

# REPORT TO CONGRESS ON THE PREVENTION AND REDUCTION OF UNDERAGE DRINKING

## Volume II

September 2016



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Substance Abuse and Mental Health Services Administration  
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**Time period covered by this version of the Report to Congress:** The 2016 version of the Report to Congress on the Prevention and Reduction of Underage Drinking primarily includes data from calendar year 2015. Epidemiological data in Chapters 1 and 2 draw from the most recently available federal survey data as of 2015. Chapter 3 includes data on ICCPUD member agency underage drinking activities in calendar year 2015. The state legal data reported in Chapter 4 reflects the state of the law as of January 1, 2015. The state survey data presented in Chapter 4 was collected in 2015, and is drawn from the most recent 12-month period in which the states maintained the data. Chapter 5 describes 2015 activities conducted by the Underage Drinking Prevention National Media Campaign.

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**STATE REPORTS**  
**(Nebraska-Wyoming)**



## Nebraska

**State Population: 1,881,503**

**Population Ages 12–20: 228,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	22.3	51,000
Past-Month Binge Alcohol Use	14.9	34,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	1.8	1,000
Past-Month Binge Alcohol Use	0.8	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	18.1	14,000
Past-Month Binge Alcohol Use	10.9	8,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	45.1	36,000
Past-Month Binge Alcohol Use	31.5	25,000
<b>Alcohol-Attributable Deaths (under 21)</b>		26
<b>Years of Potential Life Lost (under 21)</b>		1,567
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	19	6

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	Yes, in parent/guardian's home only
<i>Note:</i> Nebraska makes an exception for persons who are at least 16 to carry alcohol from licensed establishments when they are accompanied by any person who is not a minor.	

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	Yes, in parent/guardian's home only

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A
<i>Note:</i> Although Nebraska does not prohibit internal possession as defined in 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 and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	No
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	Yes

Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> <li>Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</li> </ul>	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose" Laws)	
Is there a "use/lose" law that suspends or revokes a minor's driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
<ul style="list-style-type: none"> <li>Purchase of alcohol</li> </ul>	No
<ul style="list-style-type: none"> <li>Possession of alcohol</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Consumption of alcohol</li> </ul>	Yes
The law applies to people under what age?	18
Is suspension or revocation mandatory or discretionary?	Discretionary
What is the length of suspension/revocation?	
Minimum number of days	30
Maximum number of days	30

Graduated Driver's Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	0 (with driver education; 50 hours without [10 of which must be at night])
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16

For night driving, when does adult supervision requirement begin?	12 am
Can law enforcement stop a driver for night-driving violation as a primary offense?	No – Officer must stop driver for another offense to cite for night-driving violation
Are there restrictions on passengers?	Yes – No more than one passenger under 19 who is not an immediate family member
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No – Officer must stop driver for another offense to cite for passenger restriction violation
<b>License Stage</b>	
What is the minimum age for full license privileges and lifting of restrictions?	17 (passenger restrictions expire 6 months after issuance of intermediate license; unsupervised night driving restrictions remain until age 17)

### Laws Targeting Alcohol Suppliers

<b>Furnishing Alcohol to Minors</b>	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
<b>Affirmative Defense for Sellers and Licensees</b>	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

<b>Compliance Check Protocols</b>	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	Not specified
What is the maximum age a decoy may be to participate in a compliance check?	20
What are the decoy’s appearance requirements?	Minors shall, in their dress and appearance, be within the range of normal for minors in that geographic area. Hats or caps, if worn, should be worn in a manner that is normal for their age and shall not be pulled down over their eyes.
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Permitted
Is decoy training mandated, recommended, prohibited, or not specified?	Recommended

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	4 years
What is the penalty for the first offense?	10 to 20 days (see note below for fine equivalent); with guilty plea 5 days upon written certification from licenses that person making sale had completed training program approved by Commission within the past 3 years.
What is the penalty for the second offense?	Occurring within 4 years: 2-day license suspension plus 20 days (fine equivalent). Within 3 years: 2-day license suspension plus 30 days (fine equivalent). Within 2 years: 2-day license suspension and 40 days (fine equivalent). Within 1 year -- 2 days of license suspension and 50 days (fine equivalent)
What is the penalty for the third offense?	5-day license suspension plus 20 days (fine equivalent)
What is the penalty for the fourth offense?	Cancellation of license
<i>Note:</i> First suspension is \$50 per day. All subsequent suspensions are \$100 per day. If previous violation is 10 years or longer, penalty would be half (e.g., \$50 instead of \$100).	

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	No
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Unspecified
Does the RBS law apply to new or existing licensees?	Unspecified

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	19
Wine	19
Spirits	19
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	19

Wine	19
Spirits	19
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	19
Wine	19
Spirits	19
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
<i>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.</i>	
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 150 feet
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 150 feet
To which alcohol products does requirement apply?	Beer, wine, spirits

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No
<i>Note: Injury or property damage must be a proximate result of negligence of an intoxicated minor.</i>	

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law social host liability exist?	No
<i>Note: Injury or property damage must be a proximate result of the negligence of an intoxicated minor.</i>	

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A

Are there any exceptions for underage guests?	N/A
<b>Retailer Interstate Shipments of Alcohol</b>	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Permitted
Wine	Permitted
Spirits	Permitted

<b>Direct Shipments/Sales</b>	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, wine, distilled spirits
Must purchaser make mandatory trip to producer before delivery is authorized?	No
<b>Age verification requirements</b>	
Must the producer/shipper verify purchaser's age before sale?	Yes
Must the common carrier (deliverer) verify age of recipients?	No
<b>State approval/permit requirements</b>	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
<b>Recording/reporting requirements</b>	
Must the producer/manufacture record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	No
<b>Shipping label requirements</b>	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

<b>Keg Registration</b>	
How is a keg defined (in gallons)?	Equal to or more than 5.00
<b>Prohibitions</b>	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes (maximum fine/jail, \$500/3 months)
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (maximum fine/jail, \$500/3 months)
<b>What purchaser information is collected?</b>	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Yes – Passive (requires no action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

<b>Home Delivery</b>	
Is home delivery of alcohol permitted?	
Beer	Yes
Wine	Yes

Spirits	Yes
<b>High-Proof Grain Alcohol Beverages</b>	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.31
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.95
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	

Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$3.75
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

Low-Price, High-Volume Drink Specials	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	No

Wholesaler Pricing Restrictions	
Beer	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
Wine	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law

Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)

## 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/Nebraska Liquor Control Commission

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 1,216

Number pertains to the 12 months ending 12/31/2014

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> 5,670

Number of licensees checked for compliance by state agencies (including random checks) 721

Number of licensees that failed state compliance checks 78

Numbers pertain to the 12 months ending 12/31/2014

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations Yes

Number of licensees subject to **random** state compliance checks/decoy operations 721

Number of licensees that failed **random** state compliance checks 78

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 1,224

Number of licensees that failed local compliance checks 108

Numbers pertain to the 12 months ending 12/31/2014

### Sanctions

State collects data on fines imposed on retail establishments that furnish minors Yes

Number of fines imposed by the state<sup>4</sup> No data

Total amount in fines across all licensees \$24,100

Smallest fine imposed	\$50 per day that license is suspended
Largest fine imposed	\$5,000
Numbers pertain to the 12 months ending	12/31/2014
<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)	1
Longest period of suspension imposed (in days)	15 days closed plus additional 50 days of suspension
Numbers pertain to the 12 months ending	12/31/2014
<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>	5
Numbers pertain to the 12 months ending	12/31/2014

**Additional Clarification**

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). The NOHS facilitates an annual training for all law enforcement and prosecution personnel on these enforcement operations each year.

<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**

**Communities Mobilizing for Change on Alcohol (CMCA)**

Program serves specific or general population	Specific population
Number of youth served	44,252
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>

**Program Description:** This program is a community-organizing effort designed to change policies and practices of major community institutions in ways that reduce teenagers' access to alcohol (target age group is 13- to 20-year-olds) by using environmental strategies.

**Nebraska Enforcing Underage Drinking Laws (EUDL)**

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:** Nebraska's EUDL program is led by the NOHS, which 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 the NOHS to ensure continuity, uniformity, and comprehensiveness in this area. The reduction of fatal and injury crashes requires the 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.

#### **Across Ages**

Program serves specific or general population	Specific population
Number of youth served	204
Number of parents served	204
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 9–13. The goal 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/problem-solving curriculum, and (4) monthly activities for family members. The program can be implemented as a school-based or afterschool program.

#### **All Stars**

Program serves specific or general population	Specific population
Number of youth served	1,623
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.allstarprevention.com">http://www.allstarprevention.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 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:

- Beliefs about consequences
- Bonding
- Commitment to not use or reduce use
- Decisionmaking and impulsivity control
- Goal setting
- Idealism
- Norms
- Parental attentiveness
- Resistance skills training
- Self-management

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

Program serves specific or general population	Specific population
Number of youth served	162
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>

**Program Description:** 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.

**Class Action**

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>

**Program Description:** 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 upon 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 8–10 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. Class Action can be used as a booster session for the Project Northland series or as a stand-alone program.

**Project ALERT**

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 data
Evaluation report is available	No data
URL for evaluation report:	No data
URL for more program information:	<a href="http://www.projectalert.com">http://www.projectalert.com</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 more regular users or abusers. Based on the social influence model of prevention, the program is designed to help motivate young people to avoid using drugs and to teach them the skills they need to understand and resist prodrug social influences. The curriculum comprises 11 lessons in the first year and three 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.

#### **Project Northland**

Program serves specific or general population	Specific population
Number of youth served	251
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.epi.umn.edu/projectnorthland/Schoolba.html">http://www.epi.umn.edu/projectnorthland/Schoolba.html</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.

#### **Lead & Seed**

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:	<a href="https://www.alutiiq.com/capabilities/lead-seed">https://www.alutiiq.com/capabilities/lead-seed</a>
URL for more program information:	No data

**Program Description:** Lead & Seed is an environmental drug prevention program for schools or communities that is youth driven and adult supported. It has been replicated in all regions of the United States. The program focuses on underage alcohol consumption, prescription drug misuse, drunk driving, and marijuana and illicit drug use. It involves an interactive, 2-day training with youth leaders from middle and/or high school and adults who will work with the youth to capture the desired outcomes. The team develops a logic model using compelling data from their community assessment to drive the process for innovative solutions and sustainability of positive outcomes. The empowered team promotes community mobilization, social marketing techniques, leadership skills, and other advocacy measures to make necessary changes in their physical, sociocultural, economic, and legal environments.

#### **Creating Lasting Family Connections (CLFC)**

Program serves specific or general population	Specific population
Number of youth served	286

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

**Program Description:** CLFC, the currently available version of Creating Lasting Connections (CLC), is a family-focused program that aims to build the resiliency of youth ages 9–17 and reduce the frequency of their alcohol and other drug (AOD) use. CLFC is designed to be implemented through a community system, such as churches, schools, recreation centers, and court-referred settings. The six modules of the CLFC curriculum, administered to parents/guardians and youth in 18–20 weekly training sessions, focus on imparting knowledge and understanding about AOD use, including tobacco; improving communication and conflict resolution skills; building coping mechanisms to resist negative social influences; encouraging the use of community services when personal or family problems arise; engendering self-knowledge, personal responsibility, and respect for others; and delaying the onset and reducing the frequency of AOD use among participating youth. The program supports problem identification and referrals to other community services for participants when necessary. Manuals for trainers, notebooks for participants, and other materials are available, but the program is intended to be modified with each implementation to reflect the needs of the participants and the skill level of the trainers.

**Strengthening Families Program (SFP)**

Program serves specific or general population	Specific population
Number of youth served	309
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.strengtheningfamiliesprogram.org">http://www.strengtheningfamiliesprogram.org</a>

**Program Description:** SFP is a nationally and internationally recognized parenting and family strengthening program for high-risk and general population families. SFP is an evidence-based family skills training program found to significantly improve parenting skills and family relationships; reduce problem behaviors, delinquency, and alcohol and drug abuse in children; and improve social competencies and school performance. Child maltreatment also decreases as parents strengthen bonds with their children and learn more effective parenting skills.

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

**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: Partnership on various initiatives occurs through the work of the Nebraska Prevention Advisory Council, whose membership includes tribal representation.	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes
Description of program: Yes, 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, including some that are initiated by youth members themselves.	
<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): USDOJ/OJJDP, NHTSA, SAMHSA, NREPP	Yes
Agency(ies) within your state: Nebraska Department of Health and Human Services Division of Behavioral Health, Liquor Control Commission, Nebraska Office of Highway Safety	Yes

Nongovernmental agency(ies): Project Extra Mile Yes  
 Other: PIRE, CAMY Yes  
 Best practice standards description: *The Surgeon General's Call to Action To Prevent and Reduce Underage Drinking* (HHS, 2007) provides the framework for our underage drinking prevention initiatives.

#### 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: Fred E. Zwonechek (Nebraska Underage Drinking Task Force)  
 Email: fred.zwonechek@nebraska.gov  
 Address: P.O. Box 94612, Lincoln, NE 68509-4612  
 Phone: 402-471-2515

#### Agencies/organizations represented on the committee:

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 and UNL Police Department  
 Lincoln Police Department  
 State Probation Office  
 Project Extra Mile  
 Nebraska Medical Association  
 Nebraska MADD  
 Nebraska Public Health Association  
 Nebraska Sheriff's Association

A website or other public source exists to describe committee activities No  
 URL or other means of access: Not applicable

#### Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years Yes  
 Prepared by: Department of Health and Human Services Division of Behavioral Health Prevention Advisory Council  
 Plan can be accessed via: [http://dhhs.ne.gov/behavioral\\_health/Documents/DBH-PreventionStrategicPlan2013-17.pdf](http://dhhs.ne.gov/behavioral_health/Documents/DBH-PreventionStrategicPlan2013-17.pdf)

State has prepared a report on preventing underage drinking in the last 3 years Yes  
 Prepared by: Department of Health and Human Services Division of Behavioral Health Prevention Advisory Council  
 Plan can be accessed via: No data

#### Additional Clarification

No data

#### State Expenditures for the Prevention of Underage Drinking

##### Compliance checks in retail outlets:

Estimate of state funds expended \$47,603  
 Estimate based on the 12 months ending 12/31/2014

##### Checkpoints and saturation patrols:

Estimate of state funds expended \$18,795  
 Estimate based on the 12 months ending 12/31/2014

##### Community-based programs to prevent underage drinking:

Estimate of state funds expended \$151,700  
 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	\$61,090
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	No data
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 data

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

**Additional Clarification**

The majority of Nebraska's substance abuse prevention efforts are federally funded. Nebraska was awarded the 2013 Strategic Prevention Framework–Partnerships for Success grant from SAMHSA totaling \$7,537,820 over 5 years and has prioritized prevention of underage drinking as the project focus.



## Nevada

**State Population: 2,839,099**

**Population Ages 12–20: 348,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	25.5	89,000
Past-Month Binge Alcohol Use	15.7	55,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	5.6	6,000
Past-Month Binge Alcohol Use	2.8	3,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	19.2	22,000
Past-Month Binge Alcohol Use	10.2	12,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	47.8	61,000
Past-Month Binge Alcohol Use	31.6	40,000
<b>Alcohol-Attributable Deaths (under 21)</b>		42
<b>Years of Potential Life Lost (under 21)</b>		2,543
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	23	9

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes
• Is possession allowed if spouse is present or consents?	Yes
Is there an exception based on location?	Yes, in any private location

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	N/A
• Is consumption allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	No
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	Yes
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	No
The law applies to people under what age?	18
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	90
Maximum number of days	730

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15 years, 6 months
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	10 pm
Can law enforcement stop a driver for night-driving violation as a primary offense?	No – Officer must stop driver for another offense to cite for night-driving violation
Are there restrictions on passengers?	Yes – No passengers under 18 unless they are immediate family members
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No – Officer must stop driver for another offense to cite for passenger restriction violation

License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	18 (passenger restrictions expire after 6 months; unsupervised night-driving restrictions remain until age 18)
<i>Note:</i> 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 Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No data
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
What are the decoy’s appearance requirements?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	No data
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	Yes – Mandatory
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A

• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both
<i>Note:</i> Applicability of Nevada's "alcoholic beverage awareness program" to on-sale retailers is limited to establishments located in a jurisdiction that is located: (a) in a county whose population is 100,000 or more; or (b) in 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. In addition, the program applies to off-sale retail establishments in counties whose populations are 700,000 or more.	

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	16
Wine	16
Spirits	16
Does a manager or supervisor have to be present?	Yes

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (knowingly furnishing a minor or knowingly allowing a minor to consume alcohol on premises that social host controls)
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Uncertain
Wine	Uncertain
Spirits	Uncertain
<i>Note:</i> 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 Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, wine, distilled spirits
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	No
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	No

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law
<i>Note:</i> Regulated by county and city governments.	

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	Yes
Are restrictions based on Alcohol by Volume (ABV)?	Yes (more than 80%)
Are there exceptions to restrictions?	No

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.16
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant

<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.70
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$3.60
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	Distilled spirits over 14% and up to 22% 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%, 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.

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (41 days)
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (41 days)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (41 days)

## Nevada State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Nevada Juvenile Justice Programs Office

### Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
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

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

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

State conducts **random** underage compliance checks/decoy operations

No

Number of licensees subject to **random** state compliance checks/decoy operations

Not applicable

Number of licensees that failed **random** state compliance checks

Not applicable

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

1,082

Number of licensees that failed local compliance checks

237

Numbers pertain to the 12 months ending

12/31/2014

### Sanctions

State collects data on fines imposed on retail establishments that furnish minors

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 data
Number of license revocations imposed <sup>6</sup>	No data
Numbers pertain to the 12 months ending	No data

#### Additional Clarification

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, awarded to the Nevada Department of Health and Human Services was subgranted to local law enforcement agencies to conduct EUDL operations including: Alcohol Sale to Minors Compliance Checks, Third-Party Purchaser ("Shoulder Tap" Operations), Juvenile Party Dispersals, Fake ID Intervention, Saturation Patrols, and Juvenile DUI prevention. Fifty percent of fines collected by the Nevada Department of Taxation for local infractions related to noncompliance of server training laws is allocated to local law enforcement for equipment related to EUDL 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

##### Responsible 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	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

**Program Description:** 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, techniques, local alcohol ordinances, and fake ID identification. Two counties fall into the category of more than 400,000 people: Clark County (Las Vegas area) with over 2 million residents (70% of Nevada's population), and Washoe County with just over 400,000 residents (20% 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% to the Victims Restitution Fund and 50% to the EUDL program. The EUDL funds from these fines are used to purchase equipment needed by law enforcement officers to conduct EUDL operations.

**EUDL Operations Certified Training**

Program serves specific or general population	Specific population
Number of youth served	Local law enforcement officers
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 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, 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 Tiered Program Response**

Program serves specific or general population	Specific population
Number of youth served	898
Number of parents served	898
Number of caregivers served	0
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	na
URL for more program information:	No data

**Program Description:** The University of Nevada, Reno (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 follow-up 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% 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 tailgating 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 Life of a Warrior**

Program serves specific or general population	Specific population
Number of youth served	535
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 Description:** The Nevada EUDL program was awarded a discretionary grant from the 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” 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, and 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, 2016.

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

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

**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 is a three-step graduated sanctions project. 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: First offense: 2-week suspension from play (but athlete must still attend practices) and 10 hours of community service. Second offense: 3-month suspension from play, and athlete must attend mandatory alcohol and other drug assessment and comply with assessment recommendations. Third offense: 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 successful in preventing or deterring, and the student is in need of a more targeted treatment response. It is now the school’s responsibility to promote the image of sports as a healthy activity, and participation requires a commitment to a drug-free lifestyle, and is a privilege, not a right. If this privilege is not respected, than that spot on the team goes to someone who honors the commitment.

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

**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. EUDL 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): Office of Juvenile Justice and Delinquency Prevention	Yes
Agency(ies) within your state:	No
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: Best practice standards are reviewed by the Underage Drinking Enforcement and Training Center (UDET), 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 UDET and PIRE, and ultimately the 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: Kathlyn Bartosz	
Email: kathy@partnershipcarsoncity.org	
Address: 1711 North Roop Street, Carson City, NV 89706	
Phone: 775-841-4730	
<i>Agencies/organizations represented on the committee:</i>	
Care Coalition	
Partnership Carson City	
Partnership of Community Resources	
NV Community Prevention Coalition	
PACE Coalition	
Healthy Communities Coalition	
Join Together of Northern NV	
PACT Coalition	
Nye Communities Coalition	
Inter-Tribal Council of NV, Inc.	
Churchill Community Coalition	
<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>	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>	No data
Prepared by:	No data
Plan can be accessed via:	No data
<b>Additional Clarification</b>	
The Nevada EUDL Initiative has created a statewide database that summarizes all EUDL operations conducted in the state, and can be queried in a number of ways to produce documentation of EUDL operations and trends in Nevada. Due to the loss of EUDL funds in 2015, the database will be dormant effective June 2015.	

### State Expenditures for the Prevention of Underage Drinking

<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$2,200
Estimate based on the 12 months ending	12/31/2014
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2014
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$54,000
Estimate based on the 12 months ending	12/31/2014
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	No data
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
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	\$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: \$54,000 was secured from the fines collected by the Nevada Department of Taxation from businesses not in compliance with the Responsible Beverage Server Training law. These funds were given to the law enforcement departments within Washoe and Clark Counties, where the infractions occurred. Funds were used to purchase needed equipment for EUDL operations, such as Personal Breathalyzer Tests (PBT's) and recorders.	
Estimate of state funds expended	\$54,000
Estimate based on the 12 months ending	12/31/2014

### Funds Dedicated to Underage Drinking

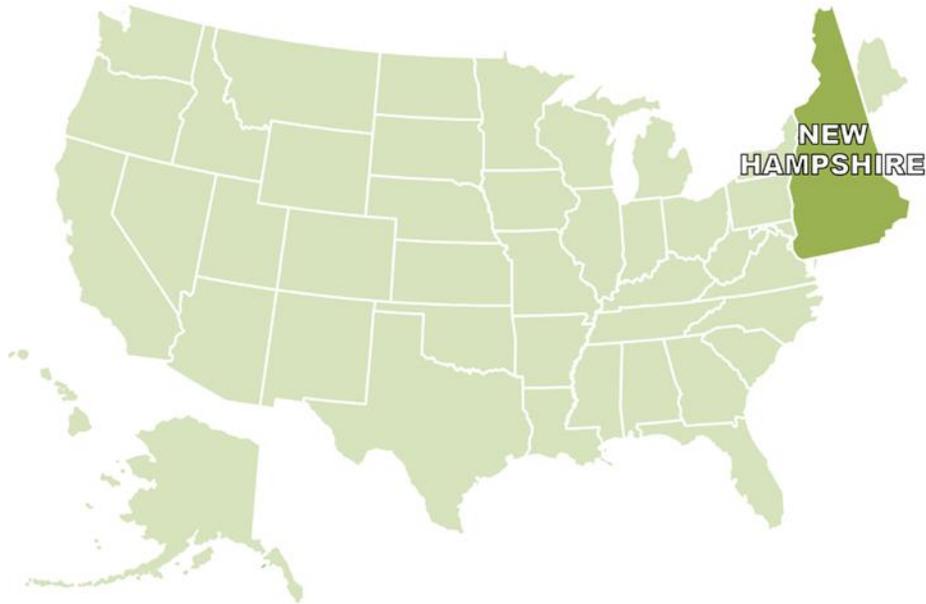
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No data
Fines	Yes
Fees	No data
Other	No data

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

Local law enforcement issues a notice on infraction to liquor retailers whose staff are not in compliance with the Responsible Beverage Server Training law applicable in Washoe and Clark counties. Notices are sent to the Nevada Department of Taxation which invoices and collects fines associated with the infraction notice. The Juvenile Justice Programs Office determines how the 50% of fines collected designated for EUDL programs will be spent at either the state or local level. For 2014, the decision was made to allow local law enforcement to purchase equipment for EUDL operations.

### Additional Clarification

No data



## New Hampshire

**State Population: 1,326,813**

**Population Ages 12–20: 169,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	35.0	59,000
Past-Month Binge Alcohol Use	24.5	41,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	3.8	2,000
Past-Month Binge Alcohol Use	0.8	0
<b>Ages 15–17</b>		
Past-Month Alcohol Use	23.9	13,000
Past-Month Binge Alcohol Use	15	8,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	66.1	45,000
Past-Month Binge Alcohol Use	48.9	33,000
<b>Alcohol-Attributable Deaths (under 21)</b>		9
<b>Years of Potential Life Lost (under 21)</b>		543
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	35	4

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	N/A
• Is consumption allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	No
• Is internal possession allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes

• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	Yes
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	No
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Discretionary
What is the length of suspension/revocation?	
Minimum number of days	90
Maximum number of days	365
<i>Note: Although New Hampshire does not authorize a Use/Lose penalty for all underage consumption, the law imposes a discretionary license sanction on minors who are intoxicated by consumption of an alcoholic beverage, and provides an alcohol concentration “of .02 or more shall be prima facie evidence of intoxication.”</i>	

Graduated Driver’s Licenses	
<b>Learner Stage</b>	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15 years, 6 months
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	0
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	40 (10 of which must be at night)
<b>Intermediate Stage</b>	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	1 am
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – No more than one non-family passenger under 25,

	unless accompanied by driver over 25
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation
<b>License Stage</b>	
What is the minimum age for full license privileges and lifting of restrictions?	18 (passenger restrictions expire after 6 months; unsupervised night-driving restrictions remain until age 18)

## Laws Targeting Alcohol Suppliers

<b>Furnishing Alcohol to Minors</b>	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
<b>Affirmative Defense for Sellers and Licensees</b>	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

<b>Compliance Check Protocols</b>	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	17
What is the maximum age a decoy may be to participate in a compliance check?	20
What are the decoy's appearance requirements?	Age assessment panel. Casual attire; average height and build. If decoy is 20, must appear to be ages 17–19. Male: No facial hair; female: minimal makeup
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Not specified
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

<b>Penalty Guidelines for Sales to Minors</b>	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	2 years
What is the penalty for the first offense?	\$500 fine, four license points, 3-day suspension (for noncompliance check violations)
What is the penalty for the second offense?	Not specified

What is the penalty for the third offense?	Not specified
What is the penalty for the fourth offense?	Not specified
<i>Note:</i> Mitigating and aggravating factors considered. Only one compliance check annually shall incur license points.	

<b>Responsible Beverage Service (RBS) – Mandatory</b>	
Is there a state law pertaining to beverage service training?	Yes – Mandatory
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	New

<b>Responsible Beverage Service (RBS) – Voluntary</b>	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	Yes
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

<b>Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)</b>	
What is the minimum age requirement for off-premises retail establishments?	
Beer	16
Wine	16
Spirits	16
Does a manager or supervisor have to be present?	Yes
<i>Note:</i> To act as a cashier in a selling capacity, a minor must be at least 16, providing a person at least 18 is in attendance and is designated in charge of the employees and business.	

<b>Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18

Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

#### Alcohol Outlet Siting Near Schools and Universities

<b>Colleges and Universities</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
<b>Primary and Secondary Schools</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)	No
To which alcohol products does requirement apply?	N/A

#### Dram Shop Liability

Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No
<i>Note:</i> New Hampshire law includes a responsible beverage service defense.	

#### Social Host Liability

Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	Yes

#### Prohibitions Against Hosting Underage Drinking Parties

Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	Specific
What action by underage guest triggers a violation?	Possession/Consumption/ Intention to possess or consume
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Overt act: Host must have actual knowledge and commit act that contributes to party's occurrence
Does host's preventive action protect him/her from being held liable?	Yes
Are there any exceptions for underage guests?	Yes – Family members

*Note:* In New Hampshire, an "underage alcohol house party" means a gathering of five or more people under 21, where at least one person under 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 location 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 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

Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Permitted
Wine	Permitted
Spirits	Permitted

#### Direct Shipments/Sales

May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, wine, distilled spirits
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

#### Keg Registration

How is a keg defined (in gallons)?	More than 7.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes (maximum fine/jail, \$1,000)
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (maximum fine/jail, \$1,000)
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No

Must warning information be given to purchaser?	Yes – Active (requires an action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes
Wine	Yes
Spirits	No law

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No. However, New Hampshire is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.30
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	Yes
Specific excise tax per gallon for 12% alcohol wine	
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	

If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law

Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (10 days)
<b>Wine</b>	<b>Control System</b>
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<b>Spirits</b>	<b>Control System</b>
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<i>Note:</i> Wholesalers are required to make their current beer prices available to the commission in writing.	

## New Hampshire State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

New Hampshire State Liquor Commission, Division of Enforcement & Licensing

### Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	Yes
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	No
Underage Alcohol-Related Fatality Investigations	No

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

State Liquor Commission, Div. of Enforcement & Licensing

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

128

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>

3,166

Number of licensees checked for compliance by state agencies

376

(including random checks)

Number of licensees that failed state compliance checks

60

Numbers pertain to the 12 months ending

12/31/2014

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments

Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations

Yes

Number of licensees subject to **random** state compliance checks/decoy operations

No data

Number of licensees that failed **random** state compliance checks

No data

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

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>

187

Total amount in fines across all licensees

\$130,750

Smallest fine imposed	\$100
Largest fine imposed	\$15,000
Numbers pertain to the 12 months ending	12/31/2014
<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>	59
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	12/31/2014
<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

#### Additional Clarification

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

##### 13 Regional Public Health Networks (RPHNs) For Substance Misuse Prevention

Program serves specific or general population	General population
Number of youth served	46,400
Number of parents served	75,000
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	The report is a document.
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:** The 13 geographically designed RPHN networks encompass every community within New Hampshire. The Network System is the state's primary prevention delivery system for substance misuse prevention. Each Network has Public Health Advisory Councils representing the communities, cultures, and sectors of a defined region, including key organizations involved in public health activities that assess needs, guide decisionmaking, and encourage shared resources and investments in positive health outcomes. For alcohol and other drug prevention efforts, the regional networks each have a full-time substance misuse prevention coordinator who is a certified prevention specialist and is dedicated to conducting primary prevention based on a 3-year strategic plan that utilizes evidence-based practices, policies, and programs. Every Network plan includes underage drinking prevention.

##### Life of an Athlete (LoA)

Program serves specific or general population	General population
Number of youth served	54,000
Number of parents served	No data
Number of caregivers served	598
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	The report is a document.

URL for more program information:

<http://www.ioanh.org>

**Program Description:** The New Hampshire Interscholastic Athletic Association (NHIAA) is the subgrantee for the LoA contract that is implemented statewide. NHIAA is a voluntary organization that organizes, supervises, and coordinates a statewide interscholastic athletic program. Superintendents, principals, athletic directors, coaches, state school board association members, and State Department of Education personnel serve on the Council, the governing body of the organization. The contractor sanctions 35 male and female sports for interscholastic competition. Parents, youth, and communities are incredibly invested in athletics. The contractor will use this investment to build the knowledge, skills, and support necessary to reduce substance abuse among New Hampshire youth. Services offered through this contract will help the contractor oversee statewide implementation of LoA. LoA is a comprehensive prevention program that empowers and motivates youth to make healthy choices by teaching them about the immediate impact of AOD on athletic performance. LoA consists of five core components:

1. Codes Oof Conduct: Development and consistent enforcement of codes
2. Preseason Meetings: Development and incorporation of clear messages about the impact of lifestyle choices on athletic performance into existing meetings
3. Training for Coaches: Skill building for coaches to positively confront behaviors of concern, model healthy behavior, and incorporate messages on the impact of lifestyle choices on performance into regular team communication
4. Trainings for Student Athlete Leaders: Skill building for youth to positively confront behaviors of concern, model healthy behavior, and reinforce messages from their coach on the impact lifestyle choices have on performance
5. Stakeholders Unity: Build community support for consistent upholding of codes

**LAUNCH**

Program serves specific or general population	Specific population
Number of youth served	19
Number of parents served	19
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://cadyinc.org/program/youthentre.html">http://cadyinc.org/program/youthentre.html</a>

**Program Description:** The LAUNCH project seeks to empower youth by educating and engaging them in entrepreneurship, enriching alternatives to risk behavior, and community development through the preparation and launch of summer business(es) and risk-based learning. During the school year, weekly evening meetings, community service opportunities, job shadowing, and skill development workshops with local businesses help youth entrepreneurs prepare and plan for a summer business that also provides paid employment. This is a great opportunity for 14- to 18-year-olds to connect with their community, with local business owners, and with skills and experiences for their future. This project is supported by the Common Man Family of Restaurants, the NH Workforce Opportunity Council, and the NH Division of Public Health Service, Bureau of Alcohol and other Drug Prevention.

**Student Assistance**

Program serves specific or general population	General population
Number of youth served	8,365
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:	The report is being developed.
URL for more program information:	No data

**Program Description:** Twenty-four middle schools and high schools implement the evidenced-based Student Assistance program. The model includes multiple components that target universal, selected, and indicated youth.

1. The Prevention Education Series (PES) is a classroom-based, eight-session prevention education course taught to students in 7th and 9th grades during the regular school day that provides information on the risks and harm associated with alcohol and other drugs as well as specific resiliency skills and attributes that can support students in a decision not to use alcohol or other drugs. The main goal is to introduce the Student Assistance Counselor to the students and provide introductory preventive information on substance abuse/misuse.
2. Group sessions are offered to students at higher risk for using alcohol or other drugs and are facilitated by a trained professional. These small groups are typically held 6 to 12 times throughout a school year during free blocks, after school, or during regular class periods and are based on a common risk factor, for example currently using substances, children of alcoholics, and so on.
3. Individual sessions are available for indicated youth who are referred to attend one-on-one sessions with a trained counselor.

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

**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): SAMHSA Yes

Agency(ies) within your state: Bureau of Drug and Alcohol Services Yes

Nongovernmental agency(ies): No

Other: No

Best practice standards description: Selecting Evidence-Informed Substance Misuse Prevention Strategies:

Resources for the New Hampshire Prevention System is on our website:

<http://www.dhhs.nh.gov/dcbcs/bdas/documents/evidenceinformedpx.pdf>

**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: Tym Rourke

Email: [tr@nhcf.org](mailto:tr@nhcf.org)

Address: 38 Pleasant St., Concord, NH 03301

Phone: 603-225-6641

*Agencies/organizations represented on the committee:*

Attorney General

Municipal Courts

Adjutant General, NH National Guard

Department of Education

Department of Safety

Liquor Commission

Health and Human Services

Department of Corrections  
 Division of Children, Youth, & Families  
 Insurance Commission  
 Community College System  
 Nurses Association  
 Suicide Prevention Council  
 Medical Society  
 Business Community

A website or other public source exists to describe committee activities Yes  
 URL or other means of access: <http://www.dhhs.nh.gov/dcbcs/bdas/commission.htm>

**Underage Drinking Reports**

State has a plan for preventing underage drinking Yes  
 Prepared by: Governor's Commission on Alcohol and Other Drug Abuse Prevention, Intervention, Treatment and Recovery  
 Plan can be accessed via: <http://www.dhhs.nh.gov/dcbcs/bdas/documents/collectiveaction.pdf>

State has an annual report related to the preventing underage drinking plan Yes  
 Prepared by: Governor's Commission on Alcohol and Other Drug Abuse Prevention, Intervention, Treatment and Recovery. This report is inclusive of underage drinking plus other populations and substances.  
 Plan can be accessed via: <http://www.dhhs.nh.gov/dcbcs/bdas/documents/commissionreport.pdf>

**Additional Clarification**

Additional report is posted on the following website:  
<http://www.nhcenterforexcellence.org/resources/key-nh-stakeholder-resources>

**State Expenditures for the Prevention of Underage Drinking**

*Compliance checks in retail outlets:*  
 Estimate of state funds expended \$20,000  
 Estimate based on the 12 months ending 12/31/2014

*Checkpoints and saturation patrols:*  
 Estimate of state funds expended \$0  
 Estimate based on the 12 months ending No data

*Community-based programs to prevent underage drinking:*  
 Estimate of state funds expended No data  
 Estimate based on the 12 months ending No data

*K-12 school-based programs to prevent underage drinking:*  
 Estimate of state funds expended \$250,000  
 Estimate based on the 12 months ending 6/30/2014

*Programs targeted to institutes of higher learning:*  
 Estimate of state funds expended Data not available  
 Estimate based on the 12 months ending Data not available

*Programs that target youth in the juvenile justice system:*  
 Estimate of state funds expended No data  
 Estimate based on the 12 months ending No data

*Programs that target youth in the child welfare system:*  
 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

**Funds Dedicated to Underage Drinking**

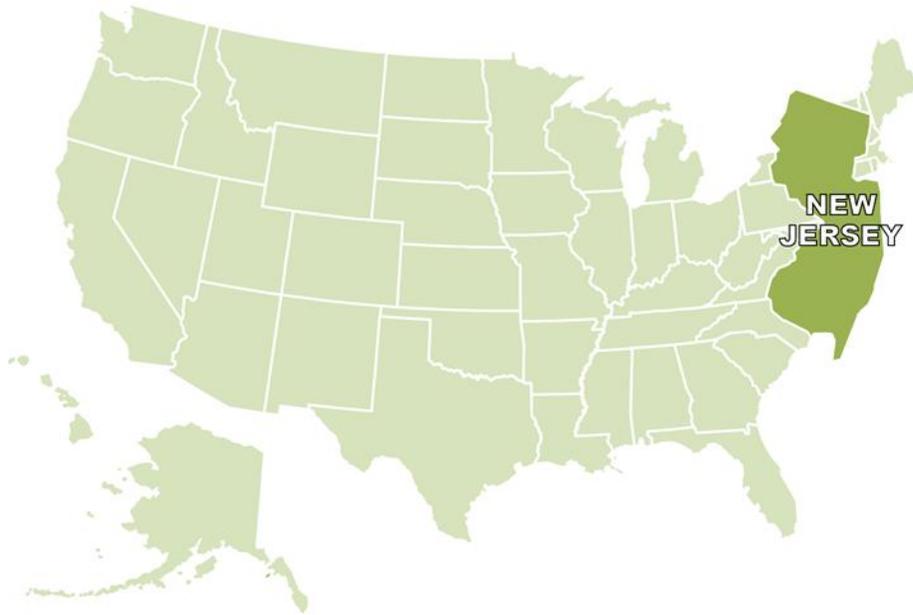
*State derives funds dedicated to underage drinking from the following revenue streams:*

Taxes	Yes
Fines	No
Fees	No
Other sales of alcohol - (state operated)	Yes

*Description of funding streams and how they are used:*  
 New Hampshire has state-operated liquor sales. State Statute Chapter 176-A established funds for alcohol abuse prevention and treatment services and programs. The fund is nonlapsing and is continually appropriated for the purposes of funding alcohol education and abuse prevention and treatment programs associated with sale of alcohol in New Hampshire. State Statute RSA 176-A:1 authorizes 5% disbursement of monies; however, every year the allocation formula is waived, reducing the amount of funds for this purpose.

**Additional Clarification**

In 2012, the New Hampshire Charitable Foundation approved an ambitious, 10-year strategy dedicated to the prevention of substance use disorders. Approximately \$1.2 million dollars per year will be allocated from the portfolio in furtherance of this strategy. This strategy is implemented in close partnership with Bureau of Drug and Alcohol Services, and includes strategic co-funding, integrated planning, and reporting systems for prevention grantees. More information is available online at <http://www.nhcf.org>.



## New Jersey

**State Population: 8,938,175**  
**Population Ages 12–20: 1,063,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	28.3	301,000
Past-Month Binge Alcohol Use	19.0	202,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	5.2	18,000
Past-Month Binge Alcohol Use	2.5	9,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	29.3	107,000
Past-Month Binge Alcohol Use	18.1	67,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	49.2	176,000
Past-Month Binge Alcohol Use	35.7	127,000
<b>Alcohol-Attributable Deaths (under 21)</b>		82
<b>Years of Potential Life Lost (under 21)</b>		4,945
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	26	17

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	Yes, in any private location

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	Yes, in any private location

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes

• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.01
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	No
• Consumption of alcohol	No
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	180
Maximum number of days	180

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	16
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	0
Intermediate Stage	
What is the minimum age for driving without adult supervision?	17
For night driving, when does adult supervision requirement begin?	12 am
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – No more than one passenger unless accompanied by parent or guardian, unless additional passengers are dependents of the driver
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation

License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	18

## Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No data
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
What are the decoy's appearance requirements?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	Not specified
What is the penalty for the first offense?	For sales to 18- to 20-year-olds: 15-day suspension. For sales to those under 18: 30-day suspension
What is the penalty for the second offense?	For sales to 18- to 20-year-olds: 30-day suspension. For sales to those under 18: 60-day suspension
What is the penalty for the third offense?	For sales to 18- to 20-year-olds: 45-day suspension. For sales to those under 18: 90-day suspension
What is the penalty for the fourth offense?	Revocation

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	Yes – Mandatory
If training is mandatory, who must participate?	Licensees, managers
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A

• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Off-premises
Does the RBS law apply to new or existing licensees?	New

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 200 feet. School has authority to override state prohibition.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 200 feet. School has authority to override state prohibition.
To which alcohol products does requirement apply?	Beer, wine, spirits

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	Unclear
<i>Note:</i> A New Jersey court case 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.	

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Overt act: Host must have actual knowledge and commit act that contributes to party's occurrence
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	Yes – Family members

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Uncertain
Wine	Uncertain
Spirits	Uncertain

NJ-Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	No
Must the label state "Recipient must be 21 years old"?	No
<i>Note:</i> Licensees cannot produce more than 250,000 gallons of wine per year.	

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes (delivery vehicles must display a Transit Insignia to identify the vehicle as having authority to transport alcohol)
Wine	Yes (delivery vehicles must display a Transit Insignia to identify the vehicle as having authority to transport alcohol)
Spirits	Yes (delivery vehicles must display a Transit Insignia to identify the vehicle as having authority to transport alcohol)

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.12
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant

• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.88
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$5.50
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	
<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No

Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	No
<i>Note: On-premises retailers may offer a free drink on a case-by-case basis.</i>	

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post and hold (30 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post and hold (30 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post and hold (30 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<i>Note: Wholesalers may not sell below cost.</i>	

## New Jersey State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

New Jersey Office of the Attorney General, Division of Alcoholic Beverage Control (ABC)

### Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	Yes
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No

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	Office of the Attorney General, Div. of ABC
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	135
Number pertains to the 12 months ending	12/31/2014
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	No
Data are collected on these activities	No
Number of retail licensees in state <sup>3</sup>	Not applicable
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

State conducts <b>random</b> underage compliance checks/decoy operations	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

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	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

State collects data on fines imposed on retail establishments that furnish minors	Yes
Number of fines imposed by the state <sup>4</sup>	107
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	12/31/2014
<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>	107
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	12/31/2014
<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>	0
Numbers pertain to the 12 months ending	12/31/2014

**Additional Clarification**

All administrative charges involving underage drinking are filed with a penalty of either suspension or revocation of the alcoholic beverage liquor license. State law allows 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**

**Regional 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	No
URL for evaluation report:	Not applicable
URL for more program information:	
<a href="http://www.nj.gov/humanservices/dmhas/resources/services/prevention/coalitions.html">http://www.nj.gov/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 used 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 including 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

In early 2014, DMHAS was awarded a Partnerships for Success (PFS) cooperative agreement from CSAP. PFS community-level funding was awarded to the 17 existing regional coalitions. One of the prevention priorities specified for PFS communities is underage drinking. In that the 17 regional coalitions have been focusing on underage drinking since their inception, the additional funding allowed coalitions to expand the scope of their work related to underage drinking to include intensive outreach and education to parents.

### **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	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	<a href="http://gcada.nj.gov/alliance">http://gcada.nj.gov/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. In 2015, the Municipal Alliances revised their planning process and each alliance aligned its prevention priorities with those identified by the regional coalitions in their area. As such, throughout New Jersey, the regional coalitions and alliances are coordinating their efforts in addressing underage drinking.

#### **15-Minute Child Break**

Program serves specific or general population	Specific population
Number of youth served	7,500
Number of parents served	7,500
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 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 PDFNJ Middle School Study on Substance Use) that demonstrates that kids who communicate regularly with their parents about their daily activities are 67% 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

**Strengthening Families Program (SFP)**

Program serves specific or general population	Specific population
Number of youth served	1,800
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

**Program Description:** 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.

**Military Family Nights**

Program serves specific or general population	Specific population
Number of youth served	125
Number of parents served	75
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.njpn.org/programs/military-military-family-nights">http://www.njpn.org/programs/military-military-family-nights</a>

**Program Description:** Family communication and structure are strained with each deployment. The Military Family Nights series, offered by the New Jersey Prevention Network, is based on the Strengthening Families Program, in which families practice communication skills, family meetings, effective discipline, therapeutic child play, reinforcing positive behaviors in each other, and jointly planning family activities. The program assists parents in effectively communicating with each other and in achieving desired behaviors in children by using attention and rewards, clear communication, effective discipline, substance use education, problem solving, and limit setting. Children learn stress management, social skills, problem solving, resisting peer pressure, consequences of substance use, compliance with parental rules, and to understand feelings and cope with anger. The Military Family Night program is:

- For military families: pre-deployed, deployed, or post-deployed
- Based on the nationally researched program, Strengthening Families
- For families with children 6–11 years old: 14-session program
- For families with children 10–14 years old: 7-session program

The program is free of charge and includes:

- Family dinner at each session
- Gifts for participating
- Babysitting services available for children to young to participate in the program
- Skill-building sessions for parents and youth
- Family activities each session

This project is funded by the New Jersey Department of Human Services, DMHAS, and is being coordinated by the New Jersey Prevention Network and its member agencies in cooperation with the NJ National Guard’s Family Assistance Centers.

**Sticker Shock**

Program serves specific or general population	General population
Number of youth served	1,200
Number of parents served	350
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 Sticker Shock campaign is an initiative delivered by numerous DMHAS-funded agencies and coalitions, as well as municipal alliances and DFC coalitions in New Jersey. Sticker Shock brings awareness toward underage drinking, one of the four State prevention priorities. The stickers and hangers placed on the products throughout the store act as “warning” labels to inform the public of the consequences they can face if they provide or purchase alcohol for minors. The message comes in loud and clear when minors are the ones spreading the word and taking action. Parents, older siblings, older friends, etc., are often unaware that they themselves can get into trouble along with the individual who is not of age.

**Parents Who Host Lose the Most Campaign**

Program serves specific or general population	Specific population
Number of youth served	No data
Number of parents served	50,000
Number of caregivers served	15,000
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:** Numerous agencies and coalitions throughout New Jersey work with parents using the Parents Who Host Lose the Most campaign. They work to encourage and support awareness of the social host liability laws. This campaign functions to create a statewide message to parents that underage drinking will not be tolerated. Parents also learn that serving alcohol to minors (other than their children) in their home is illegal.

**Private Property Ordinances**

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:** A state law passed in 2000 (N.J.S.A. 40:48-1.2) permits municipalities in New Jersey to enact an ordinance making it unlawful for any underage person to possess or consume an alcoholic beverage on private property. Currently, 67% of all municipalities in New Jersey have enacted such ordinances.

**Training for Intervention Procedures (TIPS)**

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

**Program Description:** TIPS is the global leader in education and training for responsible service, sale, and consumption of alcohol. Proven effective by third-party studies, TIPS is a skill-based training program that is designed to prevent intoxication, underage drinking, and drunk driving. The training is provided throughout the state by numerous DMHAS-funded agencies and coalitions.

**Evidence-Based Individual and Family Curricula**

Program serves specific or general population	Specific population
Number of youth served	7,500
Number of parents served	1,200
Number of caregivers served	400
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:** DMHAS funds agencies in all 21 New Jersey counties to deliver evidence-based prevention curricula to children, adolescents, and parents/caregivers. The intent of many of the programs is, specifically, to prevent underage drinking. Some of the programs provided include LifeSkills, Project Towards No Drug Abuse, All Stars, BABES, Positive Action, I Can Problem Solve, and numerous others.

**Youth Leadership Training**

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:** Provided by more than a dozen agencies in New Jersey, this training introduces various lessons for teens to apply that can enrich their lives and the lives of those around them. It incorporates principles teens can use to assist them in addressing the tough issues and life-changing decisions they face on a daily basis. The goal of this training is to improve social competencies among youth through various skills-building opportunities designed to increase their resiliency and ability to make healthy life choices.

**STOP (Sober Truth on Preventing Underage Drinking) 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:	No data

**Program Description:** Provided by the Center for Prevention and Counseling in Sussex County, NJ, through the STOP Act grant, the agency develops, assesses, and implements effective strategies to prevent and reduce underage drinking. Using *The Surgeon General's Call to Action to Prevent and Reduce Underage Drinking* as a model, the strategies they employ include changing local attitudes and norms, and reevaluating existing laws and policies around underage drinking.

**Alcohol and Youth Program**

Program serves specific or general population	Specific population
Number of youth served	525
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:** The Alcohol and Youth Program is the school-based component of the Morris County Youth Drinking Prevention Coalition. By engaging our youth directly through educational opportunities in each school district, meaningful change in attitudes and perceptions about alcohol use and its consequences take hold.

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

**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

Description of collaboration:

Not applicable

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

Description of program: 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.

Additionally, youth from numerous coalitions and agencies conduct “environmental scans” at local stores and events, where they document (through photos), how the alcohol and tobacco “ID” process is handled, as well as what types, placement, and amount of advertising for alcohol and tobacco is being used. Alcohol placement and pricing is also observed. Data gathered by the youth are then compiled and shared with local government and authorities, often bringing about change in policy.

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

Agencies/organizations that established best practices standards:

Federal agency(ies): SAMHSA, CSAP, OJJDP, Department of Education 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 GCADA fund only programs and strategies that have an evidence-based record of effectiveness in preventing underage drinking. Also, 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.

#### Additional Clarification

No data

#### State Interagency Collaboration

*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* 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: DMHAS Prevention Strategic Planning Workgroup	
Plan can be accessed via: Contact: donald.hallcom@dhs.state.nj.us for a copy of the plan	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: DMHAS	
Plan can be accessed via:	
<a href="http://www.state.nj.us/humanservices/das/news/reports/surveys/NJPride%20Repts_2012_Middle%20School/Alcohol%2030%20Day.pdf">http://www.state.nj.us/humanservices/das/news/reports/surveys/NJPride%20Repts_2012_Middle%20School/Alcohol%2030%20Day.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	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	\$6,500,000
Estimate based on the 12 months ending	6/30/2015
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$600,000
Estimate based on the 12 months ending	6/30/2015
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$150,000
Estimate based on the 12 months ending	6/30/2015
<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	6/30/2015
<i>Other programs:</i>	
Programs or strategies included	Data not available
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	Not applicable
<i>Description of funding streams and how they are used:</i>	
Fines collected through the Drug Enforcement Demand Reduction (DEDR) program are used to fund programs delivered by the Governor’s Council on Alcoholism and Drug Abuse (GCADA) municipal alliances.	

<b>Additional Clarification</b>	
No data	



## New Mexico

**State Population: 2,085,572**

**Population Ages 12–20: 251,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	19.7	49,000
Past-Month Binge Alcohol Use	13.3	34,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.2	4,000
Past-Month Binge Alcohol Use	1.5	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	19.3	16,000
Past-Month Binge Alcohol Use	12.3	10,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	36.1	30,000
Past-Month Binge Alcohol Use	26.7	22,000
<b>Alcohol-Attributable Deaths (under 21)</b>		46
<b>Years of Potential Life Lost (under 21)</b>		2,794
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	34	13

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes in specified locations – See below
• Is possession allowed if spouse is present or consents?	Yes in specified locations – See below
Is there an exception based on location?	Yes, in any private location if parent/guardian/spouse is present or consents
<p><i>Note:</i> In New Mexico, possession of alcoholic beverages by a person under 21 is specifically allowed when a parent, legal guardian or adult spouse serves alcoholic beverages to a minor on real property under the control of the parent, legal guardian or adult spouse.</p>	

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	N/A
• Is consumption allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	No
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes

• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	No
The law applies to people under what age?	18
Is suspension or revocation mandatory or discretionary?	Discretionary
What is the length of suspension/revocation?	
Minimum number of days	90
Maximum number of days	90

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	15 years, 6 months
For night driving, when does adult supervision requirement begin?	12 am
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – No more than one passenger under 21 who is not an immediate family member
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation

License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16 years, 6 months

### Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes in specified locations
• Is furnishing allowed if the spouse supplies the alcohol?	Yes in specified locations
Is there an exception based on location?	Yes, in any private location if parent/guardian/spouse supplies alcohol
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No
<i>Note:</i> In New Mexico, furnishing of alcoholic beverages to a person under 21 is specifically allowed when a parent, legal guardian, or adult spouse serves alcoholic beverages to a minor on real property 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	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18
What is the maximum age a decoy may be to participate in a compliance check?	20
What are the decoy's appearance requirements?	Age-appropriate appearance; no sunglasses or caps; no facial hair such as a beard or mustache, and no excessive makeup
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	1 year
What is the penalty for the first offense?	\$1,000–\$2,000 fine and 1-day license suspension
What is the penalty for the second offense?	\$2,000–\$3,000 fine and 7-day license suspension
What is the penalty for the third offense?	\$10,000 fine and license revocation
What is the penalty for the fourth offense?	Not specified
<i>Note:</i> Affirmative defenses provided.	

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	Yes – Mandatory
If training is mandatory, who must participate?	Managers, servers/sellers
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	19
Wine	19
Spirits	19
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 300 feet. Local government has authority to override state restrictions.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 300 feet. Local government has authority to override state restrictions.
To which alcohol products does requirement apply?	Beer, wine, spirits
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 300 feet. Local government has authority to override state restrictions.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 300 feet. Local government has authority to override state restrictions.
To which alcohol products does requirement apply?	Beer, wine, spirits

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No
<i>Note:</i> Statutory limitations on damages were held unconstitutional by the New Mexico Supreme Court.	

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (alcohol must be furnished recklessly in disregard of the rights of others, including the social guest)
Does common law social host liability exist?	No
<i>Note:</i> Statutory limitations on damages were held unconstitutional by the New Mexico Supreme Court.	

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host’s preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Uncertain
Spirits	Prohibited
<i>Note:</i> An 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 shall not be deemed to constitute a sale in this state.	

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No

<b>Age verification requirements</b>	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
<b>State approval/permit requirements</b>	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
<b>Recording/reporting requirements</b>	
Must the producer/manufacture record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	No
<b>Shipping label requirements</b>	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

<b>Keg Registration</b>	
How is a keg defined (in gallons)?	More than 6.00
<b>Prohibitions</b>	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No
<b>What purchaser information is collected?</b>	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Yes – Active (requires an action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

<b>Home Delivery</b>	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law

<b>High-Proof Grain Alcohol Beverages</b>	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

<b>Alcohol Taxes</b>	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.41

Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$1.70
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$6.06
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	

If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	No
<i>Note: On-premises retailers may offer a free drink on a case-by-case basis.</i>	

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time time period?	Yes (30 days)

## New Mexico State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:  
New Mexico Department of Public Safety (DPS)/Special Investigations Division

### Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	No
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	No

State has a program to investigate and enforce direct sales/shipment laws	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

State collects data on the number of minors found in possession	Yes
Number of minors found in possession by state law enforcement agencies	61
Number pertains to the 12 months ending	12/31/2014
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>	2,700
Number of licensees checked for compliance by state agencies (including random checks)	5,850
Number of licensees that failed state compliance checks	127
Numbers pertain to the 12 months ending	12/31/2014
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	5,850
Number of licensees that failed <b>random</b> state compliance checks	127

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	Unknown
Number of licensees that failed local compliance checks	Unknown
Numbers pertain to the 12 months ending	12/31/2014

### Sanctions

State collects data on fines imposed on retail establishments that furnish minors	Yes
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	12/31/2014
<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	12/31/2014
<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>	No data
Numbers pertain to the 12 months ending	12/31/2014

#### Additional Clarification

Some areas of the survey were left blank, as the type of data requested is not tracked by DPS, but may be tracked by another state agency.

<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

##### ***Santa Fe Prevention Alliance (SFPA)***

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 upon request
URL for more program information:	No data

**Program Description:** SFPA is a city-based coalition dedicated to reducing underage drinking. The vision of the SFPA is that Santa Fe County is a place where no one drinks alcohol before age 21, where adults model low-risk use, and where no one drives while impaired and no one abuses drugs. The mission of the Prevention Alliance is to collaborate to prevent and delay the onset of underage drinking and prevent the abuse of prescription drugs by leveraging resources to implement culturally competent, evidence-based best practices in education, prevention, and policy to change community norms around drug and alcohol use. The coalition focuses on changing community norms accepting of underage drinking, reducing retail access to alcohol, increasing enforcement of minimum legal drinking age (MLDA) and driving while intoxicated (DWI) laws and sanctions, increasing perceived risk of arrest for breaking alcohol-related laws, and educating the public and legislators about the benefits to increases in alcohol pricing and taxes.

##### ***Colfax County Youth Empowerment Services (CCYES)***

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 available upon request
URL for more program information:	No data

**Program Description:** 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; increasing enforcement of school substance abuse policies; and increasing perceived risk among youth and adults of arrest for breaking those laws.

**Five Sandoval Indian Pueblos (FSIP)**

Program serves specific or general population	Specific population
Number of youth served	22
Number of parents served	22
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	Electronic copy available upon 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>

**Program Description:** FSIP is a Native American behavioral health provider in Bernalillo, New Mexico, that delivers Project Venture to 8th graders in Cochiti Pueblo and focuses on strengthening enforcement of school alcohol, tobacco, and other drug policies; increasing enforcement activities such as shoulder taps, sobriety checkpoints, and party patrols; decreasing social access to alcohol; and increasing perceived risk among youth of arrest for breaking alcohol, tobacco, and drug laws.

**Hands Across Cultures Corporation (HACC)**

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 upon request
URL for more program information:	<a href="http://www.handsacrosscultures.org">http://www.handsacrosscultures.org</a>

**Program Description:** HACC is a community agency serving southern Rio Arriba County and the City of Espanola. HACC focuses on strengthening enforcement of school alcohol, tobacco, and other drug policies; reducing retail access to alcohol; reducing social access to alcohol; increasing enforcement of alcohol, tobacco, and drugs laws and efforts; and increasing perceived risk of arrest for breaking alcohol-related laws.

**North Central Community Based Services (NCCBS)**

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 upon request
URL for more program information:	<a href="http://www.nccbs.org">http://www.nccbs.org</a>

**Program Description:** NCCBS is a Northern Rio Arriba County–based behavioral health provider in Chama, New Mexico, that delivers Too Good for Drugs to 6th-grade students in the Chama Valley, Mesa Vista, and Jemez Mountain School Districts. NCCBS also employs the following environmental strategies: strengthening school alcohol, tobacco, and other drug policies; decreasing easy retail and social access to alcohol; increasing enforcement of alcohol, tobacco, and drug laws and activities; increasing perceived risk among youth of arrest for breaking those laws; and educating the public and legislators about the benefits to increases in alcohol pricing and taxes.

**Rocky Mountain Youth Corps (RMYC)**

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 available upon request
URL for more program information:	<a href="http://www.youthcorps.org">http://www.youthcorps.org</a>

**Program Description:** RMYC is a youth development organization in Taos, New Mexico, that focuses on strengthening school alcohol, tobacco, and other drug policies; increasing enforcement of alcohol, tobacco, and drug laws and activities; reducing retail and social access to alcohol; increasing perceived risk among youth of arrest for breaking those laws; and educating the public and legislators about the benefits to increases in alcohol pricing and taxes.

#### ***Sandoval County DWI Prevention Program (SCDWIPP)***

Program serves specific or general population	General 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 upon request
URL for more program information:	<a href="http://www.sandovalcounty.com/departments/comm-unity-services/dwi-and-prevention/prevention-program/dwi-prevention-services">http://www.sandovalcounty.com/departments/comm-unity-services/dwi-and-prevention/prevention-program/dwi-prevention-services</a>

**Program Description:** 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 8th grades and focuses on strengthening enforcement of school alcohol, tobacco, and other drug policies, increasing enforcement of alcohol, tobacco, and other drug laws and efforts, increasing perception of the risk of arrest for breaking those laws, reducing retail and social access of alcohol to youth, and educating the public and legislators about the benefits to increases in alcohol pricing and taxes.

#### ***San Juan County Partnership (SJCP)***

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:	Electronic copy available upon request
URL for more program information:	<a href="http://www.sjcpartnership.org/services.php">http://www.sjcpartnership.org/services.php</a>

**Program Description:** SJCP is a countywide coalition based in Farmington, New Mexico, that focuses on reducing binge drinking and drinking and driving among youth and adults in San Juan County, and the second on reducing prescription drug abuse and painkiller misuse among youth and adults. Environmental strategies strengthen school alcohol, tobacco, and other drug policies; decrease easy retail and social access to alcohol; increase enforcement of alcohol, tobacco, and drug laws and activities; restrict social access to prescription drugs through the elderly; educate the public about the dangers of prescription drug misuse; and increase perceived risk among youth of arrest for breaking alcohol, tobacco, and other drug laws.

#### ***Unified Prevention! (UP!) Coalition for a Drug Free Doña Ana County***

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 available upon request

URL for more program information: <http://www.unifiedprevention.com>

**Program Description:** 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 increased enforcement of alcohol-related laws and activities, reducing easy retail and social access of alcohol, increasing perception of risk of arrest for breaking alcohol-related laws, and reducing social access to prescription drugs by increasing safe storage and disposal.

**Youth Substance Abuse Prevention Coalition (YSAPC)**

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:	Electronic copy available upon request
URL for more program information:	No data

**Program Description:** 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 alcohol, tobacco, and other drug policies, increased enforcement of alcohol-related laws and activities, and increasing perception of risk of arrest for breaking alcohol-related laws. Prescription drug abuse strategies focus on reducing social access through secure storage and disposal, reduced sharing, and increasing community awareness of prescription drug abuse harm.

**Community Drug Coalition of Lea County**

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 available upon request
URL for more program information:	<a href="http://www.communitydrugcoalition.com">http://www.communitydrugcoalition.com</a>

**Program Description:** 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 alcohol, tobacco, and other drug policies, decreasing social access, increasing enforcement of alcohol-related laws and activities, and increasing perception of risk of arrest for breaking alcohol-related laws. Prescription drug abuse efforts reduce social access through placing and promoting disposal drop boxes, increasing proper storage and disposal of prescription medications, and strengthening enforcement of prescription drug laws by use of Drug Recognition Experts.

**Luna County Health Council**

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 available upon request
URL for more program information:	<a href="http://www.lunacountynm.us/Health%20Council.html">http://www.lunacountynm.us/Health%20Council.html</a>

**Program Description:** The Luna County 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.

Prescription drug abuse prevention focuses on increasing community awareness of the harms, and reducing social access through safe disposal and secure storage.

**Strategic Network of Advocates for the Prevention of Suicide & Substance Abuse (SNAPSSA)**

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 available upon request
URL for more program information:	No data

**Program Description:** 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 alcohol, tobacco, and other drug policies, increased enforcement of alcohol-related laws and activities, and increased perception of risk of arrest for breaking alcohol-related laws.

**Bootheel Youth Association (BYA)**

Program serves specific or general population	Specific population
Number of youth served	32
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 available upon request
URL for more program information:	No data

**Program Description:** BYA is a nonprofit organization that serves the youth of Hidalgo County, New Mexico. BYA provides Project Venture to 32 7th- and 8th-grade students. Environmental strategy efforts include strengthening enforcement of alcohol-related laws and activities, increasing the perceived risk of arrest for breaking these laws, and strengthening school alcohol, tobacco, and other drug policies.

**Youth Development, Incorporated (YDI)**

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 available upon request
URL for more program information:	No data

**Program Description:** YDI is a youth development organization in Valencia County, New Mexico, that focuses on strengthening enforcement of school alcohol, tobacco, and other drug policies, increasing enforcement of alcohol-related laws and activities, increasing perception of risk of arrest for breaking alcohol-related laws, reducing retail access to alcohol through store placement, and educating the public and legislators about the benefits to increases in alcohol pricing and taxes.

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

**Program description:** No data

**Additional Clarification**

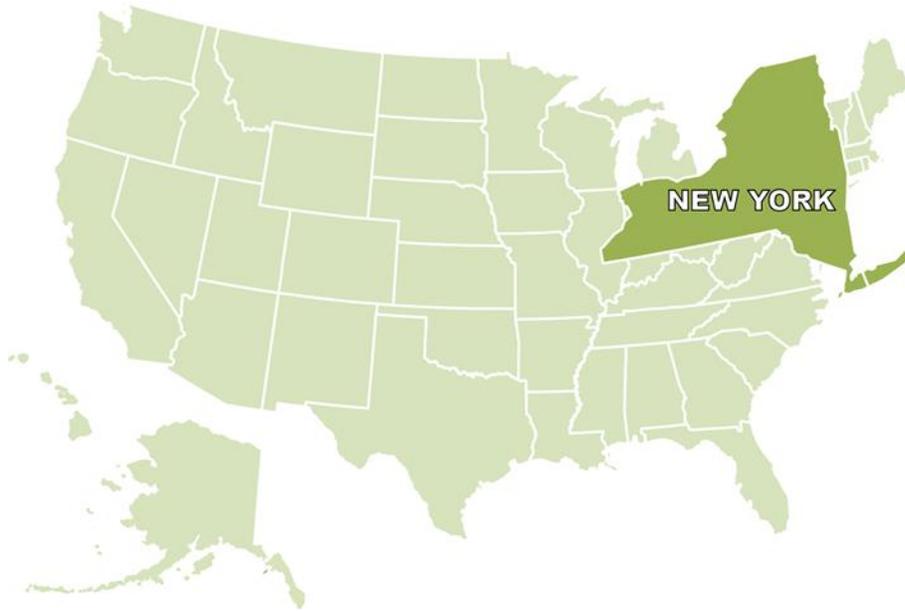
No data

<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>	Yes
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 the 2014-15 fiscal year going through the Strategic Prevention Framework. They will begin implementation of substance abuse prevention services in the second quarter of FY 2015/2016.	
<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: State Epidemiological Outcomes Workgroup	Yes
Nongovernmental agency(ies):	No
Other:	No
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) that have been peer reviewed or show evidence of effectiveness in New Mexico. OSAP works with the State Epidemiological and Outcomes Workgroup (SEOW) to identify and select EBPs eligible for substance abuse prevention including UAD.	
<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: Karen Cheman, Prevention Policy Consortium	
Email: karen.cheman@state.nm.us	
Address: Office of Substance Abuse Prevention, Behavioral Health Services Division, Human Services Department, 37 Plaza La Prensa, Santa Fe, NM 87507	
Phone: 505-476-9270	
<i>Agencies/organizations represented on the committee:</i>	
Office of Substance Abuse Prevention, BHSD/HSD	
Behavioral Health Services Division, Human Services Department	
Epidemiology & Response Division, Department of Health	
DWI Program, Department of Finance Administration	
Children's Behavioral Health Services Division, Children, Youth & Families Department	
Traffic Safety Division, Department of Transportation	
Pacific Institute for Research & Evaluation	
Office of School & Adolescent Health, Department of Health	
Tobacco Use Prevention and Control Program, Department of Health	
<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>	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>	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	No data
Estimate based on the 12 months ending	No data
<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: 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 Strategic Prevention Framework	
Estimate of state funds expended	\$946,058
Estimate based on the 12 months ending	6/30/2015

<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	Not applicable
<i>Description of funding streams and how they are used:</i>	
A portion (approximately 41%) of annual state alcohol excise tax revenue is allocated, by statute to county-level local 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% are allocated for underage drinking (UAD) prevention.	
<b>Additional Clarification</b>	
No data	



## New York

**State Population: 19,746,227**

**Population Ages 12–20: 2,270,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	27.3	619,000
Past-Month Binge Alcohol Use	16.1	365,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	3.7	26,000
Past-Month Binge Alcohol Use	1.5	11,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	25.9	196,000
Past-Month Binge Alcohol Use	14.5	109,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	48.9	397,000
Past-Month Binge Alcohol Use	30.1	245,000
<b>Alcohol-Attributable Deaths (under 21)</b>		181
<b>Years of Potential Life Lost (under 21)</b>		10,916
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	33	38

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	N/A
• Is consumption allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	No law
May youth purchase for law enforcement purposes?	N/A
<i>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.</i>	

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes

• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	No
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	N/A
• Possession of alcohol	N/A
• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	16
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (15 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16 years, 6 months
For night driving, when does adult supervision requirement begin?	9 pm
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – No more than one passenger under 21 who is not an immediate family member, unless accompanied by parent or instructor

Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	17
<i>Note:</i> New York has certain 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 driver under 18 who passes a road test during the first 6 months after the learner permit was issued.	

## Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No data
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
What are the decoy's appearance requirements?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	No data
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No

• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Unspecified

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	None
Wine	None
Spirits	18
Does a manager or supervisor have to be present?	Yes

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 200 feet
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 200 feet (applies only to on-premises licenses that sell spirits)
To which alcohol products does requirement apply?	Wine, spirits
<i>Note:</i> Exceptions are (1) club 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 manner visible from street.	

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes
<i>Note: Direct sales/shipments permitted only for wineries in states that afford New York wineries a reciprocal shipping privilege.</i>	

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law

What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes (beer deliveries limited to 5 gallons; delivery vehicles must be clearly marked)
Wine	Yes (delivery vehicles must be clearly marked)
Spirits	Yes (delivery vehicles must be clearly marked)

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

### Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.14
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	

<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.30
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$6.44
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	\$2.54/gallon for alcohol content of 24% or less

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	No

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (25 days)
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post and hold (30 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post and hold (30 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<i>Note: Payment is required within 25 days from certain retail beer and wine licensees.</i>	

## New York State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

New York State Police, New York State Liquor Authority Enforcement Bureau. Local agencies may also perform prevention/enforcement activities.

### 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	No
Underage Alcohol-Related Fatality Investigations	No

State has a program to investigate and enforce direct sales/shipment laws	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

State collects data on the number of minors found in possession	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

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>	45,000
Number of licensees checked for compliance by state agencies (including random checks)	2,370
Number of licensees that failed state compliance checks	869
Numbers pertain to the 12 months ending	12/31/2014
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	Data not available
Number of licensees that failed <b>random</b> state compliance checks	Data not available

Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors	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

### Sanctions

State collects data on fines imposed on retail establishments that furnish minors	Yes
Number of fines imposed by the state <sup>4</sup>	2,831
Total amount in fines across all licensees	\$7,328,472
Smallest fine imposed	\$50

Largest fine imposed	\$25,000
Numbers pertain to the 12 months ending	12/31/2014
<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>	Yes
Number of license revocations imposed <sup>6</sup>	Data not available
Numbers pertain to the 12 months ending	12/31/2014

**Additional Clarification**

Checkpoints are multi-age based and look to identify and apprehend all impaired drivers, not just underage drinkers. The NYS Police and NYS Liquor Authority answered all questions in Part 1, as that is their jurisdiction.

<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**

**Project Northland**

Program serves specific or general population	Specific population
Number of youth served	547
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>

**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.

**Life Skills Training (LST)**

Program serves specific or general population	Specific population
Number of youth served	57,968
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: <http://www.nrepp.samhsa.gov>

URL for more program information: <http://www.nrepp.samhsa.gov>

**Program Description:** 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 the initiation of substance use and other risky behaviors.

#### ***Too Good For Drugs (TGF)***

Program serves specific or general population Specific population

Number of youth served 40,858

Number of parents served 40,858

Number of caregivers served No data

Program has been evaluated Yes

Evaluation report is available Yes

URL for evaluation report: <http://www.nrepp.samhsa.gov>

URL for more program information: <http://www.nrepp.samhsa.gov>

**Program Description:** TGF 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.

#### ***Project SUCCESS***

Program serves specific or general population Specific population

Number of youth served 9,413

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: <http://www.nrepp.samhsa.gov>

URL for more program information: <http://www.nrepp.samhsa.gov>

**Program Description:** Project SUCCESS (Schools Using Coordinated Community Efforts to Strengthen Students) is designed to prevent and reduce substance use among students ages 12–18. 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.

#### ***Project ALERT***

Program serves specific or general population Specific population

Number of youth served 6,780

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: <http://www.nrepp.samhsa.gov>

URL for more program information: <http://www.nrepp.samhsa.gov>

**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 more regular users or abusers.

#### ***Project Towards No Drug Abuse (TND)***

Program serves specific or general population Specific population

Number of youth served 5,517

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: <http://www.nrepp.samhsa.gov>

URL for more program information: <http://www.nrepp.samhsa.gov>

**Program Description:** 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

**Class Action**

Program serves specific or general population	Specific population
Number of youth served	1,160
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:	<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>

**Program Description:** 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.

**SPF SIG**

Program serves specific or general population	Specific population
Number of youth served	1,638,054 for youth, parents, and caregivers
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:** The SPF SIG grant targets underage drinking in 9th through 12th grades. Eleven communities across the state were selected to receive funding to address underage drinking by implementing environmental strategies.

**All Stars**

Program serves specific or general population	Specific population
Number of youth served	1,179
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/ViewIntervention.aspx?id=28">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=28</a>
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>

**Program Description:** 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.

**Teen Intervene**

Program serves specific or general population	Specific population
Number of youth served	1,606
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/SearchResultsNew.aspx?s=b&amp;q=Teen%20Intervene">http://www.nrepp.samhsa.gov/SearchResultsNew.aspx?s=b&amp;q=Teen Intervene</a>

URL for more program information:

[http://www.nrepp.samhsa.gov/SearchResultsNew.aspx?s=b&q=Teen Intervene](http://www.nrepp.samhsa.gov/SearchResultsNew.aspx?s=b&q=Teen%20Intervene)

**Program Description:** Teen Intervene is a brief, early intervention program for 12- to 19-year-olds who display the early stages of alcohol or drug involvement. Integrating stages of change theory, motivational enhancement, and cognitive-behavioral therapy, the intervention aims to help teens reduce and ultimately eliminate their substance use.

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

**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: St Regis Mohawk Tribe and Health Services provides prevention services on and off the reservation. The provider delivers Too Good for Drugs and performs 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.

*State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing* Yes  
 Description of program: The Youth Development Survey was conducted in fall 2014 with questions related to youth exposure. Many New York State Office of Alcoholism and Substance Abuse Services (OASAS)-funded providers and coalitions have been performing annual surveys that also measure youth exposure. The OASAS 2014 YDS is currently in review and will be posted on the OASAS website when approved by the Commissioner.

*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: OASAS

Yes

Nongovernmental agency(ies):

No

Other:

No

Best practice standards description: Prevention Guidelines: The purpose of the 2014 Prevention Guidelines is to define and describe acceptable levels of prevention services, 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 OASAS.

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 New York, environmental strategies primarily target underage drinking and research supports the effectiveness of this approach with 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 laws, regulations, 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 EBP prevention strategies, like all effective prevention, must be based on a community needs assessment for the specific environmental factors that lead to substance related negative consequences. To be successful, multiple and reinforcing strategies must be planned carefully.

**Additional Clarification**

The Prevention Guidelines (PG) explain the process for developing and implementing evidenced-based environmental prevention strategies. The PG were updated in 2014 and can be found at: <http://www.oasas.ny.gov/prevention/index.cfm#> (click on Prevention Guidelines)

**State Interagency Collaboration**

*A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities* Yes

*Committee contact information:*

Name: Doug Paquette  
 Email: Douglas.Paquette@Troopers.NY.Gov  
 Address: 1220 Washington Ave., Albany, NY 12226  
 Phone: 518-457-7504

*Agencies/organizations represented on the committee:*

NYS OASAS  
 NYS Office of Mental Hygiene  
 NYS Liquor Authority  
 Majority Leader of Senate  
 Attorney General  
 Speaker of the Assembly  
 Representatives from Statewide Communities

*A website or other public source exists to describe committee activities* Yes

*URL or other means of access:*

<http://www.oasas.ny.gov/prevention/documents/2011AdvisoryCouncilonUnderageAlcoholConsumptionDraftAnnualReport.pdf>

**Underage Drinking Reports**

*State has prepared a plan for preventing underage drinking in the last 3 years* Yes

Prepared by: Advisory Council on Underage Alcohol Consumption and Youth Substance Abuse.

OASAS is required by 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 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 on regular cycles, as set by Mental Hygiene Law, OASAS views planning as a year-round process that informs policy development, budgeting, and the development and delivery of services at the state, local, and provider levels. Our collaborative planning efforts with counties, providers, 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. To access the Plan, go to <http://www.oasas.ny.gov/pio/commissioner/documents/5YPlan2011-2015.pdf>.

Plan can be accessed via: <http://www.oasas.ny.gov/pio/commissioner/documents/5YPlan2011-2015.pdf>.

*State has prepared a report on preventing underage drinking in the last 3 years* Yes

Prepared by: Advisory Council on Underage Alcohol Consumption and Youth Substance Abuse.

The SPF-SIG Prevention First NY developed a strategic report. This document has not been posted, but is available if a request is made. Plan can be accessed via:

<http://www.oasas.ny.gov/prevention/documents/2011AdvisoryCouncilonUnderageAlcoholConsumptionDraftAnnualReport.pdf>

**Additional Clarification**

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.

<http://www.oasas.ny.gov/prevention/documents/2011AdvisoryCouncilonUnderageAlcoholConsumptionDraftAnnualReport.pdf>

### State Expenditures for the Prevention of Underage Drinking

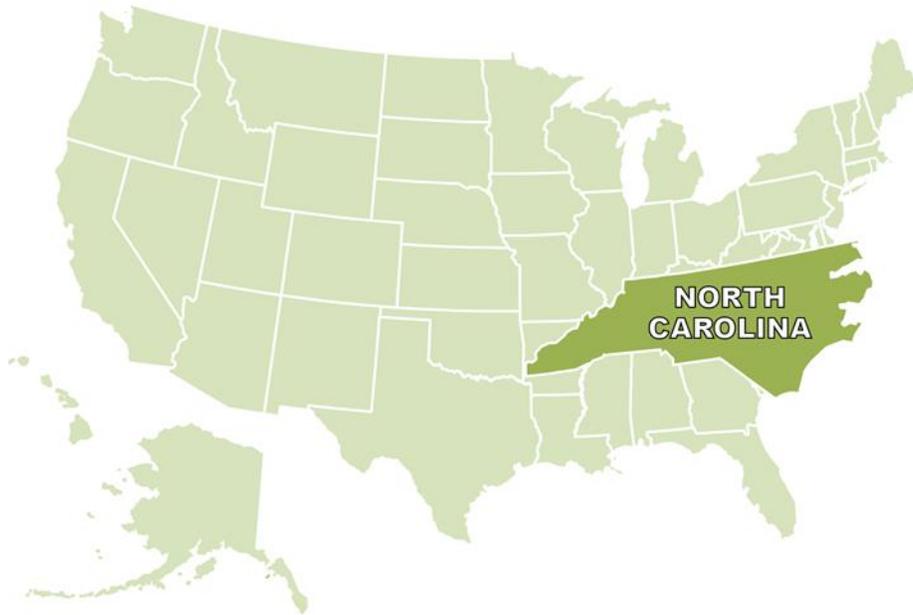
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2014
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2014
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$3,445,840
Estimate based on the 12 months ending	12/31/2014
<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	Data not available
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

### Funds Dedicated to Underage Drinking

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

### Additional Clarification

The State Police do not use state funds for compliance checks and checkpoints and saturation patrols. Funding for these activities comes from federal grants.



## North Carolina

**State Population: 9,943,964**  
**Population Ages 12–20: 1,119,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	18.6	208,000
Past-Month Binge Alcohol Use	10.9	121,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	3.3	13,000
Past-Month Binge Alcohol Use	1.6	6,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	19.6	74,000
Past-Month Binge Alcohol Use	11	42,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	34.1	121,000
Past-Month Binge Alcohol Use	20.8	74,000
<b>Alcohol-Attributable Deaths (under 21)</b>		145
<b>Years of Potential Life Lost (under 21)</b>		8,786
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	20	36

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	No
• Is internal possession allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes

• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	No
• Consumption of alcohol	No
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	365
Maximum number of days	365

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	12
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	60 (10 of which must be at night; to obtain full license, driver must log 12 hours of driving, in intermediate stage, 6 of these at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	9 pm
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – No more than one passenger under 21 who is not a member of immediate family or household; however, if there is a passenger

	under 21 who is an immediate family or household member, then no unrelated passengers under 21
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16 years, 6 months

## Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	16
What is the maximum age a decoy may be to participate in a compliance check?	20
What are the decoy's appearance requirements?	Must look under 21
Does decoy carry ID during compliance check?	Discretionary
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	Not specified
What is the penalty for the first offense?	\$500 or license suspension
What is the penalty for the second offense?	Up to \$750 or license suspension
What is the penalty for the third offense?	Up to \$1,000 or license suspension
What is the penalty for the fourth offense?	Not specified

NC-Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	Yes
• Discounts in dram shop liability insurance, license fees, or other	No

• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	No
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Unspecified
Does the RBS law apply to new or existing licensees?	Unspecified

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	None
Wine	None
Spirits	18
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	21
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes – No permits on campus
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes – No permits on campus
To which alcohol products does requirement apply?	Beer, wine
<i>Note:</i> Exceptions: (1) regional sports and entertainment facilities for public use, except public school or college function, unless business is hotel or nonprofit alumni organization with mixed beverages or special occasion permit; (2) performing arts centers with a seating capacity of less than 2,000; and (3) restaurants, eating establishments, food businesses, or retail businesses on the property.	
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes – No permits on campus
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes – No permits on campus
To which alcohol products does requirement apply?	Beer, wine
<i>Note:</i> Exceptions: (1) regional sports and entertainment facilities for public use, except public school or college function, unless business is hotel or nonprofit alumni organization with mixed beverages or special occasion permit; (2) performing arts centers with a seating capacity of less than 2,000; and (3) restaurants, eating establishments, food businesses, or retail businesses on the property.	

<b>Dram Shop Liability</b>	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	Yes (\$500,000 total award to all injured parties per occurrence)
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (injury must be a proximate result of the negligence of an underage driver's negligent operation of a vehicle while intoxicated)
Does common law dram shop liability exist?	No
<i>Note:</i> 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 law includes a responsible beverage server defense.	

<b>Social Host Liability</b>	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	No
<i>Note:</i> 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.	

<b>Prohibitions Against Hosting Underage Drinking Parties</b>	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

<b>Retailer Interstate Shipments of Alcohol</b>	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

<b>Direct Shipments/Sales</b>	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No

Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	Equal to or more than 7.75
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes (discretionary fine/ 45 days)
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	Yes
Must warning information be given to purchaser?	Yes – Active (requires an action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes
Wine	Yes
Spirits	No law

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	Yes – North Carolina is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	Yes, more than 75.5%.
Are there exceptions to restrictions?	No
<i>Note:</i> The North Carolina Alcoholic Beverage Control Commission has issued a written statement that the highest proof liquor sold in North Carolina ABC stores will be 151 proof, which is equivalent to 75.5% ABV.	

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.62
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$1
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	

If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

Low-Price, High-Volume Drink Specials	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	Yes
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Yes (full-day price reductions not banned)
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

Wholesaler Pricing Restrictions	
Beer	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
Wine	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No

Spirits	Control System
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A

## North Carolina State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

North Carolina Alcohol Law Enforcement

### Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	Yes
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	No
Underage Alcohol-Related Fatality Investigations	No

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

Yes

Number of minors found in possession by state law enforcement agencies

11,914

Number pertains to the 12 months ending

12/31/2014

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>

17,879

Number of licensees checked for compliance by state agencies

14

**(including random checks)**

Number of licensees that failed state compliance checks

9

Numbers pertain to the 12 months ending

12/31/2014

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments

Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations

No

Number of licensees subject to **random** state compliance checks/decoy operations

Not applicable

Number of licensees that failed **random** state compliance checks

Not applicable

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

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>

321

Total amount in fines across all licensees

\$461,240

Smallest fine imposed

\$600

Largest fine imposed

\$5,000

Numbers pertain to the 12 months ending

12/31/2014

<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>	35
Total days of suspensions across all licensees	674
Shortest period of suspension imposed (in days)	11
Longest period of suspension imposed (in days)	60
Numbers pertain to the 12 months ending	12/31/2014
<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

#### Additional Clarification

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

##### **North Carolina Preventing Underage Drinking Initiative (NC-PUDI)**

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.ncpud.org">http://www.ncpud.org</a>
URL for more program information:	<a href="http://www.ncpud.org">http://www.ncpud.org</a>

**Program Description:** NC-PUDI focuses on community-based approaches that emphasize environmental management strategies to prevent underage drinking. As the Congressional 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). NC-PUDI offers technical assistance to Community Collaboratives 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 excessive alcohol consumption; and addressing policies pertaining to underage drinking. The Initiative is administered by the North Carolina Department of Health and Human Services/Division of Mental Health, Developmental Disabilities and Substance Abuse Services and is supported by SAMSHA. NC-PUDI continues the initiatives that had been funded by the OJJDP Enforcing Underage Drinking Laws 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).

##### **Talk It Out: Start the conversation. Stop underage drinking.**

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.talkitoutnc.org">http://www.talkitoutnc.org</a>
<b>Program Description:</b> Talk It Out is a statewide campaign administered by the North Carolina Alcoholic Beverage Control Commission to reduce underage drinking through TV ads and social media, a website to help parents talk to youth, and a series of school assemblies with Lt. Gov. Dan Forest. Talk It Out has developed resources that provide parents with information to talk with their children about underage drinking.	

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

**Program description:** No data

**Additional Clarification**

Preventing and reducing underage drinking through retail compliance is one of the most effective strategies available (PIRE, 1999). 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 non-compliant 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, 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, 1999). 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 Collaboratives 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 July 2009 through June 2014 the collective alcohol purchase survey failure rate has decreased by 59%. From July 1, 2013, to June 30, 2014, the state conducted 2,264 Alcohol Purchase Surveys. Of those surveys, which included targeting problem establishments, 86% 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.

**Additional Information Related to Underage Drinking Prevention Programs**

<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): Community Preventive Services Task Force, OJJDP; NREPP; CDC; National Institute of Medicine/National Academy of Sciences; U.S. Dept. of HHS/ Surgeon General Agency(ies)	Yes
Agency(ies) within your state: North Carolina Practice Improvement Collaborative; North Carolina Institute of Medicine; North Carolina Dept. of Health and Human Services	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, *Strategies to Reduce Underage Alcohol Use* (PIRE, 1999); the National Institute of Medicine/National Academy of Sciences (IOM/NAS) report, *Reducing Underage Drinking: A Collective Responsibility*; the Surgeon General's *Call to Action to Prevent and Reduce Underage Drinking*; *Guide to Community Preventive Services*; National Registry of Evidence-based Programs and Practices (NREPP); 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, *Strategies to Reduce Underage Alcohol Use* (PIRE, 1999). 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 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 heightened enforcement of 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: 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. Include colleges and universities in collaboration and implementation efforts for a range of interventions. 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 to explain the reasons why compliance is important and elicit public support for limiting access. Recommended strategy urges that states and localities, working with law enforcement as appropriate, restrict youth access by:

- 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
- 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 antiloitering measures
- Measures to hold retailers accountable for loitering
- Securing and monitoring alcohol in the home
- 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 North Carolina Preventing Underage Drinking Initiative has the overall goal of focusing on: 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, 1999). 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:

- Assess community needs and collect data on which retailers in the community are potentially selling to underage youth.
- Raise community awareness and build support for efforts to prevent sales to minors.
- Inform merchants that they are being monitored and motivate them to change non-compliant practices.

- Inform law enforcement officials with important information.
- 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, 1999). 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 July 2009 through June 2014, the collective alcohol purchase survey failure rate has decreased by 59%. From July 1, 2013 to June 30, 2014, the state conducted 2,264 alcohol purchase surveys. Of those surveys, which included the targeting of problem establishments, 86% asked for the mock buyer’s identification and passed the survey. Community Collaboratives involve youth in their efforts to prevent underage drinking. Using a youth empowerment model, the Community Collaboratives foster the development, or encourage the expansion, of an underage drinking prevention youth empowerment movement in their community.

#### State Interagency Collaboration

*A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities* Yes

#### *Committee contact information:*

Name: S. Jeff Strickland, Jr., Manager, Governor’s Substance Abuse and Underage Drinking Prevention and Treatment Task Force  
 Email: stuart.strickland@abc.nc.gov  
 Address: NC ABC Commission, 4307 Mail Service Center, Raleigh, NC 27699-4307  
 Phone: 919-779-8351

#### *Agencies/organizations represented on the committee:*

Chair of the ABC Commission; Co-chair  
 Secretary of The Department of Public Safety; Co-chair  
 UNC General Administration  
 NC Independent Colleges and Universities  
 NC Community Colleges System Office  
 NC State Board of Education  
 UNC System Campuses  
 Private, Non-profit College or University in NC  
 NC DHHS  
 Office of the Governor  
 Alcohol Law Enforcement  
 Local Law Enforcement Agency  
 Alcohol or Substance Abuse Treatment Organization  
 Alcohol Treatment Organization/Youth Treatment  
 NC Department of Transportation, Division of Motor Vehicles  
 Wholesale Alcohol Industry  
 Administrative Office of the Courts  
 Individual in Recovery  
 Two current students, at least one of whom is under age 21

<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>	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>	Yes
Prepared by: NC Institute of Medicine; NC DHHS/Enforcing Underage Drinking Laws Program Report	
Plan can be accessed via: <a href="http://www.nciom.org/publications/prevention">http://www.nciom.org/publications/prevention</a>	

**Additional Clarification**

The state has prepared a plan for substance abuse prevention that is not specific to underage drinking, but is inclusive of it.

**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	12/31/2014

<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2014

<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2014

<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2014

<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2014

<i>Other programs:</i>	
Programs or strategies included: Talk It Out NC. The ABC Commission campaign is funded by revenue from state-controlled liquor stores.	
Estimate of state funds expended	\$2.5 million
Estimate based on the 12 months ending	12/31/2014

**Funds Dedicated to Underage Drinking**

<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No data
Fines	No data
Fees	No data
Other (1) Revenue from state-controlled liquor store (Talk It Out NC campaign); (2) Seven percent of sales from distilled spirits sold at the ABC stores.	Yes

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

- Talk It Out NC*—The Alcoholic Beverage Control (ABC) Commission campaign is funded by revenue from state-controlled liquor stores. “Talk it Out” is the theme of the North Carolina ABC Commission campaign developed for broadcast, print, and social media markets across North Carolina. Advertising materials provide links to a website ([Talkitoutnc.org](http://Talkitoutnc.org)) that provides information and resources geared to helping parents and teens have

important conversations about alcohol and why children should not drink until they are adults. The campaign is part of the larger ABC Commission's Initiative to Reduce Underage Drinking that includes outreach with the public safety and public health communities as well as partnership with the alcohol industry to address underage drinking issue head-on. It also fits within the broader mission of the Governor's Task Force to Combat Substance Abuse and Underage Drinking.

2. Seven 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.

#### **Additional Clarification**

The North Carolina Department of Human Services Preventing Underage Drinking Initiative (NC-PUDI) and additional complementary efforts are federally funded. No state funds are specifically dedicated to the prevention of underage alcohol use.



## North Dakota

**State Population: 739,482**

**Population Ages 12–20: 85,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	31.4	27,000
Past-Month Binge Alcohol Use	21.6	18,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.2	1,000
Past-Month Binge Alcohol Use	1.8	0
<b>Ages 15–17</b>		
Past-Month Alcohol Use	19.6	5,000
Past-Month Binge Alcohol Use	10.7	3,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	58.8	21,000
Past-Month Binge Alcohol Use	43.1	15,000
<b>Alcohol-Attributable Deaths (under 21)</b>		10
<b>Years of Potential Life Lost (under 21)</b>		611
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	22	5

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A
<p><i>Note:</i> Although North Dakota does not prohibit internal possession as defined in this report, it 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.</p>	

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	No
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
Does an affirmative defense exist for the retailer?	Yes

• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	No
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	N/A
• Possession of alcohol	N/A
• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	14
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	12 (6 months if driver is 16 or over)
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50
Intermediate Stage	
What is the minimum age for driving without adult supervision?	15
For night driving, when does adult supervision requirement begin?	9 pm (later of sunset or 9 pm)
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	No
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	N/A
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16

## Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No data
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
What are the decoy's appearance requirements?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	No data
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	No
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	N/A
Does the RBS law apply to new or existing licensees?	N/A

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	21
Wine	21

Spirits	21
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	Yes
<i>Note: Any person who is 18 or older but under 21 may be employed by the restaurant to serve and collect money for alcoholic beverages, if the person is under the direct supervision of a person aged 21 or more, but may not be engaged in mixing, dispensing, or consuming alcoholic beverages.</i>	

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (knowledge of underage status)
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (knowledge of underage status)
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A

What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Permitted
Wine	Permitted
Spirits	Permitted

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, wine, distilled spirits
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	No
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	More than 6.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Not required
Is a deposit required?	No
Does law cover disposable kegs?	No

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No law

Wine	No law
Spirits	No law

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

### Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.16
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	5%
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	2%
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	5%
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	2%
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<i>Note: Beer in bulk containers is taxed at \$0.08 per gallon.</i>	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.50
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	5%
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	2%
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	5%

• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	2%
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$2.50
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	5%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	2%
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	5%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	2%
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law

Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)

## North Dakota State Survey Responses

### State Agency Information

*Agency with primary responsibility for enforcing underage drinking laws:*

North Dakota does not have an Alcohol Beverage Control agency. Responsibilities are shared across several state agencies.

### Enforcement Strategies

*State law enforcement agencies use:*

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
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* Yes

Number of minors found in possession by state law enforcement agencies 737

Number pertains to the 12 months ending 12/31/2014

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* No

Data are collected on these activities No

Number of retail licensees in state<sup>3</sup> 1,589

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

*State conducts **random** underage compliance checks/decoy operations* Not applicable

Number of licensees subject to **random** state compliance checks/decoy operations Not applicable

Number of licensees that failed **random** state compliance checks Not applicable

*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 622

Number of licensees that failed local compliance checks 80

Numbers pertain to the 12 months ending 12/31/2014

### Sanctions

*State collects data on fines imposed on retail establishments that furnish minors* 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 data
Number of license revocations imposed <sup>6</sup>	No data
Numbers pertain to the 12 months ending	No data

**Additional Clarification**

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	Yes
URL for evaluation report: <a href="http://ndspfsig.wikispaces.com/file/view/pLEADOutcomeReport-Reduce.pdf/547938876/pLEADOutcomeReport-Reduce.pdf">http://ndspfsig.wikispaces.com/file/view/pLEADOutcomeReport-Reduce.pdf/547938876/pLEADOutcomeReport-Reduce.pdf</a>	
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, addiction provider, school counselor) or local public events, and utilizes traditional mass media (e.g., commercials, PSAs). Parents LEAD is a collaboration between the ND Department of Human Services, ND Department of Transportation, and ND University System.

**Juvenile Drug Court**

Program serves specific or general population	Specific population
Number of youth served	91
Number of parents served	182
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

**Program Description:** 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 six juvenile drug courts throughout the state. Each drug court has a team that consists of a judge, prosecutor, defense counsel, court officer, treatment provider, coordinator, school representative, and law enforcement officer.

#### ***Electronic CheckUp To Go (e-CheckUp) for 1st-Year Students***

Program serves specific or general population	Specific population
Number of youth served	6,128
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:** e-CheckUp is a personalized, evidence-based, online prevention and intervention tool originally developed by the psychologists at San Diego State University. Drawing on Motivational Interviewing (Miller & Rollnick, 2002) and Social Norms Theory (Perkins & Berkowitz, 1986), the e-CheckUp program 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 personalized to each campus, using the most recent alcohol and other drug survey information from that campus. The e-CheckUp takes approximately 15 minutes to complete (depending on the student). Students' personal feedback includes information that has 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 percent of income spent on alcohol, negative consequences feedback, explanation, advice, and local referral information.

#### ***LIVE REAL Mentor Program (NDSU)***

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:	No data
URL for more program information:	No data

**Program Description:** The LIVE REAL Mentor Program is designed to increase knowledge within the largest campus community (North Dakota State University) about the effects of high-risk alcohol use, appropriately referring 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: (1) rates of use/misuse of alcohol and other drugs by NDSU students; (2) prevention strategies used to decrease high-risk alcohol and other drug use; (3) recognition of signs/symptoms of alcohol and/or other drug misuse; (4) signs of alcohol poisoning and intervention strategies; (5) campus, city, and state laws related to alcohol and other drugs; and (6) effective referral strategies for students or colleagues that exhibit alcohol or other drug abuse problems.

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

Program serves specific or general population	Specific population
Number of youth served	292
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 is 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. BASICS 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 (ND State University). 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 21, one is one too many. Elements of the campaign include a website with educational material, t-shirt giveaways, key tags for the Herd Hauler safe ride program, extensive use of social media, and student-produced videos. The Campaign website is [http://www.ndsu.edu/alcoholinfo/students/alcohol\\_before\\_one\\_more](http://www.ndsu.edu/alcoholinfo/students/alcohol_before_one_more).

**CHOICES With High-Risk Populations**

Program serves specific or general population	Specific population
Number of youth served	638
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 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 on what they have learned as it relates to their choices about drinking in their personal journals. CHOICES is presented to student-athletes (the state’s highest-risk college population subset) at four campuses and shared with first-year students in a classroom setting at three campuses. The program is shared in a nonconfrontational manner that enables students to make their own decisions about alcohol consumption.

**Responsible Beverage Service (RBS) 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:** The North Dakota Safety Council (NDSC) is partnering with communities and law enforcement throughout the state to implement RBS training. RBS is designed to educate owners, managers, servers, and sellers at alcohol establishments about strategies to avoid illegally selling alcohol to underage youth and intoxicated customers. The program comprises three 2-hour modules: Basic Server Course; Special Event Server Course; and Owners/Managers Course.

#### **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 underage youth visited liquor stores, restaurants, and bars to check for compliance with laws that prohibit alcohol sales to people under age 21.

#### **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	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

**Program Description:** 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 Strategic Prevention Framework (SPF) and 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.

#### **Strategic Prevention Framework State Incentive Grant**

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://ndspfsig.wikispaces.com">http://ndspfsig.wikispaces.com</a>

**Program Description:** The Department of Human Services' Division of Mental Health and Substance Abuse has awarded funding to 22 local public health units and the 4 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.

**What's Your Buzz? Smart Phone Application**

Program serves specific or general population	General population
Number of youth served	1,501
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:** What's Your Buzz? is a new smart phone app that was developed through the North Dakota Higher Education Consortium for Substance Abuse Prevention. The app was designed to assist users, specifically students in North Dakota, in gaining a better understanding of what their blood alcohol concentration (BAC) is while they are consuming alcohol. The application features a notification when the user reaches a BAC of .08 (the threshold in North Dakota for driving under the influence of alcohol), a sober countdown that counts down for the user how many hours and minutes it will take for the user to reach a BAC of .00, and finally a "find a taxi" button that, when clicked, takes the user to a Google search of local taxi service.

**Think About It**

Program serves specific or general population	Specific population
Number of youth served	2,349
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:** Think About It is an online alcohol, drug, and sexual violence educational program. The program includes robust modules that provide students with awareness and education of alcohol and drugs and their relation to sexual violence, and what a student should be aware of as a young adult new to the college setting. This program has been identified as best practice as it pertains to alcohol and drugs, and the new sexual violence element is an addition that will likely also be identified as a best practice. The University of North Dakota adopted this program and implemented it in 2014, with a significant number of first-year students (97% of the first-year student population) who completed the program. This program may expand to other campuses depending on the results from the University of North Dakota.

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

**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 North Dakota Department of Human Services provides federal funds to the four federally recognized tribes in the state to support culturally appropriate, local substance abuse prevention programming. The Department provides additional support in the form of training and technical assistance for these programs. The Department also funds the four tribes to implement the SPF SIG. The North Dakota Department of Transportation also involves tribal law enforcement in regional impaired driving prevention enforcement activities.

*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): SAMHSA, OJJDP, NHTSA 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

SPF SIG

Best practice standards description: North Dakota follows evidence-based prevention through a focus on addressing risk and protective factors, following the Strategic Prevention Framework and the public health model, while emphasizing environmental strategies, such as enforcement. North Dakota prevention efforts are directed through a data-driven decisionmaking process.

#### 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: Pamela Sagness

Email: psagness@nd.gov

Address: 1237 West Divide Avenue, Suite 1C, Bismarck, ND 58501

Phone: 701-328-8920

*Agencies/organizations represented on the committee:*

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 Judiciary

Local Law Enforcement Representative

ND Addiction Counselor Representative

*A website or other public source exists to describe committee activities* No

URL or other means of access: Not applicable

#### Underage Drinking Reports

*State has prepared a plan for preventing underage drinking in the last 3 years* Yes

Prepared by: ND Department of Human Services

Plan can be accessed via: No data

*State has prepared a report on preventing underage drinking in the last 3 years* Yes

Prepared by: ND Department of Human Services

Plan can be accessed via: <http://www.nd.gov/dhs/prevention/SEOW>

#### Additional Clarification

No data

**State Expenditures for the Prevention of Underage Drinking**

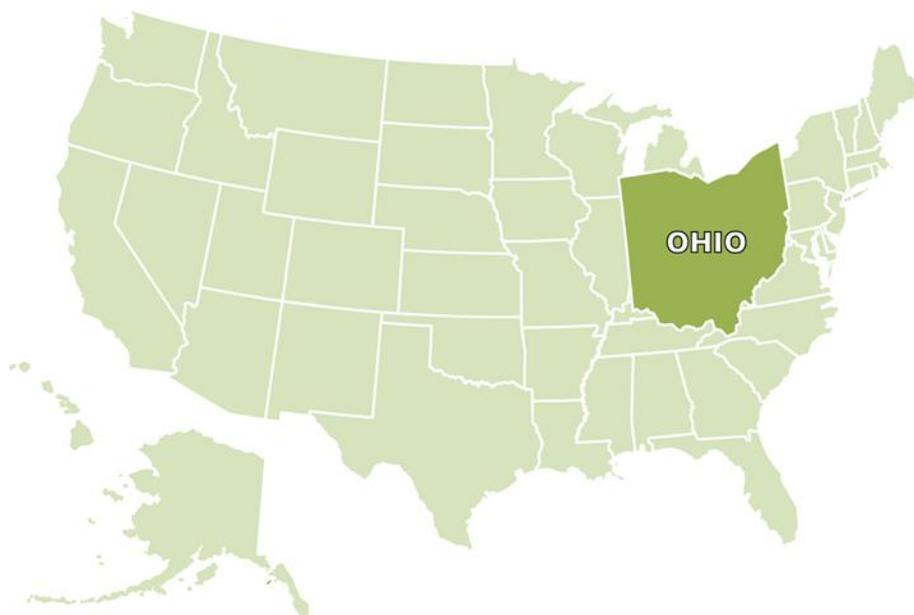
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2014
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$128,151
Estimate based on the 12 months ending	12/31/2014
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$180,000
Estimate based on the 12 months ending	12/31/2014
<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	\$56,811.35
Estimate based on the 12 months ending	12/31/2014
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$481,000
Estimate based on the 12 months ending	12/31/2014
<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	Data not available
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

**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**

State funds are not used for underage compliance checks, only federal funds.



## Ohio

**State Population: 11,594,163**

**Population Ages 12–20: 1,425,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	25.1	358,000
Past-Month Binge Alcohol Use	16.1	230,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.1	19,000
Past-Month Binge Alcohol Use	1.9	9,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	20.1	94,000
Past-Month Binge Alcohol Use	11.3	52,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	49.1	245,000
Past-Month Binge Alcohol Use	33.8	169,000
<b>Alcohol-Attributable Deaths (under 21)</b>		142
<b>Years of Potential Life Lost (under 21)</b>		8,667
	Percentage of All Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	17	26

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes
• Is possession allowed if spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	Yes
• Is consumption allowed if the spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through an administrative process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	Yes
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes

• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	No
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	N/A
• Possession of alcohol	N/A
• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15 years, 6 months
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	12 am (1 am if age 17)
Can law enforcement stop a driver for night-driving violation as a primary offense?	No – Officer must stop driver for another offense to cite for night-driving violation
Are there restrictions on passengers?	Yes – No more than one non-family passenger, unless accompanied by parent or guardian
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation

License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	18 (passenger restrictions are lifted at age 17; unsupervised night-driving restrictions remain until age 18)

## Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	Yes
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	17
What is the maximum age a decoy may be to participate in a compliance check?	19
What are the decoy's 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.
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	No
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No

• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Unspecified

<b>Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)</b>	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

<b>Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	19
Wine	19
Spirits	19
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	19
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No
<i>Note: Employees must be at least 21 to sell spirits, wine, or mixed beverages across a bar, but may sell beer across a bar if they are at least 19.</i>	

<b>Alcohol Outlet Siting Near Schools and Universities</b>	
<b>Colleges and Universities</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
<b>Primary and Secondary Schools</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

<b>Dram Shop Liability</b>	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	Yes

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Possession/Consumption
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	Yes – Family members
<p><i>Note:</i> In addition to the restrictions imposed on owners or occupants of public or private places, Ohio's provision for 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.</p>	

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes
<p><i>Note:</i> 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.</p>	

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	Yes (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 21)
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes

Must the common carrier (deliverer) be approved by a state agency?	Yes
<b>Recording/reporting requirements</b>	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	No
<b>Shipping label requirements</b>	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	No

<b>Keg Registration</b>	
How is a keg defined (in gallons)?	No law
<b>Prohibitions</b>	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
<b>What purchaser information is collected?</b>	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

<b>Home Delivery</b>	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law

<b>High-Proof Grain Alcohol Beverages</b>	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No. However, Ohio is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

<b>Alcohol Taxes</b>	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.18
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No

• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.32
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant

• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

Low-Price, High-Volume Drink Specials	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Restricted (permitted before 9 pm)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes

Wholesaler Pricing Restrictions	
<b>Beer</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post and hold (90 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Spirits</b>	
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<i>Note: Wine wholesalers are to include a 33.3% minimum markup.</i>	

## Ohio State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Ohio Department of Public Safety/Ohio Investigative Unit

### 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	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 Yes

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Ohio Dept. of Commerce, Div. of Liquor Control
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	1,711
Number pertains to the 12 months ending	12/31/2014
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>	23,738
Number of licensees checked for compliance by state agencies (including random checks)	1,008
Number of licensees that failed state compliance checks	212
Numbers pertain to the 12 months ending	12/31/2014
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations Yes

Number of licensees subject to <b>random</b> state compliance checks/decoy operations	1,008
Number of licensees that failed <b>random</b> state compliance checks	212

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	12/31/2014

### Sanctions

State collects data on fines imposed on retail establishments that furnish minors Yes

Number of fines imposed by the state <sup>4</sup>	431
Total amount in fines across all licensees	\$581,550
Smallest fine imposed	\$400
Largest fine imposed	\$15,000
Numbers pertain to the 12 months ending	12/31/2014

<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>	56
Total days of suspensions across all licensees	3,640
Shortest period of suspension imposed (in days)	3
Longest period of suspension imposed (in days)	30
Numbers pertain to the 12 months ending	12/31/2014
<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>	10
Numbers pertain to the 12 months ending	12/31/2014

#### Additional Clarification

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

##### **Ohio College Initiative To Enhance Student Wellness**

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:	<a href="http://www.DrugFreeActionAlliance.org">http://www.DrugFreeActionAlliance.org</a>
URL for more program information:	No data

**Program Description:** The Ohio College Initiative seeks to enhance student wellness by promoting the creation of campus/community coalitions that implement community-based process and environmental strategies to strengthen the campus culture by focusing on the following areas: restricting marketing and promotion, improving social and recreational options, limiting availability, increasing enforcement of policies, and creating a health-promotion environment. DFAA will work in partnership with the Higher Ed Center at Ohio State University to carry out this important work. This college intervention seeks to change the alcohol-related culture of students on college campuses, by building campus/community coalitions that identify and implement environmental strategies. This model provides training and technical support to campus faculty and top administration officials to encourage and assist in the implementation of evidence-based prevention strategies. The College Initiative has 54 4-year institutions and some community colleges engaged in this process.

##### **BUZZKILL: Serve Under 21 and the Party's Over**

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.DrugFreeActionAlliance.org">http://www.DrugFreeActionAlliance.org</a>

**Program Description:** The BUZZKILL program educates of-age college students about the serious health and safety problems associated with underage drinking. In addition to its messaging, the program supports enforcement of underage drinking laws at the local level by supporting communities to partner with law enforcement. The program takes place on a local and statewide level and runs primarily September to May, when college-hosted underage drinking house parties are prevalent and campuses can provide community education. BUZZKILL is implemented by nine other states: California, Georgia, Maryland, Michigan, New Jersey, New York, Pennsylvania, Texas, and Wisconsin.

**The Sober Truth**

Program serves specific or 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://oiu.ohio.gov/sobertruth.stm">http://oiu.ohio.gov/sobertruth.stm</a>

**Program Description:** In keeping with the belief that education is a strong component of the law enforcement effort, the Investigative Unit presents a program called "The Sober Truth" targeted toward junior high and high school students. The program stresses the dangers and consequences of underage drinking, covering areas that range from the laws and penalties for breaking the law to real-life stories from the agents who present the program. The Sober Truth is presented in schools and to civic groups throughout Ohio. Among the requesters have been school teachers of all subjects, prom-related groups, health fair coordinators, and court-appointed class instructors, many of whom ask for the program several times a year. There is no cost for the program.

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

**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>	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): SAMSHA	Yes
Agency(ies) within your state: Ohio Department of Mental Health and Addiction Services	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: The social norm campaign Buzz-kill: Serve 21 and the Party's Over, which Ohio created and others are now implementing, is seen as a best practice for the State of Ohio. Another best practice is the utilization of evidence-based practices of programs, policy, and procedures for the Ohio College Initiative to Enhance Student Wellness.	

Additional Clarification	
No data	
State Interagency Collaboration	
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	Not applicable
URL or other means of access:	Not applicable
Underage Drinking Reports	
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	No
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	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	Data not available
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
Fines	No
Fees	No
Other	Not applicable

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

**Additional Clarification**

No data



## Oklahoma

**State Population: 3,878,051**

**Population Ages 12–20: 472,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	22.1	104,000
Past-Month Binge Alcohol Use	14.5	68,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	2.6	4,000
Past-Month Binge Alcohol Use	1.2	2,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	19.5	30,000
Past-Month Binge Alcohol Use	10.4	16,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	42.8	71,000
Past-Month Binge Alcohol Use	30.6	50,000
<b>Alcohol-Attributable Deaths (under 21)</b>		71
<b>Years of Potential Life Lost (under 21)</b>		4,326
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	20	18

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	Yes, in any private location
<i>Note:</i> 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% ABW) if under direct supervision of their parent or guardian.	

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	N/A
• Is consumption allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A
<i>Note:</i> 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% ABW) by persons under 21 unless under 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.	

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

OK-Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes
<i>Note:</i> In Oklahoma, persons under 21 may purchase or attempt to purchase low-point beer (defined as beer or malt beverages not more than 3.2% ABW) if under the direct supervision of their parent or guardian.	

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No

Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	No
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	N/A
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	N/A
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No
<p><i>Note:</i> Oklahoma provides retailers a defense in criminal prosecutions for furnishing minors with "low-point beer" (defined as all beverages containing more than 0.5% ABV and not more than 3.2% ABW). The defense takes the form of a rebuttable presumption that the retailer reasonably relied on proof of age if (1) the minor presented what a reasonable person would have believed was a driver license or other government-issued photo ID purporting to establish that the individual was 21 or older; or (2) the retailer confirmed the validity of the driver license or other government-issued photo ID presented by the individual by using a transaction scan device; and (3) if the retailer exercised reasonable diligence to determine whether the physical description and picture on the driver license or other government-issued photo ID was that of the individual who presented it.</p>	

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose" Laws)	
Is there a "use/lose" law that suspends or revokes a minor's driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	No
• Possession of alcohol	Yes
• Consumption of alcohol	No
The law applies to people under what age?	18
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	180
Maximum number of days	180

*Note:* In Oklahoma, the denial of driving privileges is a consequence imposed on those under 18 who have possessed an intoxicating beverage or purchased, possessed, or consumed low-point beer (defined as containing not more than 3.2% ABW).

<b>Graduated Driver's Licenses</b>	
<b>Learner Stage</b>	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15 years, 6 months
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
<b>Intermediate Stage</b>	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	10 pm
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – No more than one passenger who is not a household member, unless accompanied by driver at least 21
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation
<b>License Stage</b>	
What is the minimum age for full license privileges and lifting of restrictions?	16 years, 6 months

## Laws Targeting Alcohol Suppliers

<b>Furnishing Alcohol to Minors</b>	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
<b>Affirmative Defense for Sellers and Licensees</b>	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

<b>Compliance Check Protocols</b>	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	16
What is the maximum age a decoy may be to participate in a compliance check?	21
What are the decoy's appearance requirements?	Should not look deceptively mature

Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	No
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	No law
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	N/A
Does the RBS law apply to new or existing licensees?	N/A

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 300 feet. College or university located within an improvement district may override state restriction.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 300 feet. College or university located within an improvement district may override state restriction.
To which alcohol products does requirement apply?	Beer, wine, spirits
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 300 feet
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 300 feet
To which alcohol products does requirement apply?	Beer, wine, spirits

Dram Shop Liability	
Does a statute create dram shop liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law dram shop liability exist?	Yes

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Possession/Consumption
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	Yes – Residents of household

<b>Retailer Interstate Shipments of Alcohol</b>	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

<b>Direct Shipments/Sales</b>	
May alcohol producers ship directly to consumers?	No
What alcohol types may be shipped?	N/A
Must purchaser make mandatory trip to producer before delivery is authorized?	N/A
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	N/A
Must the common carrier (deliverer) verify age of recipients?	N/A
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	N/A
Must the common carrier (deliverer) be approved by a state agency?	N/A
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	N/A
Must the common carrier (deliverer) record/report recipient's name?	N/A
Shipping label requirements	
Must the label state "Package contains alcohol"?	N/A
Must the label state "Recipient must be 21 years old"?	N/A

<b>Keg Registration</b>	
How is a keg defined (in gallons)?	Equal to or more than 4.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (maximum fine/jail, \$500/6 months)
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Yes – Passive (requires no action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

<b>Home Delivery</b>	
Is home delivery of alcohol permitted?	
Beer	No
Wine	No
Spirits	No

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

### Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.40
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable) (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.72
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	

<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$5.56
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	13.50%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	13.50%
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	Yes
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post and hold (30 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post and hold (60 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No

Spirits	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post and hold (60 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No

## Oklahoma State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Oklahoma Alcoholic Beverage Laws Enforcement Commission

### 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	No
Underage Alcohol-Related Fatality Investigations	No

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 Yes

Number of minors found in possession by state law enforcement agencies 4

Number pertains to the 12 months ending 12/31/2014

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> 3,049

Number of licensees checked for compliance by state agencies (including random checks) 530

Number of licensees that failed state compliance checks 133

Numbers pertain to the 12 months ending 12/31/2014

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations Data unavailable

Number of licensees subject to **random** state compliance checks/decoy operations Data unavailable

Number of licensees that failed **random** state compliance checks Data unavailable

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 1,979

Number of licensees that failed local compliance checks 367

Numbers pertain to the 12 months ending 12/31/2014

### Sanctions

State collects data on fines imposed on retail establishments that furnish minors Yes

Number of fines imposed by the state<sup>4</sup> 126

Total amount in fines across all licensees No data

Smallest fine imposed \$1,000

Largest fine imposed \$3,000

Numbers pertain to the 12 months ending 12/31/2014

<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>	2
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	12/31/2014
<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>	5
Numbers pertain to the 12 months ending	12/31/2014

**Additional Clarification**

The Oklahoma Alcoholic Beverage Laws Enforcement (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 local authorities.

*Question #1.A.2*—The term "regularly" is not defined. The ABLE Commission may conduct Cops in Shops, Shoulder Tap Operations, and Party Patrols if the opportunity presents itself and often in conjunction with local authorities. The ABLE Commission does not compile data from local authorities.

*Part 1.A.3*—The provided data exclude compliance checks.

*Part 1.B.1.a*—The data include ABLE licensees only; exclude low-point beer establishments.

*Part 1.B.1.b and c*—The data include those sites in which the ABLE Commission assisted local authorities at low-point beer establishments.

*Part 1.C*—The data requested do not reflect criminal convictions and dismissals.

<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**

***Too Much To Lose (2M2L) Youth Leadership Initiative***

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>

**Program Description:** 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 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.

#### **2M2L Law Enforcement Task Forces**

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:** 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.

#### **2M2L Regional Coordinators**

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:	Not applicable

**Program Description:** 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.

#### **Regional Prevention Coordinators (RPCs)**

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 applicable
URL for more program information:	<a href="http://ok.gov/odmhas/Prevention/Prevention%20Initiatives/Regional%20Prevention%20Coordinators%20(RPC)/index.html">http://ok.gov/odmhas/Prevention /Prevention Initiatives/Regional Prevention Coordinators (RPC)/index.html</a>

**Program Description:** 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 completed each year, conduct Responsible Beverage Sales and Service training, and complete alcohol outlet risk assessments in their service regions.

**Social Host 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	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>

**Program Description:** 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, PSAs at movie theaters, posters, and ads in print publications.

**AlcoholEdu for Oklahoma High Schools**

Program serves specific or general population	Specific population
Number of youth served	2,693 Students Reached
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>

**Program Description:** 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.

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

**Program description:** No data

**Additional Clarification**

An evaluation report is available for Regional Prevention Coordinator (RPC) services, but the report is not a comprehensive evaluation of RPC services.

**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 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 (2Much2Lose) 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 SPF SIG. At least three tribes work with state-funded Regional Prevention Coordinators to require mandatory RBSS training for all casino employees.

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

Description of program: The Regional Prevention Coordinators are contractually required to measure the percentage of alcohol storefront signage on a randomly selected sample of retailers each year.

*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: 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:

- Definition 1: It is included on federal lists or registries of evidence-based strategies and has documented positive outcomes.
- Definition 2: It is reported (with positive effects) in peer-reviewed journals.
- Definition 3: Documented effectiveness is supported by other sources of information and the consensus judgment of informed experts as specified by the Oklahoma Evidence Based Workgroup.

#### 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: Jessica Hawkins  
 Email: [jhawkins@odmhsas.org](mailto:jhawkins@odmhsas.org)  
 Address: 1200 NE 13th, Oklahoma City, OK 73152  
 Phone: 405-522-5952

#### Agencies/organizations represented on the committee:

Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) 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

*A website or other public source exists to describe committee activities* Yes

URL or other means of access:

[http://www.ok.gov/odmhsas/Prevention\\_Programs/Initiatives/Underage\\_Drinking\\_Prevention\\_Initiative/index.html](http://www.ok.gov/odmhsas/Prevention_Programs/Initiatives/Underage_Drinking_Prevention_Initiative/index.html)

#### Underage Drinking Reports

*State has prepared a plan for preventing underage drinking in the last 3 years* Yes

Prepared by: Oklahoma Department of Mental Health and Substance Abuse Services

Plan can be accessed via: <http://ok.gov/odmhsas>

*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

#### Additional Clarification

No data

**State Expenditures for the Prevention of Underage Drinking**

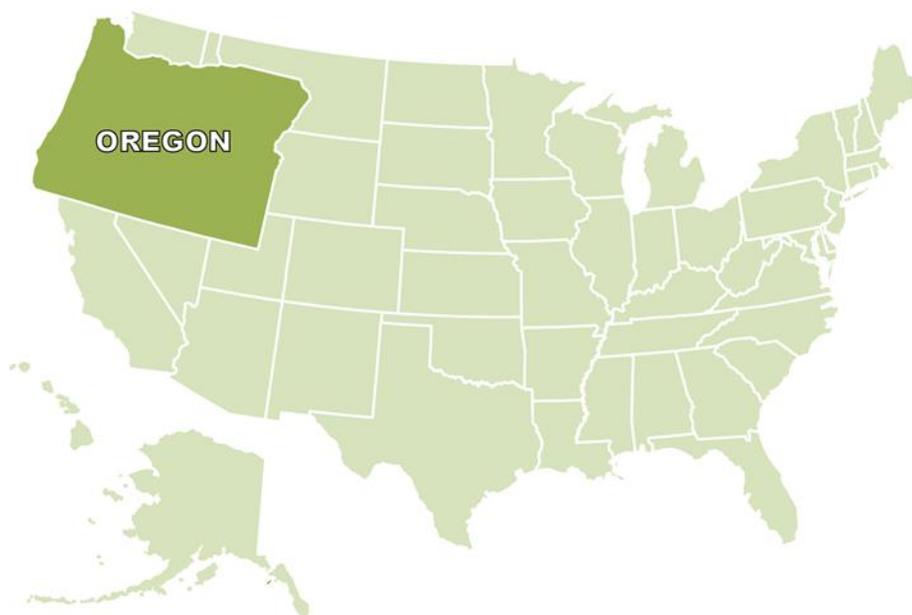
<i>Compliance checks in retail outlets:</i>		
Estimate of state funds expended		\$7,333
Estimate based on the 12 months ending		6/30/2014
<i>Checkpoints and saturation patrols:</i>		
Estimate of state funds expended		\$3,666
Estimate based on the 12 months ending		6/30/2014
<i>Community-based programs to prevent underage drinking:</i>		
Estimate of state funds expended		\$49,145
Estimate based on the 12 months ending		12/31/2014
<i>K-12 school-based programs to prevent underage drinking:</i>		
Estimate of state funds expended		\$0
Estimate based on the 12 months ending		No data
<i>Programs targeted to institutes of higher learning:</i>		
Estimate of state funds expended		\$0
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		\$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		Data not available
Estimate of state funds expended		Data not available
Estimate based on the 12 months ending		Data not available

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

**Additional Clarification**

No data



## Oregon

**State Population: 3,970,239**

**Population Ages 12–20: 448,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	25.9	116,000
Past-Month Binge Alcohol Use	17.5	79,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	3.3	5,000
Past-Month Binge Alcohol Use	1.5	2,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	21	32,000
Past-Month Binge Alcohol Use	14.9	23,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	50.6	79,000
Past-Month Binge Alcohol Use	34.3	54,000
<b>Alcohol-Attributable Deaths (under 21)</b>		38
<b>Years of Potential Life Lost (under 21)</b>		2,311
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	22	9

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes in specified locations – See below
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	Yes, in private residence if parent/guardian is present or consents

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	Yes in specified locations – See below
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	Yes, in private residence if parent/guardian is present or consents

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A
<p><i>Note:</i> Although Oregon does not prohibit internal possession as defined in this report, it does prohibit personal possession of an alcoholic beverage. Personal possession includes consumption of such beverages. 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.</p>	

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No

Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	No
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> <li>Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</li> </ul>	No
Does the retailer have the right to sue the minor for use of a false ID?	Yes
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose" Laws)	
Is there a "use/lose" law that suspends or revokes a minor's driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
<ul style="list-style-type: none"> <li>Purchase of alcohol</li> </ul>	No
<ul style="list-style-type: none"> <li>Possession of alcohol</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Consumption of alcohol</li> </ul>	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	365
Maximum number of days	365
<p><i>Note:</i> Whenever a person who is between 13 and 17 is convicted of any offense involving use or abuse of alcohol, the person's license is suspended for 1 year, or until the person reaches age 17, whichever is longer.</p>	

Graduated Driver's Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15

What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 hours with driver education; 100 hours without driver education
<b>Intermediate Stage</b>	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	12 am
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – For first 6 months, no passengers under 20 who are not immediate family members unless accompanied by parent or instructor. For second 6 months, not more than three passengers under 20 who are not immediate family members unless accompanied by parent or instructor.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation
<b>License Stage</b>	
What is the minimum age for full license privileges and lifting of restrictions?	17

## Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>Is furnishing allowed if the parent or guardian supplies the alcohol?</li> </ul>	Yes in specified locations
<ul style="list-style-type: none"> <li>Is furnishing allowed if the spouse supplies the alcohol?</li> </ul>	No
Is there an exception based on location?	Yes, in any private residence if parent/guardian supplies alcohol
<b>Affirmative Defense for Sellers and Licensees</b>	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No data
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
What are the decoy's appearance requirements?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

<b>Penalty Guidelines for Sales to Minors</b>	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	No data
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

<b>Responsible Beverage Service (RBS) – Mandatory</b>	
Is there a state law pertaining to beverage service training?	Yes – Mandatory
If training is mandatory, who must participate?	Licensees, managers, servers/sellers
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

<b>Responsible Beverage Service (RBS) – Voluntary</b>	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	Yes
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

<b>Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)</b>	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

<b>Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

<b>Alcohol Outlet Siting Near Schools and Universities</b>	
<b>Colleges and Universities</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
<b>Primary and Secondary Schools</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

<b>Dram Shop Liability</b>	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No

<b>Social Host Liability</b>	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law social host liability exist?	No

<b>Prohibitions Against Hosting Underage Drinking Parties</b>	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host’s preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	Yes – Family members

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Permitted
Spirits	Prohibited

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine (or cider)
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	More than 7.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes (maximum fine/jail, \$6,250/1 year)
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	Yes
Must warning information be given to purchaser?	Yes – Active (requires an action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes (If the licensee ships via a for-hire carrier, the carrier must have been approved by the Commission prior to delivering malt beverages, wine, or cider to any resident of Oregon.)

Wine	Yes (If the licensee ships via a for-hire carrier, the carrier must have been approved by the Commission prior to delivering malt beverages, wine, or cider to any resident of Oregon.)
Spirits	No law

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No. However, Oregon is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

### Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.08
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	Yes
Specific excise tax per gallon for 12% alcohol wine	
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	

Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	Restricted (permitted before midnight)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	No

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post and hold (14 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No

<b>Wine</b>	<b>Control System</b>
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<b>Spirits</b>	<b>Control System</b>
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<i>Note:</i> Licensees must make beer price lists available for Commission inspection.	

## Oregon State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:  
Oregon Liquor Control Commission and local law enforcement agencies

### 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	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	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	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

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>	12,000
Number of licensees checked for compliance by state agencies (including random checks)	1,778
Number of licensees that failed state compliance checks	321
Numbers pertain to the 12 months ending	12/31/2014
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	Cities with a population of 20,000 or more are randomly selected; cities with populations less than 20,000 are targeted.
Number of licensees that failed <b>random</b> state compliance checks	No data

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	No data
Number of licensees that failed local compliance checks	No data
Numbers pertain to the 12 months ending	No data

### Sanctions

State collects data on fines imposed on retail establishments that furnish minors	Don't know
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Number of fines imposed by the state <sup>4</sup>	Not applicable
Total amount in fines across all licensees	Not applicable
Smallest fine imposed	\$660
Largest fine imposed	\$4,950
Numbers pertain to the 12 months ending	12/31/2014

<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

**Additional Clarification**

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**

**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 Oregon Health Authority's Addiction and Mental Health Division and the Center for Health and Safety Culture/MOST of Us® of Montana State University are excited to offer resources to Oregon communities to support a statewide Positive Community Norms (PCN) effort to reduce teenage alcohol use. The Oregon mORE goal is to reveal concern and hope about underage drinking in order to promote meaningful change and transformation on this critical issue.

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

**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: Funding for any SAPT Block grant or Strategic Prevention Framework (SPF) has been provided to 36 counties and 9 federally recognized tribes across Oregon. Tribes and counties are offered education to ultimately be certified as prevention specialist certification. Tribal Best Practices are vetted by a

Tribal Best Practice committee to become evidence based for the state. Tribes, the state, and counties host and coordinate state-integrated meetings and training on a regular basis.

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

Program description: In the SPF assessments that were done in funded communities, youth exposure to alcohol advertising was part of the community profile. Local communities participate in environmental scans that would include alcohol advertising and marketing.

*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: Oregon Health Authority Addictions & Mental Health Division

Yes

Nongovernmental agency(ies):

No

Other:

No

Best practice standards description:

Evidence-Based Practice Levels:

I. A prevention or treatment practice, regimen, or service that is grounded in consistent scientific evidence showing that it improves client/participant outcomes in both clinically controlled and real-world settings. The practice is sufficiently documented through research to permit the assessment of fidelity. This means elements of the practice are standardized, replicable, and effective within a given setting and for particular populations. As a result, the degree of successful implementation of the service can be measured by the use of a fidelity tool that operationally defines the essential elements of the practice.

Key points:

- Supported by scientifically sound randomized controlled studies that have shown consistently positive outcomes.
- Positive outcomes have been achieved in scientifically controlled and routine care settings.

II. A treatment or prevention service that is sufficiently documented through research studies (randomized controlled studies or rigorously conducted and designed evaluations). It is not necessary that research has been conducted in both a controlled setting and a routine care setting. The elements of the practice are standardized and have been demonstrated to be replicable and effective within given settings and for particular populations. As a result, the degree of successful implementation of the service can be measured by the use of a fidelity tool or some other means, such as a quality review based on a manual definition of the practice that defines the essential elements of the practice.

Key points:

- Supported by scientifically sound experimental studies that have demonstrated consistently positive outcomes.
- Positive outcomes have been achieved in scientifically controlled settings or routine care settings.

III. A practice or prevention service based on elements derived from Level I or II practices. The practice has been modified or adapted for a population or setting that is different from the one in which it was formally developed and documented. Based on the results of the outcomes, elements of the service are continually adapted or modified to achieve outcomes similar to those derived from the original practice. Practices difficult to study in rigorously controlled studies for cultural and/or other practical reasons but have been standardized, replicated, and achieved consistent positive outcomes will also be considered for Level III. Given these conditions, research published in an appropriate peer reviewed journal is still required.

Key points:

- Modified from Level I or II practice and applied in a setting or for a population that differs from the original practice.
- Practice may be difficult to study in a controlled setting.

#### 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
<i>Committee contact information:</i>	
Name: Kerryann Bouska	
Email: Kerryann.Bouska@state.or.us	
Address: 500 Summer Street NE, E-86, Salem, OR 97301-1118	
Phone: 503-945-6998	
<i>Agencies/organizations represented on the committee:</i>	
Addictions & Mental Health Division	
Oregon Liquor Control Commission	
Oregon Department of Transportation	
Clackamas County	
Hood River County	
Grand Ronde Tribe	
Warm Springs Tribe	
Public Health Division	
Coordinated Care Organizations	
Oregon Nurse's Foundation	
Occasional attendance by local law enforcement, local county and tribal representatives, state legislators	
<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: Strategic Prevention Framework Advisory Committee	
Plan can be accessed via: No data	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Reporting to UDETC, SPF, and Stop Act Survey only	
Plan can be accessed via: No data	

**Additional Clarification**

No data

**State Expenditures for the Prevention of Underage Drinking**

<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data
<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	\$0
Estimate based on the 12 months ending	6/30/2015
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2015
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	Student fees only
Estimate based on the 12 months ending	6/30/2015
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	6/30/2015

*Programs that target youth in the child welfare system:*

Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data

*Other programs:*

Programs or strategies included	No data
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	Yes
Fines	No
Fees	No
Other: Not applicable	No

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

Beer and wine taxes fund a very small portion of the prevention system and prevention coordinators across Oregon. Activities may include but are not limited to Minor Decoy operations, Controlled Party Dispersal, and Social Host Ordinance or Event restriction policy development.

**Additional Clarification**

No data



## Pennsylvania

**State Population: 12,787,209**

**Population Ages 12–20: 1,506,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	26.6	400,000
Past-Month Binge Alcohol Use	16.3	246,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.7	22,000
Past-Month Binge Alcohol Use	1.9	9,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	22.2	106,000
Past-Month Binge Alcohol Use	12.4	59,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	49.1	272,000
Past-Month Binge Alcohol Use	32.1	178,000
<b>Alcohol-Attributable Deaths (under 21)</b>		180
<b>Years of Potential Life Lost (under 21)</b>		10,796
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	16	23

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	Yes
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	No
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes

• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	90
Maximum number of days	90

Graduated Driver’s Licenses	
<b>Learner Stage</b>	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	16
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	65 (10 of which must be at night)
<b>Intermediate Stage</b>	
What is the minimum age for driving without adult supervision?	16 years, 6 months
For night driving, when does adult supervision requirement begin?	11 pm
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – First 6 months, no more than one passenger under 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

Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	17 years, 6 months

## Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18
What is the maximum age a decoy may be to participate in a compliance check?	20
What are the decoy's appearance requirements?	Age-appropriate dress and appearance
Does decoy carry ID during compliance check?	Discretionary
May decoy verbally exaggerate his or her actual age?	Permitted
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	4 years
What is the penalty for the first offense?	\$50–\$1,000 fine and/or license suspension/revocation
What is the penalty for the second offense?	\$1,000–\$5,000 fine and/or license suspension/revocation
What is the penalty for the third offense?	License suspension or revocation
What is the penalty for the fourth offense?	Not specified

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	

• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No
<i>Note:</i> In Pennsylvania, a minor who is 17 who is a high-school graduate is deemed to be a minor of 18 years for purposes of the laws relating to the employment of minors by retail licensees.	

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No
<i>Note:</i> In Pennsylvania, a minor who is 17 who is a high school graduate is deemed to be a minor of 18 years for purposes of the laws relating to the employment of minors by retail licensees.	

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law dram shop liability exist?	Yes

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	Yes

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Possession
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	No

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	No
What alcohol types may be shipped?	N/A
Must purchaser make mandatory trip to producer before delivery is authorized?	N/A
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	N/A
Must the common carrier (deliverer) verify age of recipients?	N/A
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	N/A
Must the common carrier (deliverer) be approved by a state agency?	N/A
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	N/A
Must the common carrier (deliverer) record/report recipient's name?	N/A
Shipping label requirements	
Must the label state "Package contains alcohol"?	N/A
Must the label state "Recipient must be 21 years old"?	N/A
<i>Note:</i> Limited wineries (wineries with a maximum output of 200,000 gallons per year) and limited distilleries (distilleries that do not produce more than 100,000 gallons of distilled liquor per year) may ship wine and distilled liquor to retail customers via a transporter-for-hire or in a vehicle properly registered with the Board.	

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	Yes. In addition, Pennsylvania is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	Yes, 95% or more
Are there exceptions to restrictions?	Yes (limited distillery licenses)
<i>Note:</i> State liquor stores may not stock 190 proof (or more), which is equivalent to 95% ABV.	

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.08
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	

If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	Yes
Specific excise tax per gallon for 12% alcohol wine	
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Restricted (permitted before midnight; maximum of 4 hours per day and/or 14 hours per week)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<b>Spirits</b>	
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<i>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 as a result of a court order.</i>	

## Pennsylvania State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Pennsylvania State Police, Bureau of Liquor Control Enforcement

### 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	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 Yes

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors Pennsylvania State Police, Bureau of Liquor Control Enforcement

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 20,233

Number pertains to the 12 months ending 12/31/2014

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> 13,000

Number of licensees checked for compliance by state agencies (including random checks) 1,483

Number of licensees that failed state compliance checks 557

Numbers pertain to the 12 months ending 12/31/2014

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations Yes

Number of licensees subject to **random** state compliance checks/decoy operations 827

Number of licensees that failed **random** state compliance checks 314

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 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

State collects data on fines imposed on retail establishments that furnish minors Yes

Number of fines imposed by the state<sup>4</sup> 589

Total amount in fines across all licensees \$851,550

Smallest fine imposed \$1,250

Largest fine imposed \$5,000

Numbers pertain to the 12 months ending 12/31/2014

<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>	43
Total days of suspensions across all licensees	227
Shortest period of suspension imposed (in days)	1
Longest period of suspension imposed (in days)	80
Numbers pertain to the 12 months ending	12/31/2014
<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	12/31/2014

**Additional Clarification**

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**

**Project Northland**

Program serves specific or general population	Specific population
Number of youth served	981
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.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.

Program serves specific or general population	Specific population
Number of youth served	68
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: <http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=145>

**Program Description:** 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.

#### ***Underage Drinking Programs***

Program serves specific or general population	Specific population
Number of youth served	872
Number of parents served	872
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:** 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.

#### ***Communities Mobilizing for Change on Alcohol (CMCA)***

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 Description:** 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.

#### ***Alcohol: True Stories Hosted by Matt Damon***

Program serves specific or general population	Specific population
Number of youth served	5,664
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: <http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=232>

**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	2,291
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.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	10,765
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.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 more regular users or abusers. 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.

#### **Too Good for Drugs (TGFD)**

Program serves specific or general population	Specific population
Number of youth served	31,409
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.nrepp.samhsa.gov/ViewIntervention.aspx?id=75">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=75</a>

**Program Description:** 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. The program is designed 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 to resist peer pressures, goal setting, decisionmaking, bonding with others, having respect for self and others, managing emotions, effective communication, and social interactions. The program also provides information about the negative consequences of drug use and the benefits of a nonviolent, drug-free lifestyle.

#### **Positive Action**

Program serves specific or general population	Specific population
Number of youth served	2,076
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.nrepp.samhsa.gov/ViewIntervention.aspx?id=78">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=78</a>

**Program Description:** 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.

#### **All Stars**

Program serves specific or general population	Specific population
Number of youth served	739
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.nrepp.samhsa.gov/ViewIntervention.aspx?id=28">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=28</a>

**Program Description:** 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 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.

**Keepin' It REAL**

Program serves specific or general population	Specific population
Number of youth served	896
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.nrepp.samhsa.gov/ViewIntervention.aspx?id=133">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=133</a>

**Program Description:** 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 in the following school year. The curriculum is designed 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.

**Stay on Track**

Program serves specific or general population	No data
Number of youth served	414
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.nrepp.samhsa.gov/ViewIntervention.aspx?id=167">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=167</a>

**Program Description:** 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.

**LifeSkills Training (LST)**

Program serves specific or general population	Specific population
Number of youth served	14,613
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.nrepp.samhsa.gov/ViewIntervention.aspx?id=109">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=109</a>

**Program Description:** 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. LST is based on both the social influence and the competence enhancement model 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. 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	No data
Number of parents served	16
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.nrepp.samhsa.gov/ViewIntervention.aspx?id=111">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=111</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 five-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	678
Number of parents served	671
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.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: [www.lcb.state.pa.us/PLCB/Education/RAMP/index.htm](http://www.lcb.state.pa.us/PLCB/Education/RAMP/index.htm)

The goal of RAMP is 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, and 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.

**MADD Power of Parents**

URL for more program information: <http://www.madd.org/underage-drinking/the-power-of-parents>

The main objective of the Power of Parents® program is to equip parents with the information and language to talk to their children about alcohol. Topics discussed in the workshop and contained in the booklet include the problems of underage drinking, parenting styles, talking about alcohol, helping a teen make good choices, and promoting a safer community.

**Parents Who Host Lose the Most**

URL for more program information: <https://www.drugfreeactionalliance.org/parents-who-host>

Parents Who Host Lose The Most, a public awareness program developed by the Drug-Free Action Alliance, supported by DDAP and PLCB grants, educates communities and parents about the financial as well as health and safety risks of serving alcohol at teen parties. The program takes place at state and local levels, concentrating on celebratory times for youth such as homecoming, holidays, prom, graduation, and other times when underage drinking parties are prevalent. This program encourages parents and the entire community to send a unified message that teen alcohol consumption is unhealthy, unsafe and unacceptable.

**Additional Clarification**

Program data are from state FY 7/1/2013 through 6/30/2014.

**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
<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
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

**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>	No
<i>Committee contact information:</i>	
<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

**Underage Drinking Reports**

<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>	Yes
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.state.pa.us/cons/groups/externalaffairs/documents/form/002552.pdf">http://www.lcb.state.pa.us/cons/groups/externalaffairs/documents/form/002552.pdf</a>	

**Additional Clarification**

No data

### State Expenditures for the Prevention of Underage Drinking

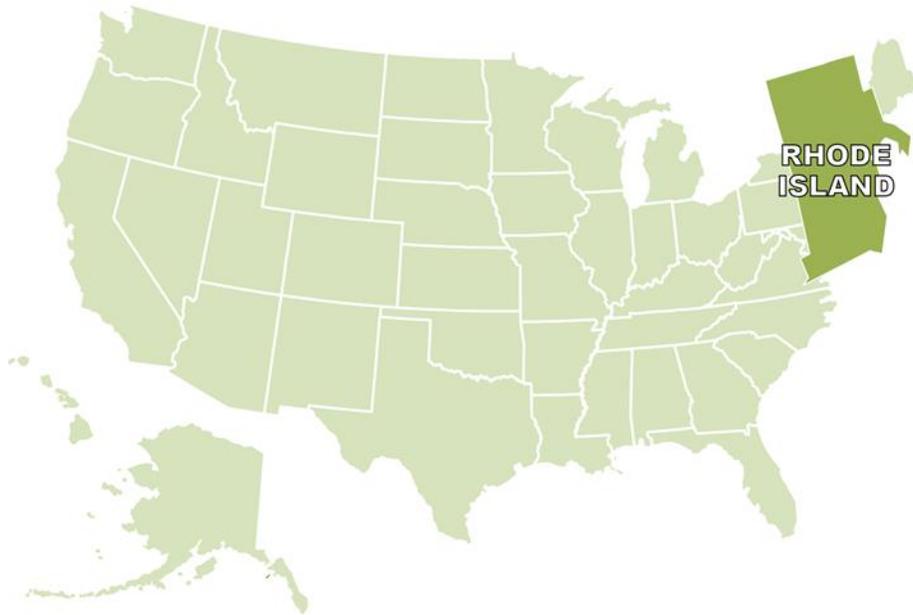
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$109,224
Estimate based on the 12 months ending	12/31/2014
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$193,140
Estimate based on the 12 months ending	12/31/2014
<i>Community-based programs 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	Data not available
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

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

### Additional Clarification

No data



## Rhode Island

**State Population: 1,055,173**

**Population Ages 12–20: 131,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	31.9	42,000
Past-Month Binge Alcohol Use	20.5	27,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.0	1,000
Past-Month Binge Alcohol Use	1.9	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	22.4	9,000
Past-Month Binge Alcohol Use	10.4	4,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	58.1	31,000
Past-Month Binge Alcohol Use	40.8	22,000
<b>Alcohol-Attributable Deaths (under 21)</b>		10
<b>Years of Potential Life Lost (under 21)</b>		575
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	25	1

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	N/A
• Is consumption allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	Yes
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes

• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	No
• Possession of alcohol	Yes
• Consumption of alcohol	No
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	60
Maximum number of days	60

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	No
• Consumption of alcohol	No
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	30
Maximum number of days	30

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	16
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6

What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16 years, 6 months
For night driving, when does adult supervision requirement begin?	1 am
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – No more than one passenger under 21, unless an immediate family or household member
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	17 years, 6 months

## Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No data
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
What are the decoy's appearance requirements?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	No data
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

<b>Responsible Beverage Service (RBS) – Mandatory</b>	
Is there a state law pertaining to beverage service training?	Yes – Mandatory
If training is mandatory, who must participate?	Managers, servers/sellers
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	On-premises
Does the RBS law apply to new or existing licensees?	Existing

<b>Responsible Beverage Service (RBS) – Voluntary</b>	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	Yes
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	No
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Unspecified
Does the RBS law apply to new or existing licensees?	Unspecified

<b>Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)</b>	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

<b>Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 200 feet
To which alcohol products does requirement apply?	Beer, wine, spirits
<i>Note:</i> There are numerous exceptions for specific locations within cities and towns.	

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No
<i>Note:</i> Rhode Island law includes a responsible beverage service defense.	

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	Unclear

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Residential/Outdoor
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	Yes – Family members

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	No
What alcohol types may be shipped?	N/A
Must purchaser make mandatory trip to producer before delivery is authorized?	N/A
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	N/A
Must the common carrier (deliverer) verify age of recipients?	N/A
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	N/A
Must the common carrier (deliverer) be approved by a state agency?	N/A
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	N/A
Must the common carrier (deliverer) record/report recipient's name?	N/A
Shipping label requirements	
Must the label state "Package contains alcohol"?	N/A
Must the label state "Recipient must be 21 years old"?	N/A

Keg Registration	
How is a keg defined (in gallons)?	Undefined
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (maximum fine/jail, \$500)
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Yes – Passive (requires no action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No
<i>Note:</i> No particular volume or range of volumes is specified for kegs in Rhode Island.	

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes
Wine	Yes
Spirits	Yes

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.11
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$1.40
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$5.40
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	

If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

Low-Price, High-Volume Drink Specials	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Yes
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes

Wholesaler Pricing Restrictions	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period ?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No law
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No law
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No law

## Rhode Island State Survey Responses

### State Agency Information

#### Agency with primary responsibility for enforcing underage drinking laws:

There is no single state agency responsible for enforcing laws designed to prevent underage drinking. The Department of Behavioral Healthcare, Developmental Disabilities and Hospitals (BHDDH) has primary responsibility for administering programs designed to prevent/reduce underage drinking. Enforcement actions are conducted by 38 municipal police departments and the Rhode Island State Police.

### Enforcement Strategies

#### State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
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	RI Attorney General, with the RI State Police and municipal police departments
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	64
Number pertains to the 12 months ending	12/31/2014
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>	1,700
Number of licensees checked for compliance by state agencies (including random checks)	Data not currently available
Number of licensees that failed state compliance checks	Data not currently available
Numbers pertain to the 12 months ending	No data
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments

#### State conducts **random** underage compliance checks/decoy operations

Yes

Number of licensees subject to <b>random</b> state compliance checks/decoy operations	Data not currently available
Number of licensees that failed <b>random</b> state compliance checks	Data not currently available

#### 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	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

**Additional Clarification**

Rhode Island does not have a state alcoholic beverage control agency. BHDDH utilizes federal funding allocated to municipal police departments to support conducting a statewide Alcohol Purchase Survey of a random sample of retail on- and off-premises licensed alcohol retailers. The survey is conducted by municipal police departments. Results from the 2015 Alcohol Purchase Survey are being analyzed and should be available by 12/31/2015. BHDDH also provides some federal funding to municipal prevention coalitions for underage sale prevention strategies.

<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**

**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 funding of municipal prevention coalitions. Thirty-four coalitions represent 38 of the state’s 39 municipalities. Each coalition is required by contract to develop and implement an annual program plan and logic model. All of the coalitions implement strategies to reduce underage drinking. Included in these strategies are local policy initiatives and public education. As many of these strategies are environmental strategies, the number of individuals directly served is not routinely collected.

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

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 Chariho Prevention Coalition, funded by BHDDH, works with the Narragansett Tribe, whose land is within their service area. A member of the tribe is represented on the coalition and participates in the planning and implementation of prevention strategies, including those intended to prevent underage alcohol use.

*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): No

Agency(ies) within your state: RI Department of Behavioral Healthcare, Developmental Disabilities and Hospitals Yes

Nongovernmental agency(ies): No

Other: No

Best practice standards description: BHDDH requires the use of evidence-based programs and practices by all funded prevention providers, and the Strategic Prevention Framework is the planning model. The state has promulgated rules and regulations for the certification of prevention programs, and these rules and regulations have been incorporated into provider contracts. However, Rhode Island has not published standards specific to underage alcohol use. In addition, Rhode Island has established rules and regulations for certification of alcohol server training curricula, and these curricula must be based on best practice guidelines in order to be certified by the state.

**Additional Clarification**

No data

**State Interagency Collaboration**

*A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities* No

*Committee contact information:*

Name: Not applicable

Address: Not applicable

Email: Not applicable

Phone: Not applicable

*Agencies/organizations represented on the committee:*

Not applicable

*A website or other public source exists to describe committee activities* Not applicable

URL or other means of access: Not applicable

**Underage Drinking Reports**

*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: Statewide Epidemiological Workgroup (SEOW)  
 Plan can be accessed via: Report may be accessed by contacting Elizabeth Kretchman at elizabeth.kretchman@bhddh.ri.gov.

**Additional Clarification**

Underage alcohol use is addressed in BHDDH’s Strategic Plan, which is in the process of being revised. Reports on underage alcohol use are included in SEOW reports. No stand-alone plans or reports on underage alcohol use are 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	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	\$0
Estimate based on the 12 months ending	No data
<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	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	\$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:	No data
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: Not applicable	No

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

**Additional Clarification**

Rhode Island utilizes federal Substance Abuse Prevention and Treatment Block Grant funding to support Project SUCCESS in junior high/middle and senior high schools in the state and for other school-based prevention programming; to fund the municipal prevention coalitions; and to support alcohol compliance surveys conducted by municipal police departments.



## South Carolina

**State Population: 4,832,482**

**Population Ages 12–20: 535,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	20.9	112,000
Past-Month Binge Alcohol Use	13.0	70,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.2	8,000
Past-Month Binge Alcohol Use	1.2	2,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	16.9	30,000
Past-Month Binge Alcohol Use	10.6	19,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	42.1	74,000
Past-Month Binge Alcohol Use	27.7	49,000
<b>Alcohol-Attributable Deaths (under 21)</b>		83
<b>Years of Potential Life Lost (under 21)</b>		4,999
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	23	32

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	Yes, in parent/guardian's home only if parent/guardian is present or consents

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	No
• Is internal possession allowed if the spouse is present or consents?	No
Is there an exception based on location?	Yes, in parent/guardian's home only if parent/guardian is present or consents

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes

May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	No
<ul style="list-style-type: none"> <li>Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</li> </ul>	N/A
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
<ul style="list-style-type: none"> <li>Purchase of alcohol</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Possession of alcohol</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Consumption of alcohol</li> </ul>	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	120
Maximum number of days	120

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	40 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	15 years, 6 months
For night driving, when does adult supervision requirement begin?	6 pm (may drive unsupervised during daylight hours only; night time is defined as starting at 6 pm EST or 8 pm EDT)

Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – No more than two nonfamily passengers under 21 unless supervised by driver at least 21 (unless transporting students to school)
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16 years, 6 months

### Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes, in specified locations
• Is furnishing allowed if the spouse supplies the alcohol?	Yes, in specified locations
Is there an exception based on location?	Yes, in any private residence if parent/guardian/spouse supplies alcohol
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	Yes
<i>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.</i>	

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	16
What is the maximum age a decoy may be to participate in a compliance check?	19
What are the decoy's appearance requirements?	No facial hair, no heavy makeup, no inappropriate clothing
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	No
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A

What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	No law
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	N/A
Does the RBS law apply to new or existing licensees?	N/A

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	None
Wine	None
Spirits	21
Does a manager or supervisor have to be present?	No
<i>Note:</i> 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 Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

<b>Primary and Secondary Schools</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 300 feet if school is within a municipality; within 500 feet if school is outside a municipality
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)	Yes, within 300 feet if school is within a municipality; within 500 feet if school is outside a municipality
To which alcohol products does requirement apply?	Beer, wine, spirits

<b>Dram Shop Liability</b>	
Does a statute create dram shop liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law dram shop liability exist?	Yes

<b>Social Host Liability</b>	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	Yes

<b>Prohibitions Against Hosting Underage Drinking Parties</b>	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Possession/Consumption
Property type covered by the law?	Other
What level of knowledge by the host is required?	Overt act: Host must have actual knowledge and commit act contributing to party's occurrence
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	No

<b>Retailer Interstate Shipments of Alcohol</b>	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

<b>Direct Shipments/Sales</b>	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	

Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	No
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	Equal to or more than 5.16
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes (maximum fine/jail, \$500/30 days)
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (maximum fine/jail, \$500/30 days)
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Yes – Active (requires an action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.77

Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$1.08
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$2.96
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	5%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	5%
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	

Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	
<i>Note:</i> Base tax rate is \$2.72 per gallon plus a 9% surtax of \$0.24 added to the base rate, for a total of \$2.96 per gallon.	

Low-Price, High-Volume Drink Specials	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Restricted (permitted 4–8 pm)
Unlimited beverages for fixed price	No
Increased volume without increase in price	No
<i>Note:</i> Licensee may offer a free drink on a case-by-case basis.	

Wholesaler Pricing Restrictions	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No

## South Carolina State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

South Carolina State Law Enforcement Division

### 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 Yes

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors South Carolina State Law Enforcement Div.

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 985

Number pertains to the 12 months ending 6/30/2014

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> 16,000

Number of licensees checked for compliance by state agencies (including random checks) 4,237

Number of licensees that failed state compliance checks 657

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

State conducts **random** underage compliance checks/decoy operations Yes

Number of licensees subject to **random** state compliance checks/decoy operations 1,571

Number of licensees that failed **random** state compliance checks 257

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 9,043

Number of licensees that failed local compliance checks 1,024

Numbers pertain to the 12 months ending 6/30/2014

### Sanctions

State collects data on fines imposed on retail establishments that furnish minors Yes

Number of fines imposed by the state<sup>4</sup> 657

Total amount in fines across all licensees \$45,880

Smallest fine imposed \$50

Largest fine imposed \$15,000

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>	21
Total days of suspensions across all licensees	360
Shortest period of suspension imposed (in days)	15
Longest period of suspension imposed (in days)	45
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>	Yes
Number of license revocations imposed <sup>6</sup>	17
Numbers pertain to the 12 months ending	6/30/2014

**Additional Clarification**

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**

**South Carolina Alcohol Enforcement Teams (AETs)—Enforcement Efforts**

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://ncweb.pire.org/scdocuments/">http://ncweb.pire.org/scdocuments/</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>

**Program Description:** South Carolina has a statewide network of local law enforcement and prevention agency partnerships called the Alcohol Enforcement Teams. 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) on this report to distinctly display 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 the entire population of 14- to 20-year-olds in South Carolina.

**South Carolina Alcohol Enforcement Teams—Education Efforts**

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:	<a href="http://www.scoutoftheirhands.org">http://www.scoutoftheirhands.org</a>
URL for more program information:	No data

**Program Description:** 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 have recorded a total number served in these efforts as 225,965. We cannot easily calculate how many of these were youth vs. 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 law enforcement on proper ways to enforce underage drinking laws. In FY 2013, 28 trainings were held across the state with a total audience of 591, mostly officers.

**Substance Abuse Curriculum Programs**

Program serves specific or general population	Specific population
Number of youth served	12,473
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">http://ncweb.pire.org/scdocuments</a>
URL for more program information:	No data

**Program Description:** 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. Ten curriculum programs were offered in FY 2014, with approximately 12,473 reached in these programs. There were also three adult curriculum offerings, typically aimed at parents to reduce youth substance use.

**Palmetto Retailer Education Program (PREP)**

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://ncwebpire.org/scdocuments">http://ncwebpire.org/scdocuments</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>

**Program Description:** 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 1,678 merchants were served in FY 2014.

**Community Action for A Safer Tomorrow (CAST)**

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:	The report is being finalized and will be available later in 2015.
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, CSAP 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 state received a no-cost extension to complete the work and the funding

will end in June 2015. 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. Five additional sites were chosen during year 3 of the grant to also implement the SPF framework in their communities based on need. In total, the state funded 18 sites to implement strategies to reduce underage drinking and/or impaired driving crashes throughout the state. State-level staff and funded communities follow the steps of the SPF 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 components of the SPF 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.

**Alcohol Education Program (AEP)**

Program serves specific or general population	Specific population
Number of youth served	564
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:** AEP is a diversionary program option for youth charged with an alcohol-related offense. State law requires all 16 solicitors to operate an AEP, though each can determine the fines and programs that constitute the process. (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 that are covered by the judicial circuit in which 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**

**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>	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): OJJDP	Yes
Agency(ies) within your state: South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS)	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: The state relies heavily on OJJDP's Strategies to Reduce Underage Alcohol Use: Typology and Brief Overview. 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.

**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: Michael George  
 Email: mgeorge@daodas.sc.gov  
 Address: PO Box 8268, Columbia, SC 29202  
 Phone: 803-351-5862

*Agencies/organizations represented on the committee:*  
 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  
 LRADAC  
 Circle Park Behavioral Health Services  
 Behavioral Health Services Association of SC  
 MADD South Carolina  
 South Carolina Department of Public Safety

*A website or other public source exists to describe committee activities* No  
 URL or other means of access: Not applicable

**Underage Drinking Reports**

*State has prepared a plan for preventing underage drinking in the last 3 years* Yes

Prepared by: Governor's Council on Substance Abuse Prevention and Treatment and SC Department of Alcohol and Other Drug Abuse Services (SPF SIG focused 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 (SAPT) plan that is submitted to SAMHSA.  
 Plan can be accessed via: No data

*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

**Additional Clarification**

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. The SC SPF SIG final evaluation report also includes information on underage drinking and impaired driving strategies implemented by communities that were funded based on need throughout the duration of that grant.

**State Expenditures for the Prevention of Underage Drinking**

*Compliance checks in retail outlets:*  
 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	Data not available
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
Fines	No
Fees	Yes
Other	Not applicable

*Description of funding streams and how they are used:*  
 A portion of the alcohol license fee goes to the State Law Enforcement Division for enforcement of those licenses, which includes alcohol compliance checks.

**Additional Clarification**

No data



## South Dakota

**State Population: 853,175**  
**Population Ages 12–20: 100,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	25.0	25,000
Past-Month Binge Alcohol Use	18.5	19,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	2.5	1,000
Past-Month Binge Alcohol Use	1.5	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	21.1	6,000
Past-Month Binge Alcohol Use	14.9	5,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	50.1	18,000
Past-Month Binge Alcohol Use	38.1	13,000
<b>Alcohol-Attributable Deaths (under 21)</b>		15
<b>Years of Potential Life Lost (under 21)</b>		883
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	26	6

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes
• Is possession allowed if spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	Yes
• Is consumption allowed if the spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	No
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes

• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	Yes

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Discretionary
What is the length of suspension/revocation?	
Minimum number of days	30
Maximum number of days	365

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	14
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	3 with driver education; 6 months without
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	0
Intermediate Stage	
What is the minimum age for driving without adult supervision?	14 years, 3 months
For night driving, when does adult supervision requirement begin?	10 pm
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	No
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	N/A
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16

## Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	Yes
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No data
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
What are the decoy's appearance requirements?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	No data
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	None
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	Yes

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes – No license on campus
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes – No license on campus
To which alcohol products does requirement apply?	Beer, wine, spirits
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	Specific
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host's preventive action protect him/her from being held liable?	Yes
Are there any exceptions for underage guests?	No
<i>Note:</i> The "preventive action" provision in South Dakota allows the defendant to avoid criminal liability by establishing, as an affirmative defense, that immediately upon learning of the illegal consumption, he or she took action to stop the illegal consumption and to secure the contraband alcoholic beverages.	

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	No
What alcohol types may be shipped?	N/A
Must purchaser make mandatory trip to producer before delivery is authorized?	N/A
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	N/A
Must the common carrier (deliverer) verify age of recipients?	N/A
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	N/A
Must the common carrier (deliverer) be approved by a state agency?	N/A
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	N/A
Must the common carrier (deliverer) record/report recipient's name?	N/A
Shipping label requirements	
Must the label state "Package contains alcohol"?	N/A
Must the label state "Recipient must be 21 years old"?	N/A
<i>Note:</i> Exception: 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	
How is a keg defined (in gallons)?	8.00 or 16.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No

What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	No
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Not required
Is a deposit required?	No
Does law cover disposable kegs?	No
<i>Note: A keg is defined as an 8- or 16-gallon reusable plastic or metal container.</i>	

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No
Wine	No
Spirits	No

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.27
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.93
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	

Wholesale tax rate (if applicable)	2%
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	2%
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$3.93
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	2%
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	2%
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<i>Note: Wholesalers may not sell below cost. South Dakota requires a 10-day minimum hold period only if price of spirits is amended to match a competitor's post down.</i>	

## South Dakota State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

South Dakota Department of Revenue

### Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No

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	South Dakota Dept. of Revenue
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 4,355

Number pertains to the 12 months ending 6/30/2014

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 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

State conducts **random** underage compliance checks/decoy operations Not applicable

Number of licensees subject to **random** state compliance checks/decoy operations Not applicable

Number of licensees that failed **random** state compliance checks Not applicable

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 799

Number of licensees that failed local compliance checks 68

Numbers pertain to the 12 months ending 6/30/2014

### Sanctions

State collects data on fines imposed on retail establishments that furnish minors Yes

Number of fines imposed by the state<sup>4</sup> 68

Total amount in fines across all licensees \$97,150

Smallest fine imposed \$500

Largest fine imposed \$2,000

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>	1
Total days of suspensions across all licensees	14
Shortest period of suspension imposed (in days)	14
Longest period of suspension imposed (in days)	14
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>	Yes
Number of license revocations imposed <sup>6</sup>	0
Numbers pertain to the 12 months ending	6/30/2014

**Additional Clarification**

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**

*South Dakota does not utilize state general funds to support local underage drinking programming.*

Program serves specific or general population	Not applicable
Number of youth served	Not applicable
Number of parents served	Not applicable
Number of caregivers served	Not applicable
Program has been evaluated	Not applicable
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	Not applicable

**Program Description:** No data

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

**Program description:** No data

**Additional Clarification**

South Dakota uses only federal funds to support the underage drinking programming in the state.

**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: South Dakota uses federal funding to support underage drinking programming for youth who live on and off State Reservations. The EBP's utilized are culturally relevant to the youth being served.	
<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: Division of Behavioral Health Prevention Program	Yes

Nongovernmental agency(ies): No

Other: No

Best practice standards description: To ensure best practice standards, South Dakota requires local community coalitions that implement programming to use Evidence Based Programming. Some programs being used include: Project Success, Communities Mobilizing for Change, Prime for Life, and Positive Action. The Prevention Program requires each program funded have a detailed evaluation plan with specific goals, objectives, and activities, along with a detailed yearly work plan. Trained prevention staff conduct random checks to ensure the programs are being implemented with fidelity.

#### Additional Clarification

The state funds 22 alcohol and drug coalitions and three prevention resource centers with federal funds. These programs have resulted in a decrease in the state's underage drinking rates.

#### State Interagency Collaboration

*A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities* Yes

#### Committee contact information:

Name: Gib Sudbeck

Email: gib.sudbeck@state.sd.us

Address: Kneip Building, Pierre, SD 57501

Phone: 605-773-4828

#### Agencies/organizations represented on the committee:

Community Behavioral Health Program

Tribal Behavioral Health Program

Indian Health Services

State Division of Behavioral Health

National Guard

Community Coalition member

Community Coalition member

Prevention Resource Center

Suicide Prevention Coalition

Suicide Prevention Coalition

*A website or other public source exists to describe committee activities* Yes

URL or other means of access: Minutes of the meetings are available upon request.

#### Underage Drinking Reports

*State has prepared a plan for preventing underage drinking in the last 3 years* Yes

Prepared by: A workgroup made up of providers led with the Division of Behavioral Health Prevention Program.

Plan can be accessed via: <http://dss.sd.gov/behavioralhealth/community/prevention.aspx>

*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

#### Additional Clarification

The Prevention Program has prepared a comprehensive report on the outcomes of our federally funded local coalitions, but this would not be classified as a state report on underage drinking in South Dakota.

#### State Expenditures for the Prevention of Underage Drinking

##### Compliance checks in retail outlets:

Estimate of state funds expended \$0

Estimate based on the 12 months ending 6/30/2014

##### Checkpoints and saturation patrols:

Estimate of state funds expended \$14,465 (SD Highway Patrol did 123 saturation patrols and 186 checkpoints)

Estimate based on the 12 months ending	12/31/2014
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	5/31/2015
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	5/31/2015
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	5/31/2015
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	5/31/2015
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	5/31/2015
<i>Other programs:</i>	
Programs or strategies included	No data
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	5/31/2015

**Funds Dedicated to Underage Drinking**

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

Taxes	No
Fines	No
Fees	No
Other	Not applicable

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

**Additional Clarification**

No State General Funds are used to support underage drinking prevention services in the state.



## Tennessee

**State Population: 6,549,352**

**Population Ages 12–20: 760,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	16.7	127,000
Past-Month Binge Alcohol Use	9.9	75,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	3.2	8,000
Past-Month Binge Alcohol Use	1.1	3,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	14.5	39,000
Past-Month Binge Alcohol Use	8.6	23,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	31.8	81,000
Past-Month Binge Alcohol Use	19.4	50,000
<b>Alcohol-Attributable Deaths (under 21)</b>		109
<b>Years of Potential Life Lost (under 21)</b>		6,551
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	23	28

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes

• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	16
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws) – For Ages Under 18	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	18
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	365
Maximum number of days	365
<i>Note:</i> In Tennessee, the driving privileges of an offender shall be suspended for 1 year, or until the offender reaches age 17, whichever is longer.	

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws) – For Ages 18–20	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	No
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	365
Maximum number of days	365

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15

What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
<b>Intermediate Stage</b>	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	11 pm
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – No more than one passenger, unless accompanied by driver over 21 or passengers are household members being transported to school
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation
<b>License Stage</b>	
What is the minimum age for full license privileges and lifting of restrictions?	17

### Laws Targeting Alcohol Suppliers

<b>Furnishing Alcohol to Minors</b>	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
<b>Affirmative Defense for Sellers and Licensees</b>	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

<b>Compliance Check Protocols</b>	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18 (minors under 18 allowed only in extreme circumstances)
What is the maximum age a decoy may be to participate in a compliance check?	20
What are the decoy's appearance requirements?	Youthful appearance Male: No facial hair
Does decoy carry ID during compliance check?	Not specified
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

<b>Penalty Guidelines for Sales to Minors</b>	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	1 year
What is the penalty for the first offense?	Minimum \$300 fine
What is the penalty for the second offense?	Not specified
What is the penalty for the third offense?	Not specified
What is the penalty for the fourth offense?	Not specified
<i>Note: Fines may be cut in half if licensee is in compliance with Responsible Vendor program. The mitigation provided cannot be used more than once per year.</i>	

<b>Responsible Beverage Service (RBS) – Mandatory</b>	
Is there a state law pertaining to beverage service training?	Yes – Mandatory
If training is mandatory, who must participate?	Managers, servers/sellers
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

<b>Responsible Beverage Service (RBS) – Voluntary</b>	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	Yes
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Off-premises
Does the RBS law apply to new or existing licensees?	Unspecified

<b>Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)</b>	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (fact-finder must determine that retailer knew customer was a minor beyond a reasonable doubt)
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	No
<p><i>Note:</i> A court case 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.</p>	

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Residential/Outdoor/Other

What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	No
<i>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 but less than 21.</i>	

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	No
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes
Wine	Yes
Spirits	Yes

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

### LAWS AFFECTING ALCOHOL PRICING

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$1.29
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$1.21
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	15%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	15%
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No

• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$4.40
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	15%
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	15%
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	Yes
Multiple servings at one time	Yes
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	Restricted (permitted before 10 pm)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes
<i>Note: After 10 pm, on-premises retailers may not offer multiple servings at one time, reduced price drinks, or drinks with increased volume for the same price as regular-sized drinks.</i>	

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post and hold (360 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No

<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (10 days)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (10 days)

## Tennessee State Survey Responses

### State Agency Information

*Agency with primary responsibility for enforcing underage drinking laws:*

Tennessee Alcoholic Beverage Commission (TABC), however, generally speaking, we only have jurisdiction over such offenses that are committed by or arise from the actions of our licensees (liquor stores, bars selling liquor, etc.); otherwise, local law enforcement enforces such laws. The data provided in this survey is solely the data collected by the TABC regarding cases that the TABC has investigated and/or prosecuted, except as otherwise specified.

### Enforcement Strategies

*State law enforcement agencies use:*

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	Yes

*Local law enforcement agencies use:*

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
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	Tennessee Alcoholic Beverage Commission
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	1,779
Number pertains to the 12 months ending	12/31/2014
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>	4,107
Number of licensees checked for compliance by state agencies (including random checks)	1,647
Number of licensees that failed state compliance checks	366
Numbers pertain to the 12 months ending	12/31/2014
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments

*State conducts random underage compliance checks/decoy operations* No

Number of licensees subject to random state compliance checks/decoy operations	0
Number of licensees that failed random state compliance checks	Not applicable

*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	12/31/2014

### Sanctions

*State collects data on fines imposed on retail establishments that furnish minors* Yes

Number of fines imposed by the state <sup>4</sup>	393
Total amount in fines across all licensees	\$471,600
Smallest fine imposed	\$1000.00 with Identification Class conducted by ABC Agent
Largest fine imposed	\$1,500
Numbers pertain to the 12 months ending	12/31/2014
<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>	41
Total days of suspensions across all licensees	368
Shortest period of suspension imposed (in days)	5
Longest period of suspension imposed (in days)	20
Numbers pertain to the 12 months ending	12/31/2014
<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>	3
Numbers pertain to the 12 months ending	12/31/2014

**Additional Clarification**

Part 1, Section A—Data was collected from Tennessee Incident-Based Reporting System (TIBRS) for the State of Tennessee, including all reporting law enforcement agencies.

<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**

**Tennessee Prevention Network**

Program serves specific or general population	Specific population
Number of youth served	7,239
Number of parents served	232
Number of caregivers served	74
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:** 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 that include 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 that include 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.

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

**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

Description of collaboration: Not applicable

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

Description of program: Tennessee Funds 34 community coalitions using Partnership for Success and Block Grant funds. These coalitions use environmental strategies intended to reduce or counter alcohol advertising or marketing.

*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: TN Dept of Mental Health and Substance Abuse Services: Division of Substance Abuse Services Yes

Nongovernmental agency(ies): No

Other: Tennessee Evidence-Based Practice Workgroup Yes

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:

1. Inclusion in federal registries of evidence-based interventions.
2. Reported, with positive effects on the primary targeted outcome, in peer-reviewed journals.
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:
  - Guideline 1: 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.
  - Guideline 2: The intervention is supported by documentation of effective implementation in the past, including at least one replication.
  - Guideline 3: 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: local prevention practitioners and/or key community leaders as appropriate, such as officials from law enforcement and education sectors or elders in religious cultures.

**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: Angela McKinney-Jones, State of Tennessee Director of Prevention Services  
 Email: angela.mckinneyjones@tn.gov  
 Address: Andrew Jackson Building, 5th floor, 500 Deaderick St., Nashville, TN 37243  
 Phone: (615) 532-7756

**Agencies/organizations represented on the committee:**

- 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
- 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

**Underage Drinking Reports**

<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Tennessee Commission on Children and Youth	
Plan can be accessed via:	No data

<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Tennessee Department of Mental Health and Substance Abuse Services	
Plan can be accessed via:	No data

**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	\$520,428
Estimate based on the 12 months ending	06/30/2015

<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$539,759
Estimate based on the 12 months ending	06/30/2015

<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$147,932
Estimate based on the 12 months ending	06/30/2015

<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$166,131

Estimate based on the 12 months ending	06/30/2015
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$51,450
Estimate based on the 12 months ending	06/30/2015
<i>Other programs:</i>	
Programs or strategies included	Other educational programs target youth that are economically disadvantaged.
Estimate of state funds expended	\$530,258
Estimate based on the 12 months ending	06/30/2015

**Funds Dedicated to Underage Drinking**

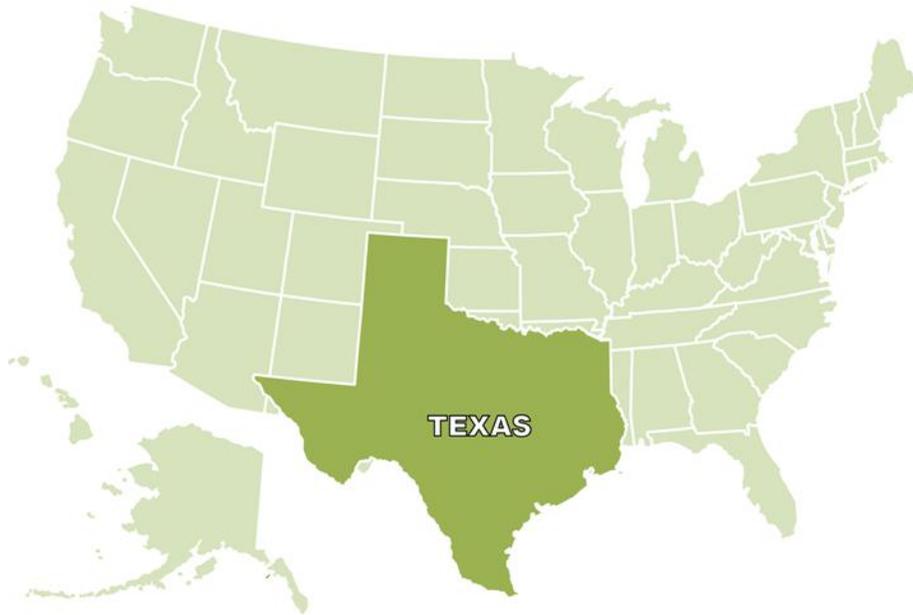
*State derives funds dedicated to underage drinking from the following revenue streams:*

Taxes	No
Fines	No
Fees	No
Other	Not applicable

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

**Additional Clarification**

No data.



## Texas

**State Population: 26,956,958**

**Population Ages 12–20: 3,409,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	21.6	736,000
Past-Month Binge Alcohol Use	13.3	454,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.1	47,000
Past-Month Binge Alcohol Use	1.8	21,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	18.3	211,000
Past-Month Binge Alcohol Use	10.3	119,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	42.9	478,000
Past-Month Binge Alcohol Use	28.2	314,000
<b>Alcohol-Attributable Deaths (under 21)</b>		372
<b>Years of Potential Life Lost (under 21)</b>		22,574
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	35	170

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes
• Is possession allowed if spouse is present or consents?	Yes
Is there an exception based on location?	No
<i>Note:</i> In Texas, a minor may possess an alcoholic beverage if in the visible presence of an adult parent, guardian, or spouse.	

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	Yes
• Is consumption allowed if the spouse is present or consents?	Yes
Is there an exception based on location?	No
<i>Note:</i> In Texas, a minor may consume an alcoholic beverage if in the visible presence of an adult parent, guardian or spouse.	

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No

Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	30
Maximum number of days	30

Graduated Driver’s Licenses	
<b>Learner Stage</b>	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	30 (10 of which must be at night)
<b>Intermediate Stage</b>	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	12 am
Can law enforcement stop a driver for night-driving violation as a primary offense?	No – Officer must stop driver for another offense to cite for night-driving violation

Are there restrictions on passengers?	Yes – No more than one non-family passenger under 21
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No – Officer must stop driver for another offense to cite for passenger restriction violation
<b>License Stage</b>	
What is the minimum age for full license privileges and lifting of restrictions?	18

## Laws Targeting Alcohol Suppliers

<b>Furnishing Alcohol to Minors</b>	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	Yes
Is there an exception based on location?	No
<b>Affirmative Defense for Sellers and Licensees</b>	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No
<i>Note: In Texas, a person may purchase an alcoholic beverage for or give an alcoholic beverage to a minor if he or she is the minor's adult parent, guardian, or spouse, and is visibly present when the minor possesses or consumes the beverage.</i>	

<b>Compliance Check Protocols</b>	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No data
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
What are the decoy's appearance requirements?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

<b>Penalty Guidelines for Sales to Minors</b>	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	No data
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

<b>Responsible Beverage Service (RBS)</b>	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	

• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	No
• Protection against license revocation for sales to minors or sales to intoxicated persons	Yes
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Unspecified
Does the RBS law apply to new or existing licensees?	Unspecified

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	16
Wine	16
Spirits	21
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	Yes (retailers may be held liable if they are 21 or over and furnish alcohol to a minor under age 18)
Does the statute limit elements or standards of proof?	Yes (knowledge of underage status)
Does common law dram shop liability exist?	Unclear

*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 underage person is 18 or over. It is unclear whether there is common law liability when 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; the employee who furnished the minor attended the training; and the licensee did not directly or indirectly encourage the employee to violate the law.

#### Social Host Liability

Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	Yes (social hosts may be held liable if they are 21 or over and furnish alcohol to a minor under age 18)
Does the statute limit elements or standards of proof?	Yes (knowledge of underage status)
Does common law social host liability exist?	Unclear
<i>Note:</i> There is no common law liability when underage person is 18 or over. It is unclear whether there is common law liability when drinker is under age 18.	

#### Prohibitions Against Hosting Underage Drinking Parties

Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

#### Retailer Interstate Shipments of Alcohol

Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

#### Direct Shipments/Sales

May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes

Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes
Wine	Yes
Spirits	Yes
<i>Note:</i> Package store permittees must have a cartage permit. Vehicles used to transport alcoholic beverages must be clearly marked.	

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.19
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	14.95%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.25%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	8.70%

Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	\$0.20/ gallon for alcohol content of more than 5%
<i>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 rate of 6.25% rather than the ad valorem excise tax on-premises rates.</i>	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.20
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	14.95%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.25%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	8.70%
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<i>Note: In Texas, the holder of a wine and beer retailer's permit is subject to the state sales tax rate of 6.25% rather than the ad valorem excise tax on-premises rates.</i>	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$2.40
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	14.95%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.25%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	8.70%

Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

Low-Price, High-Volume Drink Specials	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Restricted (permitted before 11 pm)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes

Wholesaler Pricing Restrictions	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (25 days)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (25 days)

## Texas State Survey Responses

### State Agency Information

*Agency with primary responsibility for enforcing underage drinking laws:*

Texas Alcoholic Beverage Commission (TABC) (The state focuses on licensed/permitted locations only. Social Host and MIP handled at local level.)

### Enforcement Strategies

*State law enforcement agencies use:*

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	Yes

*Local law enforcement agencies use:*

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
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 TABC

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* 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> 48,295

Number of licensees checked for compliance by state agencies (including random checks) 8,732

Number of licensees that failed state compliance checks 1,035

Numbers pertain to the 12 months ending 12/31/2014

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments Both on- and off-sale establishments

*State conducts random underage compliance checks/decoy operations* Yes

Number of licensees subject to random state compliance checks/decoy operations Unknown—data not specific

Number of licensees that failed random state compliance checks Unknown—data not specific

*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 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> 495

Total amount in fines across all licensees \$1,183,700

Smallest fine imposed \$500

Largest fine imposed	\$18,000
Numbers pertain to the 12 months ending	12/31/2014
<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>	676
Total days of suspensions across all licensees	5,862
Shortest period of suspension imposed (in days)	1
Longest period of suspension imposed (in days)	60
Numbers pertain to the 12 months ending	12/31/2014
<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>	4
Numbers pertain to the 12 months ending	12/31/2014

**Additional Clarification**

Only state agency data is provided by the Texas Alcoholic Beverage Commission (TABC). Other state agencies could conduct operations, but would not report to TABC.

<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**

***U in the Driver Seat***

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 project will address the problem of impaired driving by college students and will be driven by peer-to-peer communication at no fewer than 20 different college campuses in Texas.

***Law Enforcement Training to Reduce Impaired Driving by People Under 21***

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 will increase enforcement of laws related to underage drinking and impaired driving through increased law enforcement training and local coalition building.

**Additional Underage Drinking Prevention Programs Operated or Funded by the State****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 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 selective population. They implement a comprehensive program with the six effective CSAP strategies. The prevention education strategy includes a structured evidence-based curriculum approved on the National Registry of Evidence Based Programs and Practices.

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

Description of program: The underage programs are all community-based education, prevention, and training programs that TxDOT funds to address youth underage drinking and driving.

*State has adopted or developed best practice standards for underage drinking prevention programs* No

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

**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: Frank Saenz

Email: frank.saenz@txdot.gov

Address: 118 E. Riverside Drive, Austin, TX 78701

Phone: 512-416-2235

**Agencies/organizations represented on the committee:**

Texas District and County Attorney Association

City of Austin Police Department

City of College Station Police Department

MADD

Texas Transportation Institute

Texas Department of Transportation

City of San Antonio

Texas Municipal Police Association

University of Houston Downtown

Texas Center for the Judiciary

Texas Court Justice Center

Texas Manciple Court Education Center

Texas Standing Tall

AAA

Texas Alcoholic Beverage Commission

<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: The website is under construction.	

**Underage Drinking Reports**

<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Texas Impaired Driving Task Force	
Plan can be accessed via:	No data
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: Texas Impaired Driving Task Force	
Plan can be accessed via:	No data

**Additional Clarification**

No data

**State Expenditures for the Prevention of Underage Drinking**

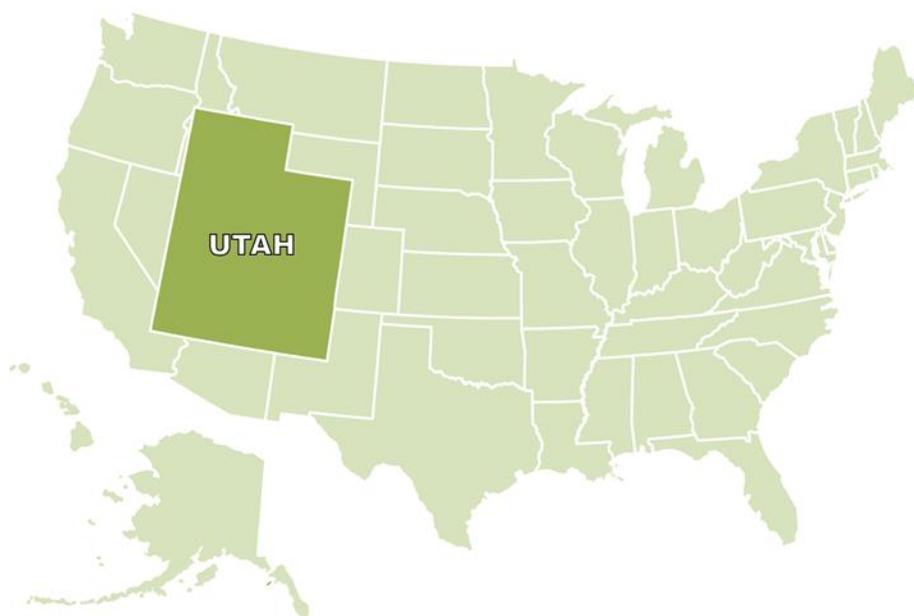
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	No data
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$5,249,052.75
Estimate based on the 12 months ending	8/31/2014
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$31,021,173
Estimate based on the 12 months ending	8/31/2014
<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	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	Data not available
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

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

**Additional Clarification**

No data



## Utah

**State Population: 2,942,902**

**Population Ages 12–20: 404,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	13.5	55,000
Past-Month Binge Alcohol Use	9.4	38,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	2.4	3,000
Past-Month Binge Alcohol Use	1.4	2,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	11.4	15,000
Past-Month Binge Alcohol Use	7.4	10,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	28.2	36,000
Past-Month Binge Alcohol Use	20.3	26,000
<b>Alcohol-Attributable Deaths (under 21)</b>		32
<b>Years of Potential Life Lost (under 21)</b>		1,954
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	8	3

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	No
• Is internal possession allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage-Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

Underage-False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes

• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	Yes
May a retailer detain a minor who used a false ID?	Yes

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	365
Maximum number of days	365

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	40 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	12 am
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – No passengers who are not immediate family members, unless accompanied by driver over 21

Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No – Officer must stop driver for another offense to cite for passenger restriction violation
License Stage	
What is the minimum age for full license privileges and lifting of 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 Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18
What is the maximum age a decoy may be to participate in a compliance check?	19
What are the decoy’s appearance requirements?	Age-appropriate appearance with no age enhancements. Males: clean shaven or have facial hair that is groomed and not excessive in length or appearance. Females: no excessive makeup or provocative attire. No jewelry on hands; hats and clothing consistent with casual attire commonly worn by peer group.
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	Yes

What is the time period for defining second, third, and subsequent offenses?	3 years
What is the penalty for the first offense?	5- to 30-day suspension and/or \$500–\$3,000 fine
What is the penalty for the second offense?	10-to 90-day suspension and/or \$1,000–\$9,000 fine
What is the penalty for the third offense?	15- to 120-day suspension up to revocation and/or \$9,000–\$25,000 fine
What is the penalty for the fourth offense?	Not specified
<i>Note:</i> List of mitigating and aggravating factors provided.	

<b>Responsible Beverage Service (RBS)</b>	
Is there a state law pertaining to beverage service training?	Yes – Mandatory
If training is mandatory, who must participate?	Managers, servers/sellers
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both
<i>Note:</i> In Utah, the off-premises establishments subject to mandatory training are "off-premise beer retailers," i.e. retailers licensed to sell any product that contains not more than 3.2% alcohol by weight (ABW) and is obtained by fermentation, infusion, or decoction of any malted grain.	

<b>Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)</b>	
What is the minimum age requirement for off-premises retail establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No
<i>Note:</i> Although employees must be at least 21 to sell "liquor" at off-sale establishments in Utah, persons between 16 and 21 may sell "beer" (defined as containing not more than 4% ABV or 3.2% ABW) on the premises of a beer retailer for off-premise consumption if under the supervision of a person age 21 or older who is on the premises.	

<b>Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21

Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
<i>Note:</i>	
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 200 feet
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 200 feet
To which alcohol products does requirement apply?	Beer, wine, spirits

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	Yes (\$1 million limit for one person and \$2 million limit for all injured parties per occurrence)
Does the statute limit who may be sued?	Yes (retailers that furnish beer only for off-premises consumption are exempt)
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No
<i>Note:</i> Strict liability is imposed for furnishing alcohol to an underage drinker. Evidence of retailer's negligence is not required.	

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	Yes (\$1 million limit for one person and \$2 million limit for all injured parties per occurrence)
Does the statute limit who may be sued?	Yes (social host must be 21 or older)
Does the statute limit elements or standards of proof?	No
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	Specific
What action by underage guest triggers a violation?	Not specified
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host's preventive action protect him/her from being held liable?	No

Are there any exceptions for underage guests?	No
<p><i>Note:</i> In Utah, an individual may not knowingly conduct, aid, or allow an "underage drinking gathering." "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.</p>	

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	No
What alcohol types may be shipped?	N/A
Must purchaser make mandatory trip to producer before delivery is authorized?	N/A
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	N/A
Must the common carrier (deliverer) verify age of recipients?	N/A
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	N/A
Must the common carrier (deliverer) be approved by a state agency?	N/A
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	N/A
Must the common carrier (deliverer) record/report recipient's name?	N/A
Shipping label requirements	
Must the label state "Package contains alcohol"?	N/A
Must the label state "Recipient must be 21 years old"?	N/A

Keg Registration	
How is a keg defined (in gallons)?	Keg sales prohibited
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No
What purchaser information is collected?	
Must the retailer collect the name and address?	No
Must the retailer collect the ID number, name and address on license or other government information?	No
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	No
Is a deposit required?	No
Does law cover disposable kegs?	No

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No
Wine	No
Spirits	No

UT-High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No. However, Utah is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

### Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	Yes
Specific excise tax per gallon for 5% alcohol beer	N/A
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	N/A
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	N/A
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	N/A
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	N/A
Additional taxes for 3.2–6% alcohol beer (if applicable)	N/A
<b>Wine</b>	
Control system for wine?	Yes
Specific excise tax per gallon for 12% alcohol wine	
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	

Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Yes (status of full-day price reductions is uncertain)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	<b>Control System</b>
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A

<b>Wine</b>	<b>Control System</b>
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<b>Spirits</b>	<b>Control System</b>
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A

## Utah State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Utah Department of Public Safety/State Bureau of Investigation

### Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
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	No

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 Utah Dept. of Public Safety/State Bureau of Investigation

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 2,558

Number pertains to the 12 months ending 12/31/2014

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> 1,849

Number of licensees checked for compliance by state agencies (including random checks) 1,190

Number of licensees that failed state compliance checks 173

Numbers pertain to the 12 months ending 12/31/2014

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations Yes

Number of licensees subject to **random** state compliance checks/decoy operations 1,190

Number of licensees that failed **random** state compliance checks 173

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 818

Number of licensees that failed local compliance checks 82

Numbers pertain to the 12 months ending 12/31/2014

### Sanctions

State collects data on fines imposed on retail establishments that furnish minors Yes

Number of fines imposed by the state<sup>4</sup> 179

Total amount in fines across all licensees \$199,975

Smallest fine imposed \$100

Largest fine imposed \$15,000

Numbers pertain to the 12 months ending 12/31/2014

<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>	81
Total days of suspensions across all licensees	644
Shortest period of suspension imposed (in days)	5
Longest period of suspension imposed (in days)	27
Numbers pertain to the 12 months ending	12/31/2014
<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>	0
Numbers pertain to the 12 months ending	12/31/2014

**Additional Clarification**

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**

***Protecting You Protecting Me (PYPM)***

Program serves specific or general population	General population
Number of youth served	Approximately 4000 youth
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/ViewIntervention.aspx?id=95">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=95</a>
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:** PYPM is an education-based alcohol use prevention program that uses a curriculum for children in grades 1–5 to educate, teach skills, and reduce alcohol use. The program is suited for a classroom environment and taught for 40–55 minutes once a week for 8 weeks.

***Parents Empowered (PE)***

Program serves specific or general population	General population
Number of youth served	No data
Number of parents served	Approximately 800,000 parents
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	<a href="http://www.parentsempowered.org">http://www.parentsempowered.org</a>
URL for more program information:	<a href="http://www.parentsempowered.org">http://www.parentsempowered.org</a>

**Program Description:** PE is a statewide media program that targets parents with teenagers ages 10–18 years old to teach them skills on talking points and recognition for 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.

***Prevention Dimensions Teacher Training***

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

**Program Description:** Prevention Dimensions is an educational program designed to prevent alcohol and other drug use among students K–12. Teachers and/or prevention professionals are trained to teach curriculum to students in health classes in various schools in Utah. Opportunities are provided to train teachers on site or at an afterschool facility to meet criteria for prevention objectives to reduce underage drinking.

#### **All Stars**

Program serves specific or general population	Specific population
Number of youth served	Approximately 200
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>

**Program Description:** 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.

#### **Prime For Life Under 21**

Program serves specific or general population	Specific population
Number of youth served	No data
Number of parents served	Approximately 845
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	<a href="http://www.primeforlife.org">http://www.primeforlife.org</a>
URL for more program information:	<a href="http://www.primeforlife.org">http://www.primeforlife.org</a>

**Program Description:** This program is designed to address and reduce underage drinking in at-risk youth who have been referred for a drinking offense. The program focuses on education and building skills while helping participants understand the impact of risk factors such as having favorable attitudes toward drug use and alcohol availability.

#### **Strengthening Families (SFP)**

Program serves specific or general population	Specific population
Number of youth served	Approximately 780
Number of parents served	Approximately 312
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/ViewIntervention.aspx?id=44">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=44</a>
URL for more program information:	<a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=44">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=44</a>

**Program Description:** SFP is a family skills training program designed to increase resilience and reduce risk factors for problem behavior associated with emotional, academic, and social problems as well as address the risk associated with drug use. Parents and children interact during specific segments to practice new skills of communication and problem solving. The program has three developmental segments for parents with children from ages 5–9, 10–14, and 15–17 years old.

**Parenting with Love & Logic**

Program serves specific or general population	Specific population
Number of youth served	Approximately 750
Number of parents served	Approximately 300
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 program is designed to target parents who may need to improve family management and parenting skills by focusing on and reducing risk factors such as poor family management and family conflict. The program is education- and skill-based for a classroom environment. Classes can be taught in elementary schools, Local Substance Abuse Authorities, and other locations as needed.

**Guiding Good Choices (GGC)**

Program serves specific or general population	General population
Number of youth served	Approximately 325
Number of parents served	Approximately 130
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/ViewIntervention.aspx?id=302">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=302</a>
URL for more program information:	<a href="http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=302">http://www.nrepp.samhsa.gov/ViewIntervention.aspx?id=302</a>

**Program Description:** GGC is a drug use prevention parenting program that provides participants of children in grades 4–8 or ages 9–14. The program is education- and skill-based and teaches participants knowledge and skills needed to guide their children through early adolescence and risks associated with teen drug use and other associated behavior.

**Communities That Care (CTC)**

Program serves specific or general population	General population
Number of youth served	75,000
Number of parents served	150,000
Number of caregivers served	175,000
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>

**Program Description:** 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 demonstrates that CTC shows reductions in rates of youth violence, crime, alcohol, and tobacco use.

**Governing Youth Council (GYC)**

Program serves specific or general population	General population
Number of youth served	5,700
Number of parents served	No data
Number of caregivers served	250
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:** GYC is a peer leadership program that targets youth ages 12–18 from regional secondary schools in nearly a third of the 29 counties in Utah. The program focuses on leadership skills for youth to mentor and guide peers in prevention science, presenting and/or speaking to peers about substance abuse–related issues, and development and implementation of alcohol, tobacco, and other drugs prevention activities through GYC groups.

**Prevention Dimensions (PD) Education to Students**

Program serves specific or general population	General population
Number of youth served	270,000
Number of parents served	No data
Number of caregivers served	230
Program has been evaluated	Yes
Evaluation report is available	No
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>

**Program Description:** PD Education is a classroom-based curriculum delivered by trained health teachers to teach knowledge and skill-based practices for preventing and resisting alcohol, tobacco, and other drug use). The curriculum is designed to reach K through 6th-grade students throughout the state.

**Growing Up Strong (Gus & Gussie – G&G)**

Program serves specific or general population	Specific population
Number of youth served	Approximately 240
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:** G&G is a small-group, facilitated program for 6th-grade students that focuses on education and building skills to help students address topics such as self-esteem, family, peer pressure, diversity, feelings, coping skills, anger management, personal safety, and working together. The program focuses on reducing risk factors such as depressive symptoms and early initiation of antisocial behavior in order to decrease negative behaviors. Students' knowledge of self-esteem, diversity, friends/peer pressure, emotional coping, and personal safety, and skill to resist drug use, will increase to demonstrate effectiveness of the program.

**Prevention Networking**

Program serves specific or general population	General population
Number of youth served	575,000
Number of parents served	500,000
Number of caregivers served	250,000
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:** Prevention Networking is a planning group and/or committees that each of our 13 Local Substance Abuse Authorities participate in to examine policies, programs, and practices in the CSAP six strategies, namely, Community-Based Process, Environmental, Information Dissemination, Education, Alternatives, Problem Identification, and Referral. The purpose is to convene key leaders and prevention experts to plan for prevention of alcohol, tobacco, and other drug use among youth and families through a concerted effort. Multi-agency coordination leads to a more collaborative approach to addressing drug use. Prevention specialists serve on local boards, committees, and coalitions to share prevention information, concepts, research, and data. Prevention Specialists network with community partners throughout the counties and state to best gain information to implement the best available programs and strategies for preventing drug use.

**Personal Empowerment Program (PEP)**

Program serves specific or general population	Specific population
Number of youth served	300
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:	<a href="http://www.southwestprevention.com/educators/pep">http://www.southwestprevention.com/educators/pep</a>
URL for more program information:	<a href="http://www.southwestprevention.com/educators/pep">http://www.southwestprevention.com/educators/pep</a>

**Program Description:** PEP is an education- and skill-based program that focuses on the risk of academic failure, low commitment to school, and early initiation of antisocial behavior to reduce substance abuse and other associated behavior. Middle school and high school students from 11 schools in 4 school districts participate in the program each year.

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

**Program description:** Utah collaborates with federally recognized tribal governments in the prevention of underage drinking.

Description of collaboration: The Division of Substance Abuse and Mental Health (DSAMH) meets with the Tribal Indian Issues Committee (TIIC) at their bimonthly meeting. The TIIC communicates how DSAMH can best serve their needs related to cultural traditions, limited resources and access to tribes.

Collaboration with the state’s nine tribes allows DSAMH to participate in their prevention efforts to reduce the risk of substance abuse, particularly underage drinking and mental health risks. DSAMH is also engaged in planning and discussion of 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 prevention, treatment, and justice tracks for traditional Native American breakouts and presentations. Vital prevention information on underage drinking, family conflict regarding alcohol use and abuse during these breakouts.

DSAMH maintains a willingness and commitment to work with the nine Utah tribes in collaborating on resources to reduce substance abuse issues within Native American culture as well as increasing community resources. The tribes are identified as sovereign nations; therefore, we are only able to collaborate to the extent we are allowed. We continue to seek additional opportunities to participate in the Governor’s Native American Summit, other Native American conferences, Indian Health Services, and 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, which collaborate on prevention and treatment resources where necessary.

**Additional Clarification**

No data or clarification necessary at this time.

**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. At the meetings, TIIC communicates how DSAMH can best address their needs in regards to limited resources, the inclusion of cultural and tribal traditions and limited access to the tribes.

DSAMH remains committed to the efforts with the state’s nine tribes in participating in their prevention efforts to reduce the risk of substance abuse, particularly underage drinking and mental health risks. DSAMH is also engaged in continuous planning and discussion of 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 prevention, treatment, and justice tracks for traditional Native American breakouts and presentations. Vital prevention information on underage drinking, family conflict regarding alcohol use and abuse during these breakouts.

DSAMH maintains a willingness and commitment to work with the nine Utah tribes in collaborating resources to reduce substance abuse issues within Native American culture as well as increasing community resources. The tribes are identified as sovereign nations, therefore the state is only able to collaborate to the extent allowed. DSAMH continues to seek additional opportunities to participate in the Governor's Native American Summit, other Native American conferences, Indian Health Services, trainings and assisting the Local Substance Abuse Authority (or Authorities) (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 that collaborate prevention and treatment resources where necessary.

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

Description of program: Parents Empowered Media Campaign

ParentsEmpowered.org (PE) is a 9-year-old statewide media and education campaign funded by the Utah Legislature. PE 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 teen 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, Division of Substance Abuse and Mental Health, Juvenile Court, State Office of Education, Mothers Against Drunk Driving (MADD)/Utah Chapter, Utah Prevention Network, and Utah Substance Abuse Advisory Coordinating Council.

ParentsEmpowered.org was formed in 2006, in response to the alarming new research compiled by the National Institutes of Health on how alcohol affects the developing teen brain (causing early addiction and brain impairment), when the U.S. Department of Health and Human Services (HHS) began an underage drinking initiative. HHS 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, Substance Abuse, 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 roundtable 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. Utah held more town hall meetings than any other state, and had more attendees.

Goal of ParentsEmpowered.org: The goal is to eliminate underage drinking in Utah, along with the devastating effects that alcohol has on children 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. DHHS, 2005).

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

Agencies/organizations that established best practices standards:

Federal agency(ies): SAMHSA, CSAP, Center of Application Prevention Technology Yes

Agency(ies) within your state: Division of Substance Abuse and Mental Health, Department of Alcohol and Beverage Control, 13 Local Substance Abuse Authorities Yes

(county agencies that DSAMH contracts with to address substance abuse at the county and community level)

Nongovernmental agency(ies): R & R Partners (The advertising firm that manages the legislative portion of the funds to implement the Parents Empowered program on an annual basis. The staff collaborates with the Underage Drinking Prevention Committee that consists of government agencies) Yes

Other: None No

Best practice standards description: Utah has adopted the National Institute on Drug Abuse (NIDA) Guiding Principles document and created the Utah Guiding Principles. This document outlines principles and guidelines for substance abuse prevention programs, strategies, and policies in Utah. It is designed to ensure that prevention resources are effective and appropriate. This document was created in partnership with the Division of Substance Abuse and Mental Health, the Utah Behavioral Healthcare Committee's Prevention Network, and the Utah State Office of Education.

Much of this information has been taken from research cited by SAMHSA and the NIDA publication *Preventing Drug Abuse among Children and Adolescents*. Before the implementation of any prevention program or activity, the substance abuse prevention coordinator in one of the 13 Local Substance Abuse Authorities (LSAAs) in a county-aligned area must be contacted and consulted to help make sure an appropriate, effective, and consistent message is delivered in the participating community. Utah also follows CSAP Evidence-Based Guidelines for implementing evidence-based policies, programs, and strategies: To ensure that all interventions are evidence-based, the Division of Substance Abuse and Mental Health has convened an Evidence-Based Workgroup to review proposed interventions. CSAP has created a guidance document with criteria for considering an intervention to be evidence-based, which include:

- Definition 1: It is included on Division of Substance Abuse and Mental Health- approved federal lists or registries of evidence-based interventions.
- Definition 2: It is reported (with positive effects) in peer-reviewed journals.
- Definition 3: It has 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 in the past, and 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 within indigenous cultures. The Evidence-Based Workgroup will serve as the informed experts for Utah.

Also, through the Center of Application Prevention Technologies, (CAPT), Utah collaborates with this agency for technical assistance to ensure we are using the latest technology and web systems to track all prevention information related to prevention of underage drinking, DUI, alcohol consumption and other related issues with alcohol use.

#### Additional Clarification

No clarification needed at this time.

**State Interagency Collaboration**

*A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities* Yes

**Committee contact information:**

Name: Doug Murakami

Email: [dmurakami@utah.gov](mailto:dmurakami@utah.gov)

Address: Utah Department of Alcoholic Beverage Control, 1625 South 900 West, PO Box 30408, Salt Lake City, UT 84130-0408

Phone: 801-977-6820

**Agencies/organizations represented on the committee:**

The Utah Substance Abuse Advisory (USAAV) Council's Prevention Advisory Committee oversees the Underage Drinking Prevention Workgroup. Although all interested are welcome to attend and participate in the Underage Drinking Prevention Workgroup, the voting membership consists of representatives from each of the following (one vote each):

Attorney General's Office

Department of Alcoholic Beverage Control

Department of Health

Department of Public Safety/Highway Safety Office

Division of Substance Abuse and Mental Health

Governor's Office/USAAV Council

Juvenile Court

Law Enforcement

Utah State Office of Education

Prevention Representative from Local Substance Abuse Authority Agencies

One Representative of the General Public Designated by the USAAV Council

*A website or other public source exists to describe committee activities* No

URL or other means of access: Not applicable

**Underage Drinking Reports**

*State has prepared a plan for preventing underage drinking in the last 3 years* Yes

Prepared by: Division of Substance Abuse and Mental Health, Department of Alcoholic Beverage Control, Utah Prevention Advisory Council

Plan can be accessed via: No data

*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

**Additional Clarification**

No data

**State Expenditures for the Prevention of Underage Drinking****Compliance checks in retail outlets:**

Estimate of state funds expended \$39,370.99

Estimate based on the 12 months ending 12/31/2014

**Checkpoints and saturation patrols:**

Estimate of state funds expended \$712,500

Estimate based on the 12 months ending 6/30/2015

**Community-based programs to prevent underage drinking:**

Estimate of state funds expended \$150,000

Estimate based on the 12 months ending 6/30/2014

**K-12 school-based programs to prevent underage drinking:**

Estimate of state funds expended \$600,000

Estimate based on the 12 months ending 6/30/2014

**Programs targeted to institutes of higher learning:**

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	None at this time
Estimate of state funds expended	\$0
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	Yes
Fines	No
Fees	Yes
Other Portion of income from sales of alcoholic beverages in Utah	Yes

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

Beer tax money distributed annually to municipalities and counties is to be used in part to “promote the reduction of alcohol consumption by minors”

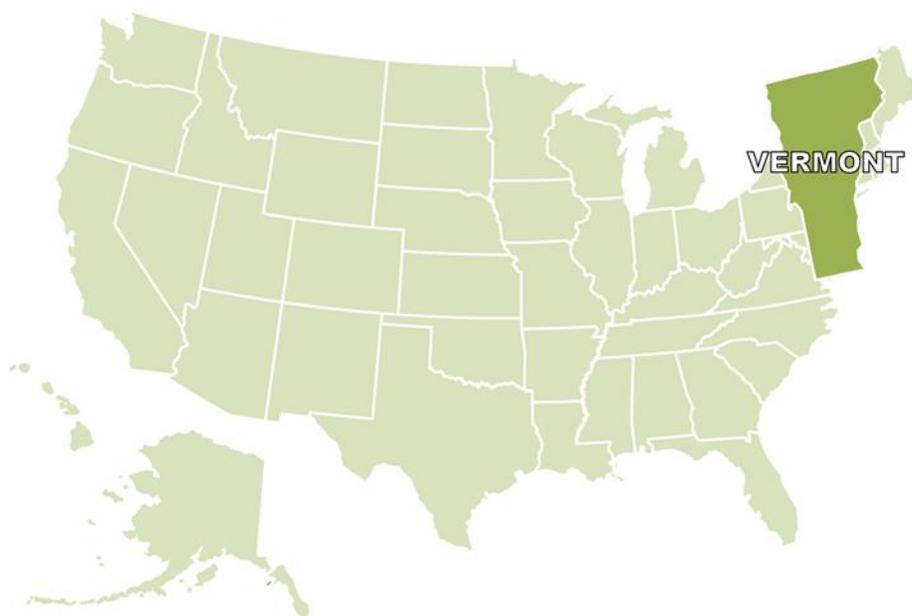
Some fee on fines money is used to fund limited programs at the Utah State Office of Education.

0.6% of the income from sales of alcoholic beverages is utilized to fund the ParentsEmpowered Underage Drinking Prevention Campaign

Income from sales of alcoholic beverages is also utilized to fund compliance checks of establishments that serve alcoholic beverages to ensure minors are not served

**Additional Clarification**

No clarification needed at this time.



## Vermont

**State Population: 626,562**

**Population Ages 12–20: 72,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	34.2	25,000
Past-Month Binge Alcohol Use	23.1	17,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	6.2	1,000
Past-Month Binge Alcohol Use	2.6	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	27	7,000
Past-Month Binge Alcohol Use	16.3	4,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	61.3	17,000
Past-Month Binge Alcohol Use	44.3	12,000
<b>Alcohol-Attributable Deaths (under 21)</b>		6
<b>Years of Potential Life Lost (under 21)</b>		382
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	10	1

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A
<p><i>Note:</i> 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 and states that prosecution may occur 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.</p>	

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	No law
May youth purchase for law enforcement purposes?	N/A

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	No
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes

May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> <li>Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</li> </ul>	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No
<p><i>Note:</i> Vermont has two statutes regarding affirmative defenses. First, under Vt. Stat. Ann. tit. 7, § 658, an employee of a licensee or of a state-contracted liquor agency charged with underage furnishing may plead as an affirmative defense that the employee carefully viewed specified photographic ID, that an ordinary prudent person would believe the purchaser to be of legal age to make the purchase, and that the sale was made in good faith, based on the reasonable belief that the purchaser was of legal age to purchase alcoholic beverages. Second, Vt. Stat. Ann. tit. 7, § 602 provides that selling or furnishing to a person exhibiting a specified valid authorized form of identification is prima facie evidence of the licensee's compliance with the law prohibiting the sale or furnishing of alcoholic beverages to minors. The first provision amounts to a specific affirmative defense for state store employees and employees of retail licensees. The second provision applies to licensees and appears to provide them at least limited protection from prosecution, although the statutory language is unclear on how the provision is to be applied.</p>	

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	No
What types of violation lead to license suspension or revocation?	
<ul style="list-style-type: none"> <li>Purchase of alcohol</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Possession of alcohol</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Consumption of alcohol</li> </ul>	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15

What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	12
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	40 (10 of which must be at night)
<b>Intermediate Stage</b>	
What is the minimum age for driving without adult supervision?	16
For night-driving, when does adult supervision requirement begin?	12 am
Can law enforcement stop a driver for night driving violation as a primary offense?	
Are there restrictions on passengers?	Yes – During first 3 months, restricted to driving alone or with a licensed parent, instructor, or person at least 25. During next 3 months, may also transport family members.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No – Officer must stop driver for another offense to cite for passenger restriction violation
<b>License Stage</b>	
What is the minimum age for full license privileges and lifting of restrictions?	16 years, 6 months

## Laws Targeting Alcohol Suppliers

<b>Furnishing Alcohol to Minors</b>	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
<b>Affirmative Defense for Sellers and Licensees</b>	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

<b>Compliance Check Protocols</b>	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18 (director's permission required for 17-year-olds)
What is the maximum age a decoy may be to participate in a compliance check?	20
What are the decoy's appearance requirements?	Young adult appearance. Male: no facial hair. Female: no excessive makeup
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	Not specified
What is the penalty for the first offense?	Sale/service to a 20-year-old (noncompliance check): \$250 fine. Sale/service to a 19-year-old (noncompliance check): \$500 fine. Sale/service to 18 or less (noncompliance check): Hearing.
What is the penalty for the second offense?	Not specified
What is the penalty for the third offense?	Not specified
What is the penalty for the fourth offense?	Not specified

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	Yes – Mandatory
If training is mandatory, who must participate?	Licensees, managers, servers/sellers
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	16
Wine	16
Spirits	None
Does a manager or supervisor have to be present?	No
<i>Note:</i> Vermont statutes and regulations are silent regarding the minimum age of seller for distilled spirits sold for off-premises consumption that 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 Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18

Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	Unclear
<i>Note:</i> Vermont law includes a responsible beverage service defense.	

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	Equal to or more than 5.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (maximum fine/jail, \$1,000/2 years)
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Yes – Active (requires an action by purchaser)
Is a deposit required?	Yes – \$25
Does law cover disposable kegs?	No
<i>Note:</i> 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 ID.	

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	Yes. In addition, Vermont is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.

Are restrictions based on Alcohol by Volume (ABV)?	No
Are there exceptions to restrictions?	No
<i>Note:</i> The purchase of pure ethyl or grain alcohol must be made for the purposes of manufacturing, mechanical, medicinal, or scientific purposes.	

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.27
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	10%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	6%
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	4%
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.55
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	10%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	6%
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	4%
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	

<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	Yes (full-day price reductions not banned)
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post and hold (14 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No

Spirits	Control System
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<p><i>Note:</i> Each licensee in a wholesale dealer's territory must receive at least one opportunity to buy beer at the changed price.</p>	

## 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	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>	2,274
Number of licensees checked for compliance by state agencies (including random checks)	734
Number of licensees that failed state compliance checks	69
Numbers pertain to the 12 months ending	12/31/2014
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations Yes

Number of licensees subject to <b>random</b> state compliance checks/decoy operations	734
Number of licensees that failed <b>random</b> state compliance checks	69

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	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

State collects data on fines imposed on retail establishments that furnish minors Yes

Number of fines imposed by the state <sup>4</sup>	6
Total amount in fines across all licensees	\$2,300
Smallest fine imposed	\$300
Largest fine imposed	\$500
Numbers pertain to the 12 months ending	12/31/2014

<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>	22
Total days of suspensions across all licensees	22
Shortest period of suspension imposed (in days)	1
Longest period of suspension imposed (in days)	1
Numbers pertain to the 12 months ending	12/31/2014
<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>	0
Numbers pertain to the 12 months ending	12/31/2014

**Additional Clarification**

The Vermont Department of Liquor Control does not track minors processed for possession or consumption of alcohol by other state or local law enforcement agencies, and there is no central clearinghouse for this information.

<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) grant 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 based in a competitive process that considered need, readiness, strength of proposed plan, budget, and number of students to be served. A 10% match in funds or in-kind services was required. 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
- Advising and training of youth empowerment groups
- Delivery of parent information and educational programs
- Delivery of teacher and support staff training
- Delivery of educational support groups

<b>ParentUp</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:	Available only as hard copy
URL for more program information:	<a href="http://www.ParentUpVT.org">http://www.ParentUpVT.org</a>

**Program Description:** In 2010, the Health Department's Prevention Unit of the Alcohol and Drug Abuse Programs (ADAP) created the ParentUp campaign to educate parents about their 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. In spring 2015, ADAP redesigned the website to include all substance use, not just alcohol. The overall program goals are to (1) increase parents' awareness of their influence whether or not their child uses alcohol or other drugs and (2) increase the number of parents who talk with their children about substance use. ADAP partners were provided a social media toolkit to use to promote ParentUp.

#### **Partnership for Success (PFS)**

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:** The PFS grant is a 3-year (10/1/12–9/30/15) cooperative agreement with SAMHSA. 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 six 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.

#### **Combined Community Grants (CCGs)**

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:** CCGs represent an initiative that braids physical activity and nutrition, tobacco, and substance abuse prevention funding to communities to address healthy community design as applied to the Vermont Prevention Model. Utilizing evidence-based strategies, communities are required to address the environmental layers of the prevention model (policy/systems and community) to prevent underage drinking (ages 12–20), binge drinking (ages 18–25), and marijuana use (12–17). The research literature supports the implementation of a comprehensive mix of evidence-based strategies as the best approach to prevent underage and binge drinking and marijuana use.

#### **Annual College Symposium**

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:** In October 2014, Middlebury College hosted the 3rd Annual College Symposium to Address High Risk Drinking sponsored by the VT Dept. of Health, Division of Alcohol & Drug Abuse Programs. High-risk drinking on college campuses is a serious public health issue. Engaging college presidents, senior administrators, faculty, and students is critical to addressing the issue. Student engagement and success depend on it. A keynote presentation by William DeJong, Ph.D., from the Boston University School of Public Health provided information on strategies for engaging college presidents and faculty to invest in alcohol prevention. Faculty from three Vermont colleges shared their experiences in working effectively with faculty, staff, and students. Participants had an opportunity to discuss how they would utilize the information when they return to their institutions. Thirteen colleges and universities were represented along with representatives from community agencies and organizations. Analysis of the event evaluations will provide direction on next steps to support campus and community efforts to address this important public health issue.

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

**Program description:** No data

**Additional Clarification**

With the exception of the School-Based Substance Abuse Services (SBSAS) program, all programs related to underage drinking prevention are federally funded.

**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
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes
Description of program: Currently collaborating with Vermont Department of Health's Tobacco Control Unit to audit alcohol advertising among those retailers that also sell tobacco. There is no current funding or an official program to do this.	
<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: "Identifying and Selecting Evidence-Based Interventions" and CDC's "Community Guides"	

**Additional Clarification**

For Vermont standards, go to <http://healthvermont.gov/adap/prevention/SPF/documents/FinalDraftGuidanceNov2008.pdf>

**State Interagency Collaboration**

*A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities* Yes

**Committee contact information:**

Name: Mitch Barron  
 Email: [mitchb@howardcenter.org](mailto:mitchb@howardcenter.org)  
 Address: Centerpoint Adolescent Treatment Services, 1025 Airport Drive, South Burlington, VT 05403  
 Phone: 802-488-7711

**Agencies/organizations represented on the committee:**

- Vermont Department of Health
- Vermont Department of Mental Health
- Vermont Department of Motor Vehicles
- Vermont Agency of Human Services

Vermont Department of Liquor Control  
 Vermont Department of Corrections  
 Vermont Agency of Education  
 Vermont Association of Mental Health and Addiction Recovery  
 Vermont Center for Problem Gambling  
 Vermont National Guard  
 Prevention Works! VT  
 Vermont Court Diversion - Office of the Attorney General  
 Vermont Department of State's Attorneys and Sheriff's Association  
 Montpelier Public Schools  
 Central Vermont Medical Center  
 Flood Brook School  
 Centerpoint Adolescent Treatment Services  
 Northwestern Counseling and Support Services

<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">healthvermont.gov/adap/vadaac/advisorycouncil.aspx</a>	

### Underage Drinking Reports

<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>	Yes
Prepared by: Vermont's Epidemiological Workgroup	
Plan can be accessed via: <a href="http://www.healthvermont.gov/adap/clearinghouse/documents/EpiProfileExecutiveSummary_2012March16.pdf">www.healthvermont.gov/adap/clearinghouse/documents/EpiProfileExecutiveSummary_2012March16.pdf</a>	

### 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	\$830,000
Estimate based on the 12 months ending	6/30/2015
<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	Data not available

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	Yes
Fines	No
Fees	Yes
Other	No data

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

Youth who violate Vermont's underage possession and consumption of alcohol and/or marijuana (possession of an ounce or less) laws (7 VSA §656 and 18 VSA §4230) may opt to participate in the Youth Substance Abuse Safety Program (YSASP) or face a fine and driver's license suspension. Participant fees and State General Fund dollars support YSASP, which is run by the Court Diversion program in each county. Participants, who take part in a substance abuse screening, may be referred for an assessment with a clinician (and must follow the recommendations of the clinician) and may participate in an educational program. YSASP case managers support youth in completing the program. Assessment and treatment are not covered through YSASP funding.

**Additional Clarification**

No data



## Virginia

**State Population: 8,326,289**

**Population Ages 12–20: 950,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	22.3	212,000
Past-Month Binge Alcohol Use	15.0	142,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	3.8	11,000
Past-Month Binge Alcohol Use	0.7	2,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	18.3	60,000
Past-Month Binge Alcohol Use	10.1	33,000
<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
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	27	20

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes
• Is possession allowed if spouse is present or consents?	Yes in specified locations – See below
Is there an exception based on location?	Yes, in private residence if parent/guardian/spouse is present or consents
<p><i>Note:</i> 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." 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 of age or older."</p>	

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	Yes in specified locations – See below
• Is consumption allowed if the spouse is present or consents?	Yes in specified locations – See below
Is there an exception based on location?	Yes, in private residence if parent/guardian/spouse is present or consents

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A
<p><i>Note:</i> 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.</p>	

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes

Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
<b>Provisions Targeting Suppliers</b>	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
<b>Retailer Support Provisions</b>	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

<b>Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)</b>	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

<b>Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose" Laws)</b>	
Is there a "use/lose" law that suspends or revokes a minor's driving privileges for alcohol violations?	Yes
<b>What types of violation lead to license suspension or revocation?</b>	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	18
Is suspension or revocation mandatory or discretionary?	Mandatory
<b>What is the length of suspension/revocation?</b>	
Minimum number of days	180
Maximum number of days	180

<b>Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose" Laws)</b>	
Is there a "use/lose" law that suspends or revokes a minor's driving privileges for alcohol violations?	Yes

What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	180
Maximum number of days	365

Graduated Driver's Licenses	
<b>Learner Stage</b>	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15 years, 6 months
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	9
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	45 (15 of which must be at night)
<b>Intermediate Stage</b>	
What is the minimum age for driving without adult supervision?	16 years, 3 months
For night driving, when does adult supervision requirement begin?	12 am
Can law enforcement stop a driver for night-driving violation as a primary offense?	No – Officer must stop driver for another offense to cite for night-driving violation
Are there restrictions on passengers?	Yes – For first year, no more than one passenger younger than 21 who is not family or household member unless driver is accompanied by parent or person acting in loco parentis; then, no more than three passengers younger than 21 who are not family or household members unless driving to or from school-sponsored activity or accompanied by licensed driver at least 21
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No – Officer must stop driver for another offense to cite for passenger restriction violation
<b>License Stage</b>	
What is the minimum age for full license privileges and lifting of restrictions?	18

### Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	

• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes in specified locations
• Is furnishing allowed if the spouse supplies the alcohol?	Yes in specified locations
Is there an exception based on location?	Yes, in any private residence if parent/guardian/spouse supplies alcohol
<b>Affirmative Defense for Sellers and Licensees</b>	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

<b>Compliance Check Protocols</b>	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	17
What is the maximum age a decoy may be to participate in a compliance check?	19
What are the decoy's appearance requirements?	Youthful appearance and not looking older than the true age
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

<b>Penalty Guidelines for Sales to Minors</b>	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	3 years
What is the penalty for the first offense?	\$2,000 fine or 25-day license suspension
What is the penalty for the second offense?	Not specified
What is the penalty for the third offense?	Not specified
What is the penalty for the fourth offense?	Not specified
<i>Note:</i> For first offense in 3-year period, if licensees can demonstrate that their employees have received responsible beverage service training in 12 months preceding violation, they can accept a reduced penalty of \$1,000 fine or 5-day license suspension.	

<b>Responsible Beverage Service (RBS)</b>	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	No

Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Unspecified
Does the RBS law apply to new or existing licensees?	Existing

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	None
Wine	None
Spirits	None
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No
<i>Note:</i> Although bartenders are generally required to be at least 21 in Virginia, a person who is at least 18 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 may also sell or serve wine for on-premises consumption in an establishment that sells wine only.	

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A

Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	No

#### Prohibitions Against Hosting Underage Drinking Parties

Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

#### Retailer Interstate Shipments of Alcohol

Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Permitted
Wine	Permitted
Spirits	Prohibited

#### Direct Shipments/Sales

May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

#### Keg Registration

How is a keg defined (in gallons)?	Equal to or more than 4.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes

Must the retailer collect the address at which keg will be consumed?	Yes
Must warning information be given to purchaser?	Yes – Active (requires an action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	Yes

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes (delivery permit required; 4-case limit without written prior notification to the state including the name and address to the intended recipient)
Wine	Yes (delivery permit required; 4-case limit without written prior notification to the state including the name and address to the intended recipient)
Spirits	No law

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	Yes. In addition, Virginia is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	Yes, more than 50.5%
Are there exceptions to restrictions?	No
<i>Note: No neutral grain spirit shall be sold in government stores at a proof greater than 101, except by permits for industrial, commercial, culinary, or medical use. 101 proof is equivalent to 50.5% ABV.</i>	

### Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.28
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant

Additional taxes for 3.2–6% alcohol beer (if applicable)	
<i>Note:</i> 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.	
<b>Wine</b>	
Control system for wine?	Yes
Specific excise tax per gallon for 12% alcohol wine	
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	
<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes

Reduced price for a specified day or time (i.e., happy hours)	Restricted (permitted before 9 pm)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
	Control System
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<b>Spirits</b>	
	Control System
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A

## Virginia State Survey Responses

### State Agency Information

#### Agency with primary responsibility for enforcing underage drinking laws:

The Virginia Department of Alcoholic Beverage Control, Bureau of Law Enforcement, has continued to enforce the laws of the Commonwealth through several initiatives such as our Alcohol Compliance Program. In FY 2014, 2,871 overall checks were conducted, resulting in a compliance rate of 85.8%. A total of 1,502 random checks were conducted, resulting in an alcohol compliance rate of 85.09%. More than 8,675 criminal investigations were conducted, resulting in 1,670 arrests, 1,154 written warnings, and 730 administrative violations against ABC licensed establishments.

### 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	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No

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 Virginia Dept. of Alcoholic Beverage Control's Compliance Division

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 343

Number pertains to the 12 months ending 12/31/2014

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> 18,171

Number of licensees checked for compliance by state agencies (including random checks) 2,871

Number of licensees that failed state compliance checks 410

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

State conducts **random** underage compliance checks/decoy operations Yes

Number of licensees subject to **random** state compliance checks/decoy operations 1,502

Number of licensees that failed **random** state compliance checks 224

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 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>	436
Total amount in fines across all licensees	\$801,400
Smallest fine imposed	\$500
Largest fine imposed	\$5,000
Numbers pertain to the 12 months ending	4/30/2015
<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>	154
Total days of suspensions across all licensees	3,284
Shortest period of suspension imposed (in days)	3
Longest period of suspension imposed (in days)	60
Numbers pertain to the 12 months ending	4/30/2015
<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	4/30/2015

**Additional Clarification**

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**

**Youth Alcohol and Drug Abuse Prevention Project (YADAPP)**

Program serves specific or general population	Specific population
Number of youth served	408
Number of parents served	No data
Number of caregivers served	85
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>

**Program Description:** 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 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:

- Broaden participant knowledge of substance abuse prevention at the state, local, and regional levels
- Teach leadership skills and attitudes to address common issues among their peers
- Allow youth from across Virginia the opportunity to network
- Teach youth to work in teams to create a substance prevention activity for their school or community

The 30th Annual YADAPP conference was held at Longwood University July 14-18, 2014. Eighty-five youth teams, representing schools and communities across Virginia participated in the conference. The conference format consists of a variety of educational and instructional activities for both youth and adult participants. Youth participant activities are focused toward developing: structured problem solving, action planning (STAN plan), communication, teamwork, and relationships. Activities at the weeklong conference included: Motivational general sessions, educational free-round workshops, and experiential learning and teambuilding.

#### **College Tour**

Program serves specific or general population	Specific population
Number of youth served	856
Number of parents served	No data
Number of caregivers served	30
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	<a href="https://www.abc.virginia.gov/education/programs/college-tour;">https://www.abc.virginia.gov/education/programs/college-tour;</a> <a href="https://www.facebook.com/vacolletour">https://www.facebook.com/vacolletour</a>

**Program Description:** Since 1986, Virginia Department of Alcoholic Beverage Control (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 College Conference, with a goal of reaching more students across the state. College Tour partners with colleges and universities across the Commonwealth to host a series of 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 college campuses and the opportunity to network and share resources with others. College Tour stops during 2014 were held at Tidewater Community College on March 22, 2014, and Northern Virginia Community College on April 4, 2014. During 2014, ABC offered College Alcohol Awareness Mini-Grants as an element of the College Tour. Tidewater Community College, Randolph Macon College, the College of William & Mary, Virginia Commonwealth University, and Roanoke College each received approximately \$1,000 to develop and enhance initiatives related to alcohol education and prevention prior to Spring Break 2014.

#### **Underage Buyer (UB) 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:	<a href="https://www.abc.virginia.gov/enforcement/uab-program">https://www.abc.virginia.gov/enforcement/uab-program</a>

**Program Description:** The UB program is an ongoing effort by Virginia 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. Special agents, who are sworn 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 Virginia ABC stores. The purpose of the UB program is not to trick businesses. In fact, it is the hope of Virginia ABC that 100% of the businesses comply with state law by not selling to the underage buyer.

- Virginia ABC selects operatives who look their age, making it easier for clerks and servers to request ID and avoid the sale.

- 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. If the store clerk asks for ID, the operative presents his or her own valid identification.

ABC special agents throughout the state complete nearly 400 alcohol and tobacco compliance checks every month. ABC promotes zero tolerance for underage alcohol consumption as one of its most important messages. The agency is working to address the problem of underage drinking, and efforts seem to be paying off. Youth access to alcohol in Virginia is diminishing as evidenced by the latest UAB program statistics. Operative participation has greatly contributed to these positive outcomes.

**Miss Virginia School Tour**

Program serves specific or general population	Specific population
Number of youth served	4,233
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 other drug prevention message to approximately 4,233 students at 16 elementary schools 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 titled "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 give respect to others and themselves
- Saying NO to alcohol, tobacco, illegal substances, inhalants, and the improper usage of prescription and nonprescription drugs
- Ill effects of bullying, including physical, verbal, emotional, and cyber-bullying
- Effective leadership skills and the importance of community service
- Obeying and following rules
- Healthy friendships and relationships

**Virginia Strategic Prevention Framework State Incentive Grant (SPF SIG) to Reduce Alcohol Related Car Crashes by 18- to 24-Year-Olds**

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:	<a href="http://www.cscs.soe.vcu.edu/spfsig_awardees_implementation_2013-2015.html">http://www.cscs.soe.vcu.edu/spfsig_awardees_implementation_2013-2015.html</a>

**Program Description:** Virginia's SPF SIG addressed alcohol-related car crashes in 10 communities across the state utilizing an evidenced-based planning model and a comprehensive array of environmental approaches and community organizing. Stakeholders included local law enforcement, restaurants, the media, universities, etc.

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

**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>	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
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
<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	
Email: <a href="mailto:jennifer.farinholt@abc.virginia.gov">jennifer.farinholt@abc.virginia.gov</a>	
Address: Virginia ABC, 2901 Hermitage Road, Richmond, VA 23220	
Phone: 804-213-4452	
<i>Agencies/organizations represented on the committee:</i>	
Department of Alcoholic Beverage Control	
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 Services	
Virginia State Police	
Department of Juvenile Justice	
Virginia National Guard	
Department of Fire Programs	
Virginia Commonwealth University, Center for School-Community Collaboration	
<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: <a href="http://www.vosap.virginia.gov">http://www.vosap.virginia.gov</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>	No
Prepared by:	Not applicable
Plan can be accessed via:	Not applicable
<b>Additional Clarification</b>	
No data	

**State Expenditures for the Prevention of Underage Drinking**

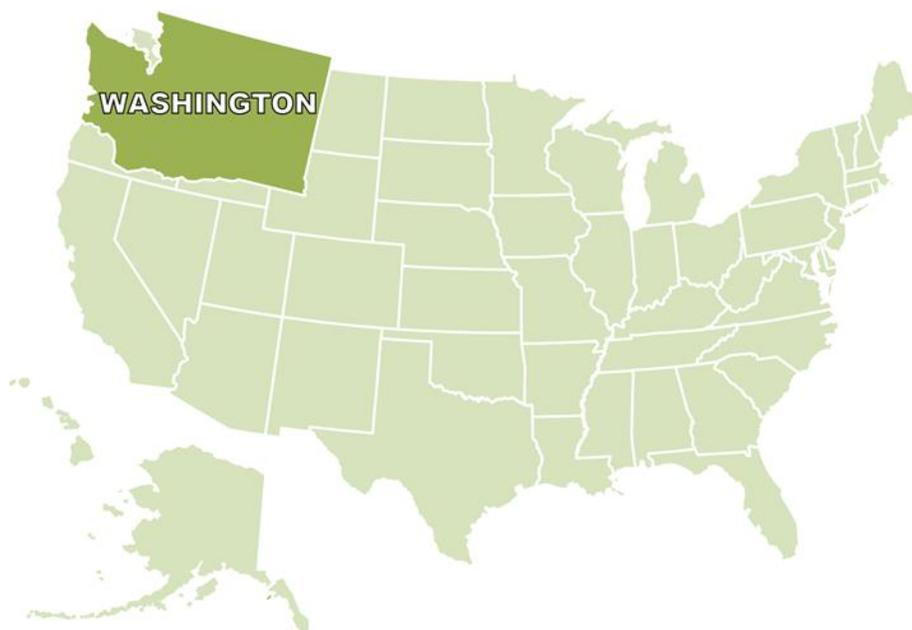
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$216,000
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	\$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	\$73,000
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	Data not available
Estimate based on the 12 months ending	Data not available
<i>Other programs:</i>	
Programs or strategies included: Educational material development and distribution; 61,414 educational brochures 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	6/30/2014

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

**Additional Clarification**

No data



## Washington

**State Population: 7,061,530**

**Population Ages 12–20: 844,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	22.8	193,000
Past-Month Binge Alcohol Use	14.4	121,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	5.2	14,000
Past-Month Binge Alcohol Use	3.1	8,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	17.0	44,000
Past-Month Binge Alcohol Use	10.3	26,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	43	135,000
Past-Month Binge Alcohol Use	27.6	86,000
<b>Alcohol-Attributable Deaths (under 21)</b>		71
<b>Years of Potential Life Lost (under 21)</b>		4,291
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	25	17

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	Yes
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A
<p><i>Note:</i> 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 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.</p>	

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	Yes
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	No

May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> <li>Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</li> </ul>	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
<ul style="list-style-type: none"> <li>Purchase of alcohol</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Possession of alcohol</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Consumption of alcohol</li> </ul>	Yes
The law applies to people under what age?	18
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	365
Maximum number of days	365
<i>Note:</i> In Washington, the driving privileges of a juvenile are revoked for 1 year, or until the juvenile reaches age 17, whichever is longer.	

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	1 am

Can law enforcement stop a driver for night-driving violation as a primary offense?	No – Officer must stop driver for another offense to cite for night-driving violation
Are there restrictions on passengers?	Yes – First 6 months, no passengers under age 20 not in the immediate family; after 6 months, no more than three passengers under 20 not in the immediate family
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No – Officer must stop driver for another offense to cite for passenger restriction violation
<b>License Stage</b>	
What is the minimum age for full license privileges and lifting of restrictions?	17

### Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
<b>Affirmative Defense for Sellers and Licensees</b>	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18
What is the maximum age a decoy may be to participate in a compliance check?	20
What are the decoy’s appearance requirements?	Must not be deceptively mature in appearance, or use a disguise or alter appearance to look older
Does decoy carry ID during compliance check?	Discretionary
May decoy verbally exaggerate his or her actual age?	Permitted
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	2 years

What is the penalty for the first offense?	5-day suspension or \$500 fine
What is the penalty for the second offense?	7-day suspension
What is the penalty for the third offense?	30-day suspension
What is the penalty for the fourth offense?	Cancellation of license
<i>Note: List of mitigating and aggravating circumstances provided</i>	

<b>Responsible Beverage Service (RBS) – Mandatory</b>	
Is there a state law pertaining to beverage service training?	Yes – Mandatory
If training is mandatory, who must participate?	Managers, servers/sellers
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

<b>Responsible Beverage Service (RBS) – Voluntary</b>	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Off-premises
Does the RBS law apply to new or existing licensees?	New

<b>Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)</b>	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	Yes
<i>Note: There must be at least two adults 21 or older on duty supervising the sale of spirits at the licensed premises.</i>	

<b>Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18

Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	Yes

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 500 feet if the public elementary or secondary school objects after receiving written notice
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 500 feet if the public elementary or secondary school objects after receiving written notice
To which alcohol products does requirement apply?	Beer, wine, spirits

Dram Shop Liability	
Does a statute create dram shop liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law dram shop liability exist?	Yes

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	No
<i>Note:</i> A state court case 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.	

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Residential/Outdoor/Other

What level of knowledge by the host is required?	Negligence: Host knew or should have known of the party
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	Yes – Family members

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	No
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	No
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	Equal to or more than 4.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes (maximum fine/jail, \$5,000/1 year)
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (maximum fine/jail, \$5,000/1 year)
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	Yes
Must warning information be given to purchaser?	Yes – Active (requires an action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No
<i>Note:</i> Under a special endorsement from the liquor control board, a grocery store licensee may sell malt liquor in containers no larger than 5½ gallons.	

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes
Wine	Yes
Spirits	Yes
<i>Note:</i> To sell via the internet, a new license applicant must request internet sales privileges. Existing licensees must notify the board.	

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

### Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.76
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.87
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	

Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$14.25
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	23.70%
Retail tax rate (if applicable)	17%
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	17%
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	10%
Retail tax rate (if applicable)	37.50%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.50%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	31%
Additional taxes for 15–50% alcohol spirits (if applicable)	
<i>Note: The \$14.25 per gallon Specific Excise Tax rate listed in the table is for off-premises sales of spirits. Washington imposes a Specific Excise Tax of \$9.23 per gallon for on-premises sales of spirits.</i>	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No
<i>Note: On-premises retailers may offer a free drink on a case-by-case basis.</i>	

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post

Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<i>Note: No sales below cost for beer and spirits</i>	

## 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	No
Underage Alcohol-Related Fatality Investigations	No

Local law enforcement agencies use:

Cops in Shops	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No

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

Yes

Number of minors found in possession by state law enforcement agencies

35

Number pertains to the 12 months ending

12/31/2014

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>

14,657

Number of licensees checked for compliance by state agencies

2,416

**(including random checks)**

Number of licensees that failed state compliance checks

316

Numbers pertain to the 12 months ending

12/31/2014

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments

Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations

Yes

Number of licensees subject to **random** state compliance checks/decoy operations

2,416

Number of licensees that failed **random** state compliance checks

316

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

12/31/2014

### Sanctions

State collects data on fines imposed on retail establishments that furnish minors

Yes

Number of fines imposed by the state<sup>4</sup>

301

Total amount in fines across all licensees

\$179,697

Smallest fine imposed

\$300

Largest fine imposed

\$5,000

Numbers pertain to the 12 months ending

12/31/2014

<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>	70
Total days of suspensions across all licensees	410
Shortest period of suspension imposed (in days)	3
Longest period of suspension imposed (in days)	30
Numbers pertain to the 12 months ending	12/31/2014
<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>	0
Numbers pertain to the 12 months ending	12/31/2014

**Additional Clarification**

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**

**Washington Healthy Youth Coalition**

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>

**Program Description:** This multiagency, multipartner group provides cross-system coordination and leverage 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) and the state's Liquor Control Board. The coalition also initiates and provides comments on communications efforts regarding underage drinking and policy initiatives.

**Annual Let's Draw the Line Between Youth and Alcohol Campaign**

Program serves specific or general population	Specific population
Number of youth served	4,500
Number of parents served	3,700
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>

**Program Description:** 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, 34 communities have participated, involving more than 7,500 people across the state in underage drinking prevention efforts.

**Law Enforcement Partnership Initiative**

Program serves specific or general population	Specific population
Number of youth served	100
Number of parents served	100

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>

**Program Description:** This initiative provides support in targeted, high-risk communities for law enforcement and community coalition to coordinate implementation of compliance checks, alcohol purchase surveys, and public awareness efforts regarding the enforcement efforts. This year, eight communities participated in these projects.

#### **College Coalition on Substance Abuse Prevention**

Program serves specific or general population	Specific population
Number of youth served	3,500
Number of parents served	1,700
Number of caregivers served	250
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>

**Program Description:** This organization provides training and professional development support to college counseling and student affairs offices regarding 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, and impact of substances on college athletes.

#### **Start Talking Now Website**

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>

**Program Description:** This website is 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 substance on youth, guidance for parents in talking about substance use, and multiple free materials for download.

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

**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
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Description of collaboration: The Division of Behavioral Health and Recovery (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 their 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
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Description of program: EUDL funds supported statewide media campaigns. In 2014, several ads were aimed at communities and parents/caregivers on the dangers of underage drinking and other drugs. The Washington Healthy Youth Coalition supported the media campaign's efforts.

*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: Division of Behavioral Health and Recovery (DBHR) Yes

Nongovernmental agency(ies): No

Other: No

Best practice standards description: DBHR requires that 60% of the programs and strategies implemented with the prevention set-aside from the federal Substance Abuse Prevention and Treatment (SAPT) block grant 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.

**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: Beatriz Mendez

Email: beatriz.mendez@dshs.wa.gov

Address: PO Box 45330, Olympia, WA 98504-5330

Phone: 360-725-9984

*Agencies/organizations represented on the committee:*

College Coalition for Substance Abuse Prevention

Juvenile court services/diversion

Faith community

Mothers Against Drunk Driving (MADD)

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 State Students Against Destructive Decisions (SADD)

Washington State Department of Health

Washington State Department of Social and Health Services (Division of Behavioral Health and Recovery)

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

Washington Association of Prosecuting Attorneys

AAA Washington

<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: <a href="http://www.starttalkingnow.org">www.starttalkingnow.org</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>	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	12/31/2014
<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	12/31/2014
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$23,000
Estimate based on the 12 months ending	12/31/2014
<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	Data not available
Estimate based on the 12 months ending	Data not available
<i>Other programs:</i>	
Programs or strategies included	Data not available
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	Not applicable
<i>Description of funding streams and how they are used:</i>	Not applicable
<b>Additional Clarification</b>	
No data	



## West Virginia

**State Population: 1,850,326**

**Population Ages 12–20: 213,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	27.2	58,000
Past-Month Binge Alcohol Use	20.7	44,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	5.0	4,000
Past-Month Binge Alcohol Use	2.8	2,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	20.8	13,000
Past-Month Binge Alcohol Use	13.8	8,000
<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
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	20	8

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through an administrative process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	No

• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	Yes
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	No
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	N/A
• Possession of alcohol	N/A
• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Graduated Driver’s Licenses	
<b>Learner Stage</b>	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	0 (with driver education; 50 hours without, 10 of which must be at night)
<b>Intermediate Stage</b>	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	10 pm
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – For first 6 months, no nonfamily passengers younger than 20. For second 6 months, no more than one nonfamily passenger younger than 20

Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	17

## Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	Yes
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No
<i>Note: West Virginia's exception allows relatives by blood or marriage to furnish alcohol to minors.</i>	

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18
What is the maximum age a decoy may be to participate in a compliance check?	20
What are the decoy's appearance requirements?	None
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	Not specified
What is the penalty for the 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, impose monetary penalty not to exceed \$1,000 for each violation
What is the penalty for the second offense?	Not specified
What is the penalty for the third offense?	Not specified
What is the penalty for the fourth offense?	Not specified

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	No law
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A

• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	N/A
Does the RBS law apply to new or existing licensees?	N/A

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	Yes

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 300 feet. College and university have authority to override state restrictions if done in writing.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 300 feet. College and university have authority to override state restrictions if done in writing.
To which alcohol products does requirement apply?	Beer
<i>Note:</i> This prohibition does not apply to grocery stores or to a place occupied by a beer licensee so long as it is continuously so occupied.	
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 300 feet
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 300 feet
To which alcohol products does requirement apply?	Beer
<i>Note:</i> This prohibition does not apply to grocery stores or to a place occupied by a beer licensee so long as it is continuously so occupied.	

<b>Dram Shop Liability</b>	
Does a statute create dram shop liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law dram shop liability exist?	Yes

<b>Social Host Liability</b>	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	No

<b>Prohibitions Against Hosting Underage Drinking Parties</b>	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

<b>Retailer Interstate Shipments of Alcohol</b>	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Permitted
Spirits	Prohibited

<b>Direct Shipments/Sales</b>	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	Yes (direct shipper's license required; two cases per month)
Spirits	No law

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No. However, West Virginia is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.18
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant

<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	Yes
Specific excise tax per gallon for 12% alcohol wine	
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No

Unlimited beverages for fixed price	No
Increased volume without increase in price	No

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	Post
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Spirits</b>	
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A

## West Virginia State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
West Virginia Alcohol Beverage Control Administration	
Enforcement Strategies	
<i>State 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>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>	Yes
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	West Virginia Alcohol Beverage Control Admin.
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	114
Number pertains to the 12 months ending	12/31/2014
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>	5,000
Number of licensees checked for compliance by state agencies (including random checks)	1,629
Number of licensees that failed state compliance checks	389
Numbers pertain to the 12 months ending	12/31/2014
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 (as of 12/31/13)	2,442
Number of licensees that failed random state compliance checks (as of 12/31/13)	698
<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>	Yes
Number of fines imposed by the state <sup>4</sup>	370
Total amount in fines across all licensees	\$174,250
Smallest fine imposed (as of 12/31/13)	\$150
Largest fine imposed (as of 12/31/13)	\$7,500

Numbers pertain to the 12 months ending	12/31/2014
<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>	39
Total days of suspensions across all licensees	241
Shortest period of suspension imposed (in days) (as of 12/31/13)	2
Longest period of suspension imposed (in days) (as of 12/31/13)	45
Numbers pertain to the 12 months ending	12/31/2014
<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>	0
Numbers pertain to the 12 months ending	12/31/2014

**Additional Clarification**

Underage enforcement is funded by grants from the West Virginia Governor’s Highway Safety Program with federal funding from the National Highway Traffic Safety Administration (NHTSA).

- <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**

***Students Against Destructive Decisions (SADD)***

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>

**Program Description:** 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 NHTSA grants.

***WV Collegiate Initiative to Address High Risk Alcohol Use (WVCIA)***

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>

**Program Description:** 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 represent 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 SAMHSA.

**Merchant Education**

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:	No data

**Program Description:** 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, colleges, and universities that request it.

**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:** 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 NHTSA grants.

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

**Program description:** No data

**Additional Clarification**

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.

**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
<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, OJJDP, NIDA, 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 the 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 use of evidence-based prevention education curricula such as Too Good for Drugs and Keep a Clear Mind.

**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: Vickie Jones, Commissioner, Bureau for Behavioral Health and Health Facilities

Email: Victoria.L.Jones@wv.gov

Address: 350 Capitol Street, Room 350, Charleston, WV 25301

Phone: 304-356-4771

*Agencies/organizations represented on the committee:*

*Agencies/organizations represented on the committee:*

- Bureau for Behavioral Health and Health Facilities
- WV Supreme Court of Appeals
- 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:

<http://wvsubstancefree.org/docs/GACSA>ContactListweb.pdf>

*A website or other public source exists to describe committee activities* Yes

URL or other means of access: <http://www.wvsubstancefree.org>

**Underage Drinking Reports**

*State has prepared a plan for preventing underage drinking in the last 3 years* Yes

Prepared by: Prepared by: WV Governor's Advisory Council on Substance Abuse

Plan can be accessed via: <http://wvsubstancefree.org/resources.php>

*State has prepared a report on preventing underage drinking in the last 3 years* Yes

Prepared by: WV Statewide Epidemiological Outcomes Workgroup

Plan can be accessed via:

<http://www.dhhr.wv.gov/bhhf/Sections/programs/ProgramsPartnerships/AlcoholismandDrugAbuse/Research/Pages/DataResearch.aspx>

**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**

*Compliance checks in retail outlets:*

Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

*Checkpoints and saturation patrols:*

Estimate of state funds expended	\$1,000,000
Estimate based on the 12 months ending	12/31/2012

*Community-based programs to prevent underage drinking:*

Estimate of state funds expended	\$141,700
Estimate based on the 12 months ending	12/31/2014

*K-12 school-based programs to prevent underage drinking:*

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2014

*Programs targeted to institutes of higher learning:*

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2014

*Programs that target youth in the juvenile justice system:*

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2014

*Programs that target youth in the child welfare system:*

Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

*Other programs:*

Programs or strategies included	Data not available
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
Fines	No
Fees	No
Other	Not applicable

*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 Population: 5,757,564**

**Population Ages 12–20: 668,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	28.2	188,000
Past-Month Binge Alcohol Use	17.3	115,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	4.4	10,000
Past-Month Binge Alcohol Use	1	2,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	24.7	57,000
Past-Month Binge Alcohol Use	11.8	27,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	55.6	121,000
Past-Month Binge Alcohol Use	39.4	86,000
<b>Alcohol-Attributable Deaths (under 21)</b>		72
<b>Years of Potential Life Lost (under 21)</b>		4,372
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	19	15

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes
• Is possession allowed if spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	Yes
• Is consumption allowed if the spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	Yes
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes

• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	Yes
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Discretionary
What is the length of suspension/revocation?	
Minimum number of days	30
Maximum number of days	90

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15 years, 6 months
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	30 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	12 am
Can law enforcement stop a driver for night-driving violation as a primary offense?	Yes – Officer may stop driver for night-driving violation
Are there restrictions on passengers?	Yes – No more than one person under 21 who is not an immediate family member or instructor

Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes – Officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16 years, 9 months

## Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	Yes
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No data
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
What are the decoy's appearance requirements?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	No
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	Yes – Mandatory
If training is mandatory, who must participate?	Licensees, servers/sellers
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A

Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	New

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No
<p><i>Note:</i> 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 and is under 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.</p>	

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No
<p><i>Note:</i> 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 and is under 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.</p>	

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 300 feet. Local government has authority to override state restrictions

Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)	Yes, within 300 feet. Local government has authority to override state restrictions.
To which alcohol products does requirement apply?	Wine, spirits
<i>Note:</i> Exception is restaurants.	

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host's preventive action protect him/her from being held liable?	Yes
Are there any exceptions for underage guests?	No
<i>Note:</i> 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	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Yes
Wine	Yes
Spirits	Yes

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes

Must the common carrier (deliverer) be approved by a state agency?	No
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	No
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No
Wine	No
Spirits	No

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.06
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant

Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.25
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$3.36
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (15 days)
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
<i>Note: Wholesalers are to include a 3% markup to cover a proportionate part of the cost of doing business, or a lesser amount with proof; wholesalers may not sell below cost.</i>	

## Wisconsin State Survey Responses

### State Agency Information

*Agency with primary responsibility for enforcing underage drinking laws:*

No state agency has primary responsibility.

### 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	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>	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>	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

<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>	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

**Additional Clarification**

Wisconsin is a local control state. Each city, town, and municipality is responsible for alcohol sales, licensing, compliance, and enforcement. Sobriety checkpoints are illegal in the state, although local law enforcement can and do conduct saturation patrols. Data on these are not collected by the state.

<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="http://www.drugfreeactionalliance.org/docs/PWHExecSummary2006.pdf">http://www.drugfreeactionalliance.org/docs/PWHExecSummary2006.pdf</a>
URL for more program information:	<a href="https://www.dhs.wisconsin.gov/aoda/pwhltmlindex.htm">https://www.dhs.wisconsin.gov/aoda/pwhltmlindex.htm</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 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.

<b>Alliance for Wisconsin Youth</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: <http://www.allwisyouth.org>

**Program Description:** 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 80 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.

**Substance Abuse Prevention and Treatment Block Grant Programs**

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.scaoda.state.wi.us/docs/main/2014/MHSABGFINAL9313.pdf">http://www.scaoda.state.wi.us/docs/main/2014/MHSABGFINAL9313.pdf</a>

**Program Description:** The Wisconsin Department of Health Services, Division of Mental Health and Substance Abuse Services, receives the SAMHSA Substance Abuse Prevention and Treatment (SAPT) Block Grant. Of the funds received, 20% 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.

**Alcohol Policy Project**

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="https://law.wisc.edu/wapp">https://law.wisc.edu/wapp</a>

**Program Description:** 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.

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

**Program description:** No data

**Additional Clarification**

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.

**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 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 PFS 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 behavioral health services. In addition, DHS has provided funding for a tribal epidemiological outcomes workgroup to increase tribal access to and utilization of data for strategic planning.

<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
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Agencies/organizations that established best practices standards:

Federal agency(ies):	No
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Agency(ies) within your state: Wisconsin Department of Health Services, Division of Mental Health and Substance Abuse Services, Bureau of Prevention Treatment and Recovery	Yes
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Nongovernmental agency(ies):	No
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Other:	No
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Best practice standards description: The state identified substance abuse programs that appear on a national list or registry including NREPP or OJA, 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, the 911 Good Samaritan Report, and the Wisconsin's Heroin Epidemic: Strategies and Solutions report. They can be accessed at <http://www.scaoda.state.wi.us>.

**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:*

Name: Michael Waupoose  
 Email: michael.waupoose@uwmf.wisc.edu  
 Address: 3414 Sunbrook Rd., Madison, WI 53704  
 Phone: 608-282-8270

*Agencies/organizations represented on the committee:*

- Governor's Office
- Attorney General's Office
- State Superintendent of Public Instruction Office
- Commissioner of Insurance Office
- Department of Corrections
- Department of Transportation
- Pharmacy Examining Board
- Controlled Substances Board
- Citizen Members
- Wisconsin County Human Services Association
- State Representative, Majority Party
- State Representative, Minority Party
- 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

<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: <a href="http://www.scaoda.state.wi.us">http://www.scaoda.state.wi.us</a>	

### Underage Drinking Reports

<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>	Yes
Prepared by: Wisconsin SEOW	
Plan can be accessed via: <a href="https://www.dhs.wisconsin.gov/stats/aoda.htm">https://www.dhs.wisconsin.gov/stats/aoda.htm</a>	

### 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	\$200,000
Estimate based on the 12 months ending	12/31/2015
<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	Data not available
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
Fines	Yes
Fees	No
Other	Not applicable

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

Fines for underage drinking citations are used locally to support prevention efforts.

**Additional Clarification**

No data



## Wyoming

**State Population: 584,153**

**Population Ages 12–20: 67,000**

	Percentage	Number
<b>Ages 12–20</b>		
Past-Month Alcohol Use	24.1	16,000
Past-Month Binge Alcohol Use	16.7	11,000
<b>Ages 12–14</b>		
Past-Month Alcohol Use	5.1	1,000
Past-Month Binge Alcohol Use	3.1	1,000
<b>Ages 15–17</b>		
Past-Month Alcohol Use	21.1	4,000
Past-Month Binge Alcohol Use	13.4	3,000
<b>Ages 18–20</b>		
Past-Month Alcohol Use	45	11,000
Past-Month Binge Alcohol Use	32.7	8,000
<b>Alcohol-Attributable Deaths (under 21)</b>		10
<b>Years of Potential Life Lost (under 21)</b>		591
	Percentage of All Traffic Fatalities	Number
<b>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</b>	34	5

## Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes
• Is possession allowed if spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	Yes
• Is consumption allowed if the spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	Yes
• Is internal possession allowed if the spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	No
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

## Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	No
• Possession of alcohol	Yes
• Consumption of alcohol	No
The law applies to people under what age?	19
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	90
Maximum number of days	90

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	10 days
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	11 pm
Can law enforcement stop a driver for night-driving violation as a primary offense?	No – Officer must stop driver for another offense to cite for night-driving violation
Are there restrictions on passengers?	Yes – No more than one passenger under 18 who is not an immediate family member, unless accompanied by another driver at least 18
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No – Officer must stop driver for another offense to cite for passenger restriction violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16 years, 6 months

## Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	Yes
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No
<i>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.</i>	

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18
What is the maximum age a decoy may be to participate in a compliance check?	20
What are the decoy's appearance requirements?	Casual attire, average height and build. Male: no facial hair; female: little or no makeup
Does decoy carry ID during compliance check?	Not specified
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties imposed on retailers for furnishing to a minor?	No
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)	
Is there a state law pertaining to beverage service training?	Yes – Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	No
• Protection against license revocation for sales to minors or sales to intoxicated persons	No

Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Unspecified

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No

Alcohol Outlet Siting Near Schools and Universities	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law dram shop liability exist?	Yes

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	Yes

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	Specific
What action by underage guest triggers a violation?	Possession/Consumption
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	No

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Permitted
Spirits	Prohibited

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	Equal to or more than 7.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (maximum fine/jail, \$500)
What purchaser information is collected?	
Must the retailer collect the name and address?	No
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No

Must warning information be given to purchaser?	Yes – Passive (requires no action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No. However, Wyoming is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.02
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2–6% alcohol beer (if applicable)	
<b>Wine</b>	
Control system for wine?	Yes
Specific excise tax per gallon for 12% alcohol wine	
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	

If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine (if applicable)	
<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits (if applicable)	

<b>Low-Price, High-Volume Drink Specials</b>	
What types of drink specials are prohibited by on-premises retailers?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

<b>Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law

Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	<b>Control System</b>
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<b>Spirits</b>	<b>Control System</b>
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A

## Wyoming State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Wyoming Department of Revenue, Liquor Division, Compliance Section (Such laws are also enforced by local law enforcement agencies.)

### Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No

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 Wyoming Dept. of Revenue, Liquor Division

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 525

Number pertains to the 12 months ending 12/31/2014

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 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

State conducts **random** underage compliance checks/decoy operations Not applicable

Number of licensees subject to **random** state compliance checks/decoy operations Not applicable

Number of licensees that failed **random** state compliance checks Not applicable

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 1,215

Number of licensees that failed local compliance checks 182

Numbers pertain to the 12 months ending 12/31/2014

### Sanctions

State collects data on fines imposed on retail establishments that furnish minors 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

#### Additional Clarification

The only alcohol (liquor) 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. The Prevention Needs Assessment asks about last location purchase of alcohol by adolescents, and the purchase of alcohol through the internet has consistently remained low.

<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

##### Wyoming 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	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	<a href="http://pmowyo.org">http://pmowyo.org</a>

**Program Description:** The Substance Abuse Prevention Program is administered by the Wyoming Department of Health, Public Health Division, and braids together state general funds, tobacco settlement funds, and federal funds. Community funding is provided through the single servicing organization, the Prevention Management Organization of Wyoming (PMO). The PMO serves as the agency responsible for conducting and managing the Wyoming Department of Health's population-based public health prevention activities associated with alcohol misuse and abuse, tobacco use, suicide, and other substances, as well as wellness efforts to improve mental health and physical outcomes in Wyoming communities. Services provided are part of a comprehensive plan 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 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 or prevent initiation, encouraging adults to avoid unhealthy alcohol consumption), and (c) educate residents and mobilize communities to create such changes through 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.

**Wyoming Association of Sheriffs and Chiefs of Police (WASCOP)**

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.wascop.com">http://www.wascop.com</a>

**Program Description:** The Wyoming Department of Health funds efforts with Wyoming law enforcement through 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 jurisdictions. This training is for retailers and all alcohol servers in detecting fake IDs, best server practices, and handling of intoxicated customers. These measures are intended to improve business practices and environments and improve profitability, while at the same time reducing underage drinking and overconsumption of alcohol and social problems associated with consumption.

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

**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 Wyoming Department of Health communicates and shares information and resources with both tribal nations located in Wyoming related to the prevention of underage drinking.

*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): NREPP 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 the Wyoming Substance Abuse Prevention 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**

There are no statewide program or efforts to reduce youth exposure to marketing. Work being done in this area is conducted at the community level with state support and funding.

**State Interagency Collaboration**

*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
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### Underage Drinking Reports

*State has prepared a plan for preventing underage drinking in the last 3 years* Yes

Prepared by: Wyoming Department of Health in collaboration with law enforcement agencies, 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: Wyoming Survey & Analysis Center under contract with the Wyoming Department of Health  
Plan can be accessed via:  
<http://www.health.wyo.gov/phsd/prevention/preventiondataandreports.html>

### Additional Clarification

Along with a statewide plan created by the Wyoming Department of Health, each community is responsible for the development and implementation of a plan to address underage drinking. Plans must be data driven, comprehensive, and in line with the Wyoming Department of Health's overall plan.

### State Expenditures for the Prevention of Underage Drinking

<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$134,000
Estimate based on the 12 months ending	6/30/2015
<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	\$900,000
Estimate based on the 12 months ending	6/30/2015
<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	Data not available
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
Fines	No
Fees	No
Other: Tobacco Settlement Funds	Yes

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

Tobacco settlement funds are used to fund statewide compliance checks.

**Additional Clarification**

No data

# **APPENDICES**

## APPENDIX A: ICCPUD Members

**William H. Bentley**

Associate Commissioner  
Family and Youth Services Bureau  
Administration for Children and Families  
U.S. Department of Health and Human  
Services

**Michael L. Brown**

Director  
Office of Impaired Driving and Occupant  
Protection  
National Highway Traffic Safety  
Administration  
U.S. Department of Transportation

**Linda Elam, Ph.D.**

Deputy Assistant Secretary for Disability,  
Aging and Long-Term Care Policy  
Office of the Assistant Secretary for Planning  
and Evaluation  
U.S. Department of Health and Human  
Services

**Mary K. Engle, J.D.**

Associate Director  
Division of Advertising Practices, Bureau of  
Consumer Protection  
Federal Trade Commission

**Kana Enomoto (Chair)**

Principal Deputy Administrator  
Substance Abuse and Mental Health Services  
Administration  
U.S. Department of Health and Human  
Services

**Althea M. Grant, Ph.D.**

Captain, U.S. Public Health Service  
Senior Advisor for Science  
Office of Noncommunicable Diseases,  
Injury and Environmental Health  
Centers for Disease Control and Prevention

**Wanda K. Jones, Dr.P.H.**

Acting Assistant Secretary for Health  
U.S. Department of Health and Human  
Services

**George F. Koob, Ph.D.**

Director  
National Institute on Alcohol Abuse and  
Alcoholism  
National Institutes of Health  
U.S. Department of Health and Human  
Services

**Mary Lou Leary**

Deputy Director for State, Local, and Tribal  
Affairs  
Office of National Drug Control Policy

**Robert L. Listenbee**

Administrator  
Office of Juvenile Justice and Delinquency  
Prevention  
Office of Justice Programs  
U.S. Department of Justice

**Vivek Murthy, M.D., M.B.A.**

VADM, U.S. Public Health Service  
Surgeon General  
U.S. Department of Health and Human  
Services

**Earl Myers, Jr.**

U.S. Department of Education  
Healthy Students Group  
Office of Elementary and Secondary  
Education

**Mary G. Ryan, J.D.**

Deputy Administrator  
Alcohol and Tobacco Tax and Trade Bureau  
U.S. Treasury Department

**Jack W. Smith, M.D. M.M.M.**

Director, Health Services Policy and  
Oversight  
U.S. Department of Defense

**Mary Smith**

Principal Deputy  
Indian Health Service  
U.S. Department of Health and Human  
Services

**Nora D. Volkow, M.D.**

Director  
National Institute on Drug Abuse  
National Institutes of Health  
U.S. Department of Health and  
Human Services

## APPENDIX B: Surveys

Information about underage alcohol use, abuse, and consequences primarily comes from three federally funded surveys—the National Survey on Drug Use and Health (NSDUH), Monitoring the Future (MTF; conducted pursuant to federal grants), and the national Youth Risk Behavior Survey (YRBS). Each of these surveys makes a unique contribution to our understanding of the nature of youth alcohol use. NSDUH assesses illicit drug, alcohol, and tobacco use among noninstitutionalized individuals age 12 and older, and serves as the major federal source of nationally representative data on substance use in the general population of the United States. MTF examines attitudes and behaviors of 8th, 10th, and 12th graders with regard to alcohol, drug, and tobacco use and provides important data on substance use and the attitudes and beliefs that may contribute to such behaviors. YRBS examines risk behaviors among high school students and provides vital information on specific behaviors that cause the most significant health problems among American youth.

These surveys sometimes generate different prevalence estimates of youth substance use. To improve federal policymakers' understanding of the influence of methodological differences on those estimates, the Office of the Assistant Secretary for Planning and Evaluation within the Department of Health and Human Services commissioned a group of recognized experts in survey design, sampling techniques, and statistical analysis to examine and compare the methodologies of the surveys. The resulting papers and accompanying federal commentaries appeared in a special issue of *Journal of Drug Issues* (Volume 31, Number 3, Spring 2001). Experts agreed that the overall methodology for each survey is strong and that observed differences are not the result of flaws or serious weaknesses in survey design. In fact, some differences are to be expected—such as those resulting from home- versus school-based settings. From a policy perspective, serious and complex issues such as youth alcohol use and related behavior often require examination and analysis from multiple perspectives. Because no one survey is absolute or perfectly precise, input from multiple sources is not only valuable, but necessary.

### National Survey on Drug Use and Health (NSDUH)

NSDUH is the primary source of information on the use of illicit drugs, alcohol, and tobacco in the civilian, noninstitutionalized population of the United States age 12 or older. The survey also collects information on mental health and mental health service utilization among youth ages 12 to 17 and adults age 18 or older. Initiated in 1971 and conducted annually since 1990, questionnaires are administered to individuals who constitute a representative sample of the population through face-to-face, home-based interviews. The Substance Abuse and Mental Health Services Administration (SAMHSA) sponsors the survey, and it is planned and managed by SAMHSA's Center for Behavioral Health Statistics and Quality. RTI International collects data under contract. NSDUH collects information from residents of households and noninstitutional group quarters (e.g., shelters, rooming houses, dormitories), and civilians living on military bases.

Since 1999, NSDUH has been conducted via computer-assisted interviews. Most questions are administered via audio computer-assisted self-interviewing, which provides respondents with a highly private and confidential means of responding to questions. This method increases the

level of honest reporting of illicit drug use and other sensitive behaviors. Less sensitive items are administered using computer-assisted personal interviews.

NSDUH provides estimates for each of the 50 states and the District of Columbia, as well as national estimates. Its design oversamples youth who are 12 to 17 years old and young adults who are 18 to 25 years old. For the 2014 survey, 67,901 interviews were completed for an overall response rate of 58.3 percent. Before 2002, NSDUH was called the National Household Survey on Drug Abuse (NHSDA). Because of improvements in the survey in 2002, the 2002 data constitute a new baseline for tracking trends in substance use. Therefore, SAMHSA recommends that estimates from 2002 forward not be compared with estimates from 2001 and earlier years of NHSDA.

### **Monitoring the Future Study (MTF)**

MTF measures alcohol, tobacco, and illicit drug use, as well as perceived risk, personal disapproval, and perceived availability associated with each substance among nationally representative samples of students in public and private secondary schools throughout the conterminous United States. The National Institute on Drug Abuse supports MTF through a series of investigator-initiated grants to the University of Michigan's Institute for Social Research. Every year since 1975, a national sample of 12th graders has been surveyed. In 1991, the survey was expanded to include comparable numbers of 8th and 10th graders each year. Follow-up surveys are also administered by mail to a representative sample of adults from ages 18 to 55 from previous high school graduating classes. In 2014, 15,195 8th graders, 13,341 10th graders, and 13,015 12th graders were surveyed. Response rates were 90 percent for the 8th grade, 88 percent for the 10th grade, and 82 percent for the 12th grade. University of Michigan staff members administer the questionnaires to students, usually in their classrooms during a regular class period. Questionnaires are self-completed and formatted for optical scanning. In 8th and 10th grades, the questionnaires are completely anonymous. In the 12th grade, they are confidential (to permit longitudinal follow-up of a random subsample of participants). Extensive procedures are followed to protect the confidentiality of subjects and their data.

### **Youth Risk Behavior Survey (YRBS)**

In the late 1980s, only a limited number of health-related school-based surveys such as MTF existed in the United States. To remedy this, the Centers for Disease Control and Prevention (CDC) developed the Youth Risk Behavior Surveillance System (YRBSS) to monitor six categories of priority health-risk behaviors that contribute substantially to the leading causes of death, disability, and social problems among youth and young adults. YRBSS includes biennial national, state, and local school-based surveys of representative samples of students in grades 9 through 12, as well as other national and special-population surveys. CDC conducts the national survey—YRBS—with a target population composed of all public and private high school students in the 50 states and the District of Columbia. Education and health agencies conduct state and local surveys. The national sample is not an aggregation of state and local surveys, and state and local estimates cannot be obtained from the national sample. In 2013, 13,583 students completed usable questionnaires for the national YRBS with an overall response rate of 68 percent.

## Additional Surveys

Three additional federally supported surveys collect alcohol consumption and related information from a segment of the underage population—18- to 20-year-olds.

- *The National Epidemiologic Survey on Alcohol and Related Conditions (NESARC)* is a large nationwide household survey sponsored by the National Institute on Alcohol Abuse and Alcoholism (NIAAA). NESARC assesses the prevalence and patterns of alcohol use, other drug use, and related disorders; related risk factors; and associated mental and physical disabilities based on a nationally representative sample of the civilian non-institutionalized population of the United States aged 18 years and older. The first NESARC survey was conducted in 2001-2002. The second survey was conducted in 2004-2005 among individuals who participated in the first NESARC survey. Both surveys were fielded by the U.S. Census Bureau. A third NESARC survey, NESARC-III, was cross-sectional and conducted in 2012-2013. Fieldwork was performed by Westat, Inc. through a contract under the data collection authorization of Title 42 USC 285n.
- Begun in the early 1980s and fielded every 2 to 4 years, the Department of Defense (DoD) *Survey of Health Related Behaviors* measures prevalence of substance use and health behaviors among active-duty military personnel on United States military bases worldwide. In 2005, DoD expanded the scope of the survey to include the National Guard and Reserves, as well as other special studies. The most recent survey is the 2014 Health Related Behavior Survey – Reserve Component, which was fielded beginning in September 2014. Preliminary results were expected in spring 2015. The 2011 DoD Survey of Health Related Behaviors Among Active Duty Military Personnel is the most recent active-duty component. It represents the 11th iteration of the survey and includes the most extensive changes in the survey since its inception in 1980. For the first time, the survey was administered through a web-based format.
- Some substance use measures were better aligned with current national civilian health surveys, particularly the *National Health Interview Survey (NHIS)* conducted by the CDC. Begun in 1957, the NHIS is an annual, multistage probability sample survey of households by U.S. Census Bureau interviewers for the CDC National Center for Health Statistics (Pleis & Lethbridge-Cejku, 2007).

Information related to underage drinkers ages 18 to 20 from these three surveys may be added to this report in the future.

## Association versus Causation

In reviewing data related to risky behaviors and different categories of alcohol use, readers should keep in mind that association does not prove causation. Just because alcohol use is associated with other risky behaviors does not mean that it *causes* these other risky behaviors. Often, additional research is needed to establish alcohol as a causative factor.

## Additional Methodological Caveats

When reviewing studies of the age of initiation of alcohol use, one must recognize that different researchers use different methods to describe initiation of drinking and to estimate the average age at first use of alcohol. In some cases, this has resulted in large differences in estimates,

primarily because of differences in how age groups and time periods are specified in the calculations. The following examples will help readers understand these methodological differences.

A popular method for computing average age involves restricting the age group of estimation to persons who are 12 to 17 years old or 12 to 20 years old, with no restriction on the time period. This method provides an estimate of the average age of first use among those in the age group who have used alcohol at some point in their lifetime, which typically results in a younger estimated average age of first use than other methods. This is because initiation occurring in older age groups is excluded from the calculation and also because the calculation gives too much weight to very early initiation. For example, 15-year-olds who will first use at age 17 are excluded, since they have not yet used alcohol at the time of data collection. Thus, the 2003 NSDUH average age of first use among lifetime alcohol users who are 12 to 20 years old is 14.0 years; among 20-year-olds, 15.4 years; and among all lifetime drinkers, 16.8 years.

The method has limited utility for assessing trends because estimates do not reflect a well-defined recent period. A 20-year-old may have first used alcohol at age 10, so an average age of first use among 12- to 20-year-olds would span a period covering as many as 10 years. In addition to not reflecting the most current patterns, year-to-year change in this average is typically negligible due to the substantial overlap in the covered periods. Trends in average age of initiation are best measured by estimating the average age among those who initiated alcohol use during a specific period, such as a calendar year or within the 12 months prior to interview, in a repeated cross-sectional survey. These estimates can be made with or without age restrictions; for example, the average age of first use among persons in 2003 who initiated within the past 12 months was 16.5 years, but restricting the calculation to only those who initiated before age 21 results in an average age of 15.6. Based on the 2003 NSDUH, an estimated 11 percent of recent initiates were 21 years old or older when they first used.

Estimates of average age of first use among recent initiates based on the NSDUH sample of people 12 years old and older is biased upward because it does not capture initiation before age 12. The 2003 NSDUH estimated that 6.6 percent of alcohol initiates from 1990 to 1999 were 11 years old or younger. Excluding these early initiates from calculations inflates the estimate of average age by approximately half a year. This bias can be diminished by making estimates only for time periods at least 2 years prior (e.g., using the 2003 NSDUH, estimate the average age at first use for 2001, but not 2002), an approach used in previous NSDUH reports. Although this approach can provide interesting historical data, it does not give timely information about emerging patterns of alcohol initiation. Furthermore, there are serious bias concerns with historical estimates of the number of initiates and their average age at first use constructed from retrospectively reported age at first use. Older respondents are more likely not to remember accurately when an event occurred. An event may be remembered as having occurred more recently than it actually did—a “forward telescoping” of the recalled timing of events. Evidence of telescoping suggests that trend estimates based on reported age at first use may be misleading.

For example, in the 2013 MTF, alcohol use by the end of 6th grade was reported by 13.2 percent of 8th graders but by only 4.6 percent of 12th graders. Several factors, including telescoping, probably contribute to this difference. Eventual dropouts are more likely than average to drink at an early age; thus, they will be captured as 8th but not 12th graders. Lower grades also have

lower absentee rates. Another factor relates to the issue of what is meant by first use of an alcoholic beverage. Students in 12th grade are more inclined to report use that is not adult-approved, and to not report having less than a glass with parents or for religious purposes. Younger students may be more likely to report first use of a limited amount of alcohol. Thus, 8th- and 9th-grade data probably exaggerate drinking whereas 11th- and 12th-grade data may understate it.

### **Websites for Data on Underage Drinking**

These federal websites can be useful to persons seeking data related to underage drinking:

- Information from SAMHSA on underage drinking:  
<http://www.samhsa.gov/underagedrinking>
- Information from the YRBS:  
<http://www.cdc.gov/HealthyYouth/yrbs/index.htm>
- Information from NHTSA on underage drinking and on drinking and driving:  
<http://www.nhtsa.gov/Impaired>
- Information from NIAAA on underage drinking:  
<http://www.niaaa.nih.gov/alcohol-health/special-populations-co-occurring-disorders/underage-drinking>, and <http://www.niaaa.nih.gov/alcohol-health/special-populations-co-occurring-disorders/college-drinking>
- Information from NIDA on underage drinking:  
<http://www.monitoringthefuture.org>



# APPENDIX C: Abbreviations

## Federal Departments and Agencies

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### Department of Defense

Army National Guard  
 Education Activity  
 U.S. Air Force  
 U.S. Army Reserve  
 U.S. Coast Guard  
 U.S. Marine Corps  
 U.S. Navy

DoD  
 ARNG  
 DoDEA  
 USAF  
 USAR  
 USCG  
 USMC  
 USN

### Department of Education

Office of Safe and Healthy Students  
 Office of Elementary and Secondary Education

ED  
 OSHS  
 OESE

### Department of Health and Human Services

Administration for Children and Families  
     Family and Youth Services Bureau  
 Agency for Healthcare Research and Quality  
 Centers for Disease Control and Prevention  
 Centers for Medicare & Medicaid Services  
 Division of Behavioral Health  
*Eunice Kennedy Shriver* National Institute of Child Health  
 and Human Development  
 Food and Drug Administration  
 Health Resources and Services Administration  
 Indian Health Service  
 Institute of Medicine  
 National Cancer Institute  
 National Institute on Alcohol Abuse and Alcoholism  
 National Institute on Drug Abuse  
 National Institutes of Health  
 Office of Adolescent Health  
 Office of Disease Prevention and Health Promotion  
 Office of the Assistant Secretary for Health  
 Office of the Assistant Secretary for Planning and Evaluation  
 Office of Public Health and Science  
 Office of the Surgeon General  
 Substance Abuse and Mental Health Services  
 Administration  
     Center for Mental Health Services  
     Center for Substance Abuse Prevention  
     Center for Substance Abuse Treatment  
     Office of Applied Studies

HHS  
 ACF  
 FYSB  
 AHRQ  
 CDC  
 CMS  
 DBH  
  
 NICHD  
 FDA  
 HRSA  
 HIS  
 IOM  
 NCI  
 NIAAA  
 NIDA  
 NIH  
 OAH  
 ODPHP  
 OASH  
 ASPE  
 OPHS  
 OSG  
  
 SAMHSA  
 CMHS  
 CSAP  
 CSAT  
 OAS

<b>Department of Justice</b>	DoJ
Drug Enforcement Administration	DEA
Office of Juvenile Justice and Delinquency Prevention	OJJDP
Office of Justice Programs	OJP
<b>Department of Labor</b>	DOL
Employment Training Administration	ETA
Office of Youth Services	OYS
Occupational Safety and Health Administration	OSHA
<b>Federal Trade Commission</b>	FTC
<b>Office of National Drug Control Policy</b>	ONDCP
<b>Department of Transportation</b>	DOT
National Highway Traffic Safety Administration	NHTSA
<b>Department of the Treasury</b>	
Alcohol and Tobacco Tax and Trade Bureau	TTB

## **Programs, Agencies, and Organizations**

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Above the Influence	ATI
Access to Recovery	ATR
Addiction Technology Transfer Center	ATTC
Adolescent Brain Cognitive Development Study	ABCD
Adolescent Health: Think, Act, Grow	TAG
Adolescent Support and Counseling Services	ASACS
Adults in the Making	AIM
After Deployment: Adaptive Parenting Tools	ADAPT
Alcohol and Drug Management Tracking System	ADMITS
Alcohol Detection Devices	ADD
Alcohol Policy Information System	APIS
Alcohol-Related Disease Impact	ARDI
Alcohol Screening Program	ASP
American Psychiatric Association	APA
Army Substance Abuse Programs	ASAP
Basic Center Program	BCP
Behavioral Risk Factor Surveillance System	BRFSS
Behavioral Health Services Information System	BHSIS
Birth Control and Alcohol Awareness: Negotiating Choices Effectively Project	BALANCE
Center for the Application of Prevention Technologies	CAPT
Center for Behavioral Health Statistics and Quality	CBHSQ
Center for Mental Health Services	CMHS
Center on Alcohol Marketing and Youth	CAMY
Collaborative Research on Addiction at NIH	CRAN
College Alcohol Intervention Matrix	CollegeAIM
Community Anti-Drug Coalitions of America	CADCA
Community Youth Development Study	CYDS
Communities that Care	CTC

Competitive Personal Responsibility Education Program	CPREP
Culture of Responsible Choices	CoRC
Drug Abuse Resistance Education	DARE
Drug Abuse Warning Network	DAWN
Drug and Alcohol Services Information System	DASIS
Drug Education for Youth	DEFY
Drug Free Communities Program	DFC
SAMHSA’s Emergency Department Surveillance System	SEDSS
Employment Training Administration	ETA
Enforcing the Underage Drinking Laws	EUDL
European School Survey Project on Alcohol and Drugs	ESPAD
Family and Youth Services Bureau	FYSB
Family Check Up	FCU
Fatality Analysis Reporting System	FARS
General Military Training	GMT
Girl-Specific Intervention	GSI
Good Behavior Game	GBG
Grants to Reduce Alcohol Abuse in Secondary Schools Program	GRAAP
Health Related Behaviors Survey	HRB
Healthy Base Initiative	HBI
Indian Children’s Program	ICP
Institute of Medicine	IOM
Interagency Coordinating Committee on the Prevention of Underage Drinking	ICCPUD
International Association of Chiefs of Police	IACP
International Town and Gown Association	ITGA
Inventory of Behavioral Health Services	I-BHS
Inventory of Substance Abuse Treatment Services	I-SATS
Iowa Strengthening Families Program	ISFP
Life Skills Training	LST
Local Educational Agencies	LEAs
Marine Awareness and Prevention Integrated Training	MAPIT
Methamphetamine and Suicide Prevention Initiative	MSPI
Monitoring the Future Survey	MTF
Mothers Against Drunk Driving	MADD
National Academy of Sciences	NAS
National Alcohol Screening Day	NASD
National Association for Children of Alcoholics	NACoA
National Association of School Resource Officers	NASRO
National Center for Health Statistics	NCHS
National Center on Birth Defects and Developmental Disabilities	NCBDDD
National Center on Safe Supportive Learning Environments	NCSSLE
National College Health Improvement Project	NCHIP
National Consortium on Alcohol and Neurodevelopment in Adolescence	NCANDA
National Drug and Alcohol Facts Week	NDAFW

National Epidemiologic Survey on Alcohol and Related Conditions	NESARC
National Health Interview Survey	NHIS
National Health and Nutrition Examination Survey	NHANES
National Hospital Ambulatory Medical Care Survey	NHAMCS
National Hospital Care Survey	NHCS
National Hospital Discharge Survey	NHDS
National Household Survey on Drug Abuse	NHSDA
National Liquor Law Enforcement Association	NLLEA
National Mental Health Services Survey	N-MHSS
National Organizations for Youth Safety	NOYS
National Prevention Network	NPN
National Registry of Effective Programs and Practices	NREPP
National Research Council	NRC
National Survey of Substance Abuse Treatment Services	N-SSATS
National Survey on Drug Use and Health	NSDUH
National Survey on Family Growth	NSFG
National Violent Death Reporting System	NVDRS
Navy Alcohol and Drug Abuse Prevention	NADAP
Network for Employees of Traffic Safety	NETS
Offender Reentry Program	ORP
Office of Indian Alcohol and Substance Abuse	OIASA
Office of the Assistant Secretary for Planning and Evaluation	ASPE
Outreach to Children of Parents in Treatment	OCPT
Pacific Institute for Research and Evaluation	PIRE
Partnership for Drug-Free America	PDFA
Partnerships for Success	PFS
Personal Responsibility Education Programs	PREP
Pregnancy Nutrition Surveillance System	PNSS
Pregnancy Risk Assessment Monitoring System	PRAMS
PRIME for Life	PFL
PROMoting School/Community-University Partnerships to Enhance Resilience	PROSPER
Protecting You/Protecting Me	PYPM
Recording Artists, Actors and Athletes Against Drunk Driving	RADD
Robert Wood Johnson Foundation	RWJ
Runaway and Homeless Youth	RHY
Safe and Drug-Free Schools and Communities Act	SDFSCA
Safe Schools/Healthy Students	SS/HS
Screening, Brief Intervention, Referral, and Treatment	SBIRT
School Health Policies and Programs Study	SHPPS
Sexual Assault Prevention and Response	SAPR
Skills, Mastery, and Resistance Training	SMART
Sober Truth on Preventing Underage Drinking Act	STOP Act
State Adolescent Transitional Aged Youth Treatment Enhancement and Dissemination Grant	SYT-ED
State Adolescent Treatment Enhancement and Dissemination Grant	SAT-ED

State Highway Safety Offices	SHSOs
State Incentive Grant Program	SIG
Strategic Prevention Framework	SPF
Street Outreach Program	SOP
Strengthening Families Program	SFP
Strong African American Families Program	SAAF
Student Affairs Administrators in Higher Education	NASPA
Students Against Destructive Decisions	SADD
Substance Abuse Counseling Center	SACC
Substance Abuse Prevention and Treatment Block Grant	SABG
Substance Abuse Prevention Interagency Working Group	SAP IWG
Substance Abuse Prevention Skills Training	SAPST
Targeted Capacity Expansion Program	TCE
Techniques for Effective Alcohol Management	TEAM
Too Smart to Start	TSTS
Transitional Living Program	TLP
Treatment Coordination Group	TCG
Treatment Episode Data Set	TEDS
Treatment Improvement Protocols	TIPS
Underage Drinking Enforcement Training Center	UDETC
Underage Drinking Research Initiative	UDRI
Uniform Accident and Sickness Policy Provision Law	UPPL
Uniform Facility Data	UFDS
Unit Marine Awareness and Prevention Integrated Training	UMAPIT
United Indian Health Program	UIHP
Virginia Commonwealth University	VCU
We Don't Serve Teens	WDST
Young Offender Reentry Program	YORP
Youth Offender Demonstration Project	YODP
Youth Opportunity Grants	YOGs
Youth Regional Treatment Centers	YRTC <sub>s</sub>
Youth Risk Behavior Surveillance System	YRBSS
Youth Risk Behavior Survey	YRBS

### Other Acronyms

Adult Preparation Subjects	APS
Air Force Base	AFB
Alcohol and Drug Abuse Managers/Supervisors	ADAMS
Alcohol Use Disorder	AUD
American Indian/Alaska Native	AI/AN
Blood Alcohol Content	BAC
Caffeinated Alcoholic Beverages	CABs
Center for Excellence	CFE
Center on Alcohol Marketing and Youth	CAMY
Concept of Operations	CONOPs
Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition	DSM-IV-TR

Driving Under the Influence	DUI
Driving While Intoxicated	DWI
Drug and Alcohol Program Advisor	DAPA
Evidence-Based Practices	EBPs
Family Violence Prevention and Services Act	FVPSA
Fetal Alcohol Spectrum Disorders	FASDs
Feedback Informed Therapy	FIT
Funding Opportunity Announcement	FOA
Graduated Driver's Licensing	GDL
Group Coping Power	GCP
Individual Coping Power	ICP
Lesbian, Gay, Bisexual, and Transgender	LGBT
Life Skills Training	LST
Memorandum of Understanding	MOU
Minimum Legal Drinking Age	MLDA
Personal Readiness	PR
Practice and Implementation Centers	PICs
Public Service Announcements	PSAs
Substance Abuse Program	SAP
Screening and Brief Intervention	SBI
Training and Technical Assistance	TTA
Transitional Living Program	TLP
Underage Drinking	UAD
Years of Potential Life Lost	YPPL

## APPENDIX D: References

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