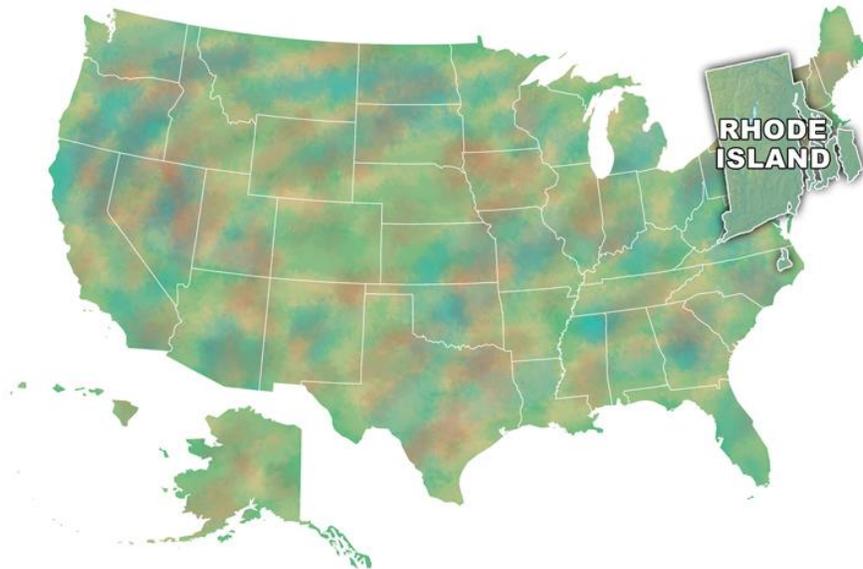


State Report

Rhode Island

This document is excerpted from:

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



Rhode Island

State Profile and Underage Drinking Facts*

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

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

State Agency Information	
<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).	
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>	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>	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 operations² 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 ³	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 random underage compliance checks/decoy operations</i>	Yes
Number of licensees subject to random state compliance checks/decoy operations	225
Number of licensees that failed random 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
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	No

Number of fines imposed by the state ⁴	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 ⁵	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 ⁶	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Additional Clarification	
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.	

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	
Enforcement of 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	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data
Program Description: 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.	
Rhode Island Substance Abuse Prevention Act (RISAPA)	
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: 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.	

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 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.	

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 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.	
Additional Clarification	
Beyond recommending use of evidence-based practices, we have not published standards specific to underage drinking.	

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: 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	
Underage Drinking Reports	
<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	
Additional Clarification	
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.	
State Expenditures for the Prevention of Underage Drinking	
<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

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
<i>Description of funding streams and how they are used:</i>	
Not applicable	
Additional Clarification	
<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>	