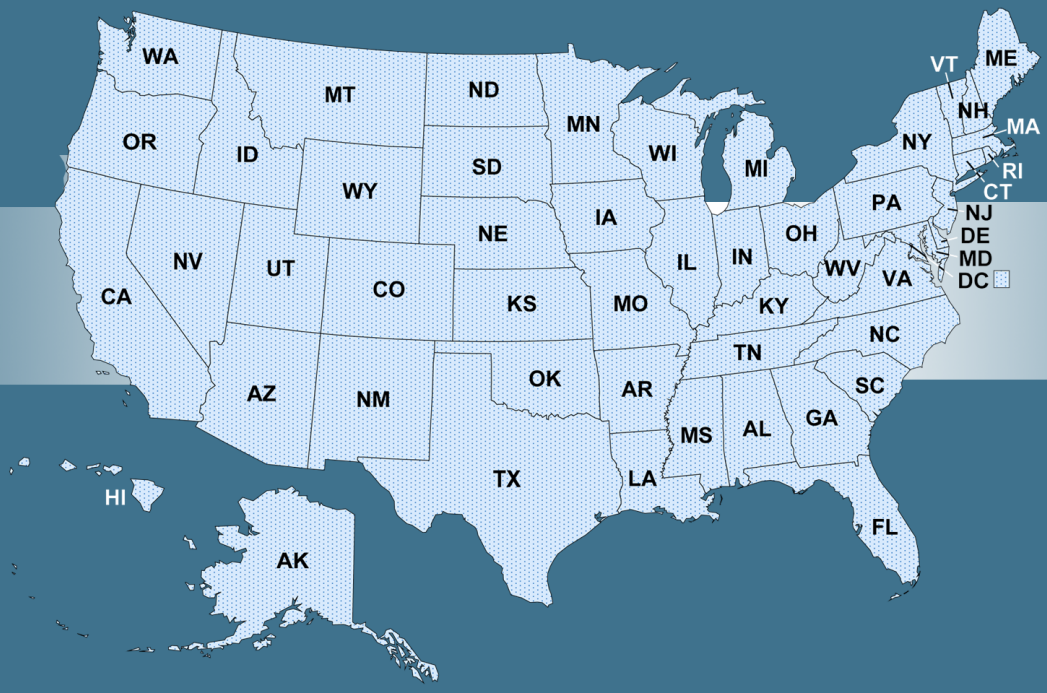
STATE PERFORMANCE & BEST PRACTICES

for the Prevention and Reduction of Underage Drinking

2018



POLICY SUMMARY:

Home Delivery

DEPARTMENT OF HEALTH & HUMAN SERVICES-USA

SAMHSA

Substance Abuse and Mental Health Services Administration

The *State Performance and Best Practices* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act directs the Secretary of the Department of Health and Human Services (HHS), working with the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), to develop a set of performance measures for evaluating the states' use of best practices in preventing underage drinking, and to consider a set of enumerated categories in doing so. The STOP Act also requires an annual report on each state's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.

This *State Performance and Best Practices*, and the 51 individual State Reports, were prepared by the ICCPUD, which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services.

Time period covered by the 2018 *State Performance and Best Practices:* The 2018 version primarily includes data from calendar year 2017. The data on state legal policies reflects the state of the law as of January 1, 2017. The state survey data was collected in 2017, and is drawn from the most recent 12-month period in which the states maintained the data.

Recommended Citation

U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA), Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD). (2018). *State Performance and Best Practices for the Prevention and Reduction of Underage Drinking.*

Home Delivery

Policy Description

Home delivery restrictions prohibit or limit the ability of alcohol retailers to deliver alcoholic beverages to customers who are not present at their retail outlet. The University of Minnesota Alcohol Epidemiology Program notes that home delivery of alcohol may increase alcohol availability to youth by increasing opportunities for underage persons to subvert minimum age purchase requirements. Ordering by phone, fax, or email may facilitate deception. Delivery persons may have less incentive to check purchasers' age identification when they are away from the licensed establishment and cannot be watched by a surveillance camera, the liquor store's management, or other customers.

Research on home delivery of alcohol is limited. One study examined the use of home delivery by adult men. The authors report that regular drinkers without a history of alcohol problems were significantly less likely to have had alcohol delivered than problem drinkers. Another study found similar results for underage drinkers. Ten percent of 12th-graders and 7 percent of 18- to 20-year-olds in 15 Midwestern communities reported they obtained alcohol through delivery services in the last year. Use of delivery services was more prevalent among young men and among more frequent, heavier drinkers.

A state home delivery law may:

1. Specifically prohibit or permit the delivery of beer, wine, or spirits to residential addresses, hotel rooms, conference centers, and so on.
2. Permit home delivery, but with restrictions, including:
    1. Limits on the quantity that may be delivered.
    2. Limits on the time of day or days of the week when deliveries may occur.
    3. A requirement that the retail merchant obtain a special license or permit.

In some states that allow home delivery, local ordinances may restrict or ban home delivery in specific substate jurisdictions.

Status of Home Delivery Policies

Exhibit I.38 shows the number of states that permit, prohibit, or have no law regarding home delivery of beer, wine, and spirits. As the exhibit shows, 20 states permit home delivery of all three beverages, 8 prohibit delivery of all three, and 15 have no law for any beverage. Eight states have differing laws for each of the three beverages. Of the states that permit home delivery, some place restrictions on retailers, including

1. Requiring a state permit
2. Restricting the volume that can be delivered
3. Requiring clearly marked delivery vehicles

Alaska is the only state that requires that orders must be in writing and that written information on fetal alcohol syndrome accompany the delivered product. Washington requires a special license for Internet orders. Exhibits I.39 through I.41 summarize the status of home delivery for beer, wine, and spirits as of January 1, 2017.

Trends in Home Delivery Policies

Between 2010 and 2017, three states (Louisiana, Washington, and Tennessee) changed their home delivery policies. Louisiana permitted wine retailers to deliver to consumers in 2011. Washington permitted spirit retailers to deliver to consumers in 2012. In 2014, Tennessee permitted retailers to deliver beer, wine, and spirits.

Data Sources and Citations

Legal research and data collection for this topic are planned and managed by SAMHSA and conducted under contract by The CDM Group, Inc. For more information, including definitions of the variables for this policy, contact underagedrinking@samhsa.gov.

Fletcher, L. A., Nugent, S. M., Ahern, S. M., & Willenbring, M. L. (1996). The use of alcohol home delivery services by male problem drinkers: A preliminary report. *Journal of Substance Abuse, 8*(2), 251–261.

Fletcher, L. A., Toomey, T. L., Wagenaar, A. C., Short, B., & Willenbring, M. L. (2000). Alcohol home delivery services: A source of alcohol for underage drinkers. *Journal of Studies on Alcohol, 61,* 81–84.

Wagenaar, A. C., Lenk, K. M., & Toomey, T. L. (2005). Policies to reduce underage drinking: A review of the recent literature. In M. Galanter (Ed.), *Recent Developments in Alcoholism: Alcohol Problems in Adolescents and Young Adults.* New York: Kluwer Academic/Plenum Publishers.

Exhibit I.38: Home Delivery of Beer, Wine, and Spirits

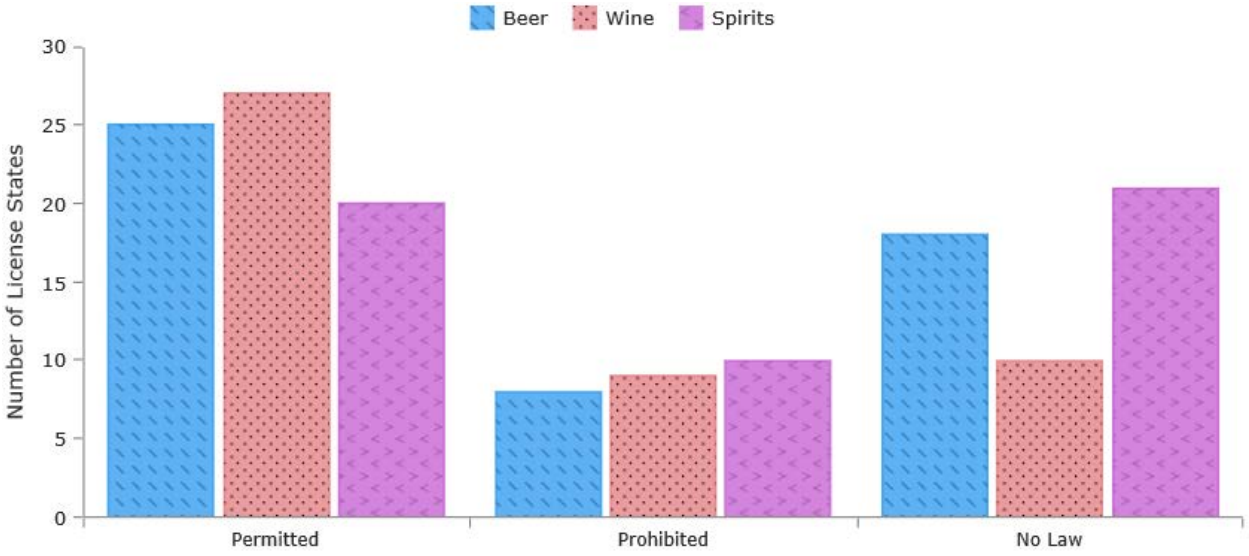


Exhibit I.39: Home Delivery of Beer

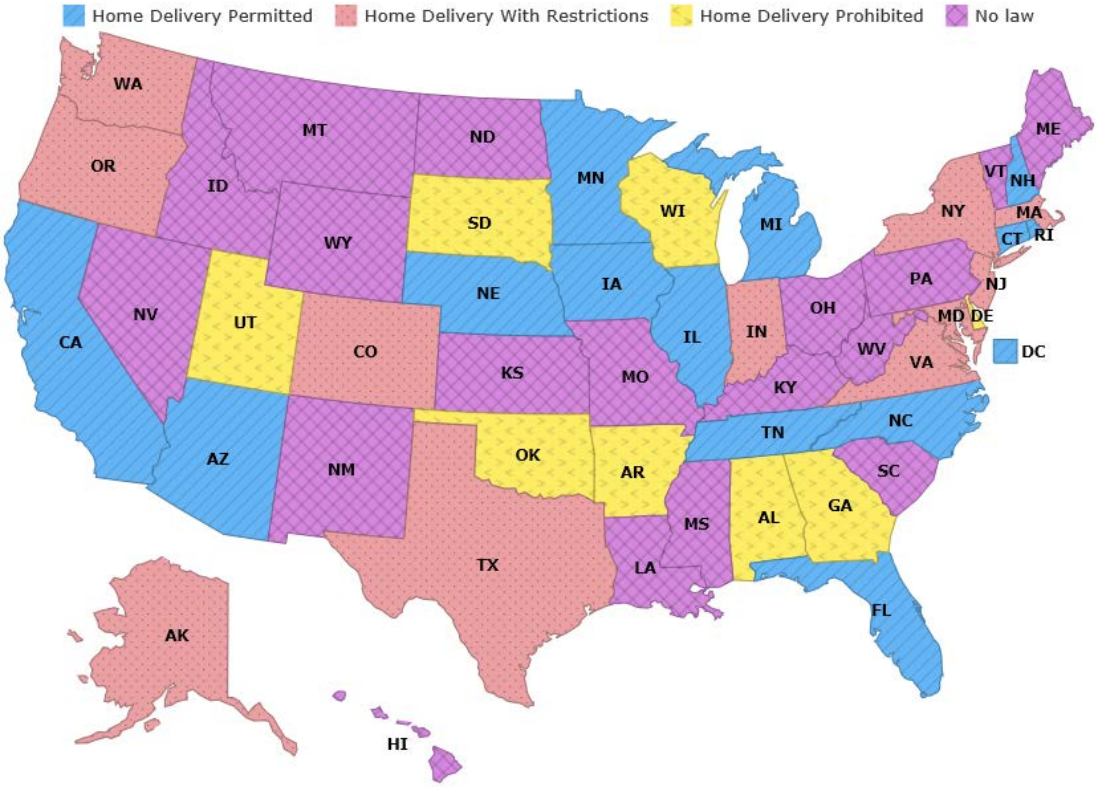


Exhibit I.40: Home Delivery of Wine

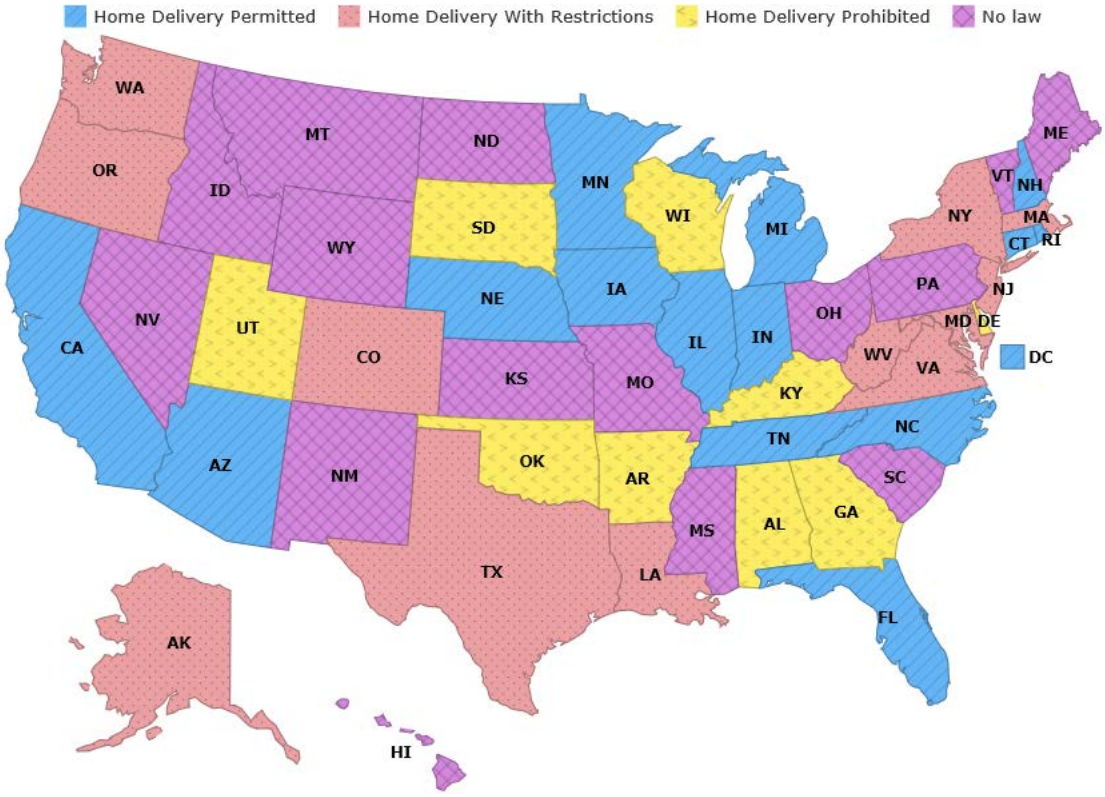
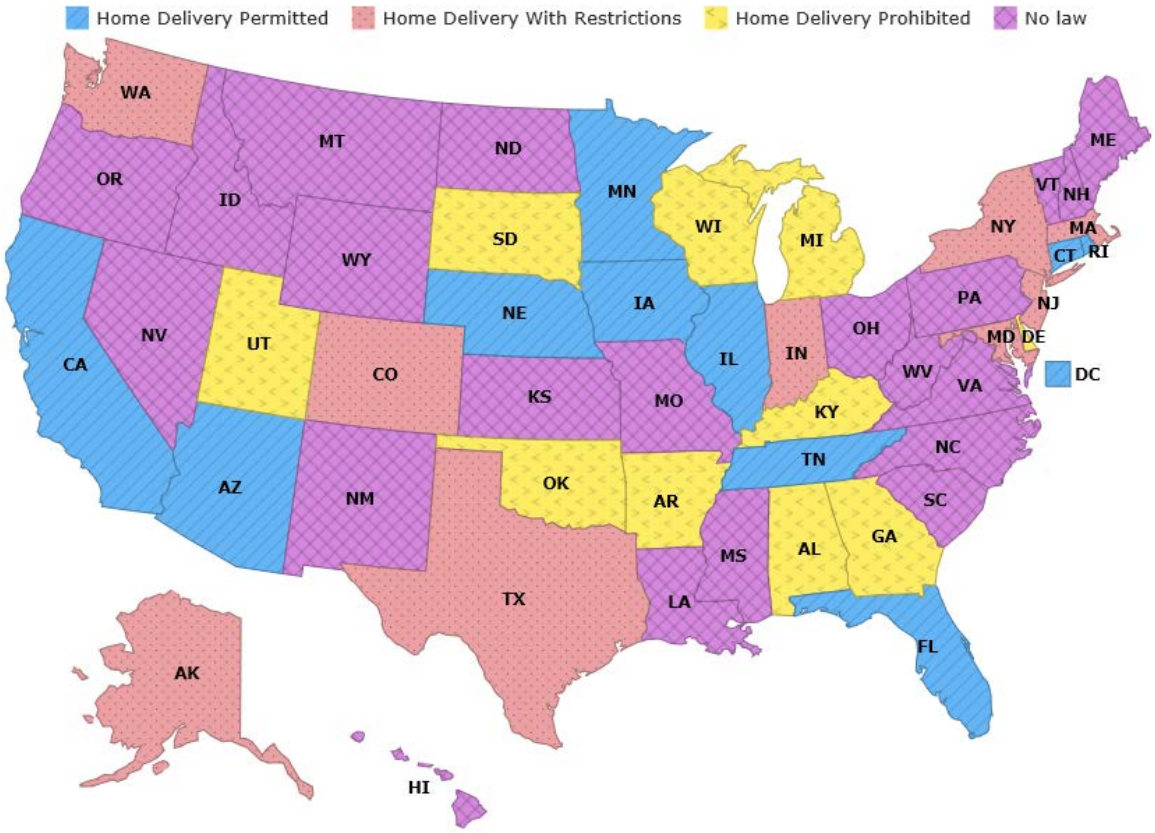



Exhibit I.41: Home Delivery of Spirits