

## False Identification (“False ID”)

### Policy Description

Alcohol retailers are responsible for ensuring that sales of alcoholic beverages are made only to individuals who are legally permitted to purchase alcohol. Inspecting government-issued identification (driver’s license, nondriver ID card, passport, and military ID card) is one major mechanism for ensuring that buyers meet minimum age requirements. In attempting to circumvent these safeguards, minors may obtain and use apparently valid ID cards that falsely state their age as 21 or over. Age may be falsified by altering the birthdate on a valid ID card, obtaining an invalid ID card that appears to be valid, or using someone else’s ID card.

Compliance check studies suggest that underage drinkers may have little need to use false ID because retailers often make sales without any ID inspection. However, concerns about false ID remain high among educators, law enforcement officials, retailers, and government officials. Current technology, including high-quality color copiers and printers, has made false ID cards easier to fabricate, and the Internet provides ready access to a large number of false ID vendors.

All states prohibit use of false ID by minors to obtain alcohol. In addition to basic prohibitions, states have adopted a variety of legal provisions pertaining to false ID for obtaining alcohol. These can be divided into three basic categories:

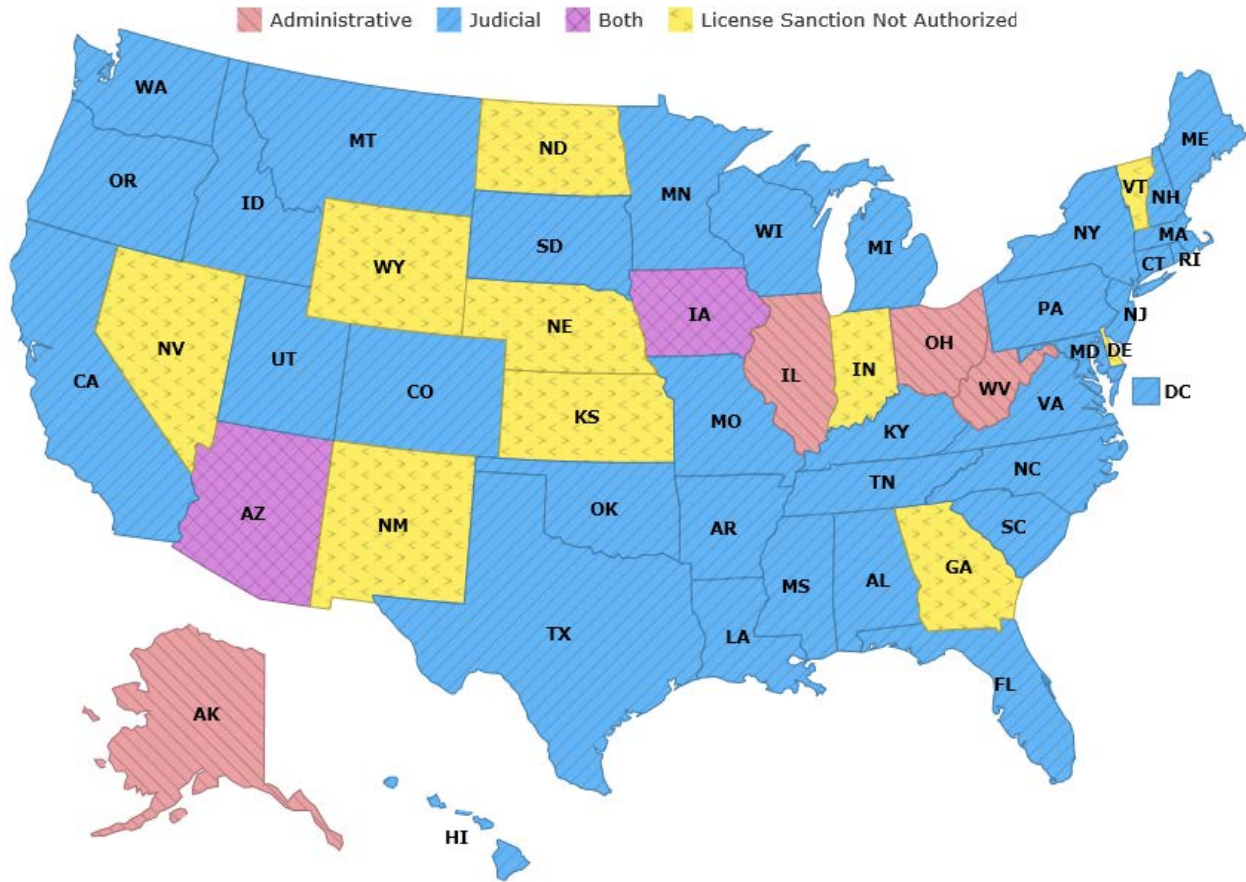
1. Provisions that target minors who possess and use false ID cards to obtain alcohol.
2. Provisions that target those who supply minors with false ID cards, either through lending of a valid ID card or production of invalid (“fake”) ID cards.
3. Provisions that assist retailers in avoiding sales to potential buyers who present false ID cards. For further discussion of policies pertaining to the purchase of alcohol by minors, see the “Underage Purchase and Attempted Purchase” policy above; for policies that mandate training of servers to detect false identification, see the “Responsible Beverage Service” policy below; and for policies on license suspension or revocation, see the “Loss of Driving Privileges for Alcohol Violations by Minors” policy below.

### Status of False ID Policies

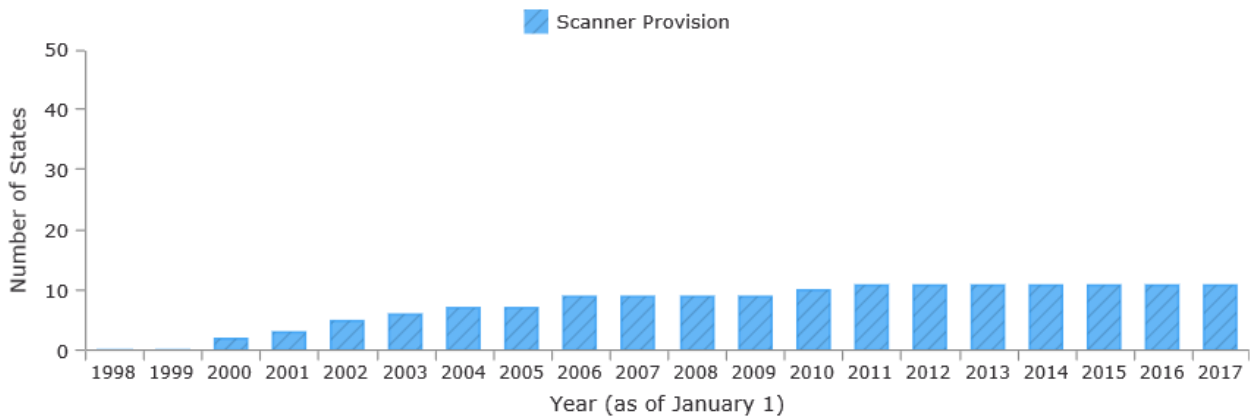
#### *Provisions That Target Minors*

As of January 1, 2017, all states and the District of Columbia prohibit minors from using false ID cards to obtain alcohol. Forty-one jurisdictions authorize suspension of minors’ driver’s licenses for using false ID in the purchase of alcohol through judicial proceedings, administrative proceedings, or both (see Exhibit I.9).

**Exhibit I.9: Procedure for Imposing License Sanction for Use of False ID as of January 1, 2017**



**Exhibit I.10: Number of States With Scanner Provisions in False ID Laws, January 1, 1998, through January 1, 2017**



### ***Provisions That Target Suppliers***

As of January 1, 2017, 25 states have laws that target suppliers of false ID cards; 24 prohibit lending, transferring, or selling false ID cards to minors for the purpose of purchasing alcohol; and 13 prohibit manufacturing such IDs.

### ***Provisions That Support Retailers***

Retailer support provisions vary widely across the states. In prosecutions involving an illegal underage alcohol sale, 44 states and the District of Columbia provide for some type of affirmative defense (the retailer shows that he/she reached a good faith or reasonable conclusion that the false ID was valid); 42 states have laws requiring distinctive licenses for persons under age 21; 12 states permit retailers to seize apparently false IDs; 11 states provide incentives for the use of scanners (see Exhibit I.10); 4 states (Arkansas, Colorado, South Dakota, and Utah) allow retailers to detain minors; and 5 states (Alaska, New Hampshire, Oregon, Utah, and Wisconsin) permit retailers to sue minors for damages.

### **Trends in False ID State Policies**

State false ID policies that target minors and suppliers have been relatively stable since 1998. Between 2014 and 2015, Indiana and Georgia eliminated their license suspension penalties.

### **Data Sources and Citations**

All data for this policy were obtained from APIS at <http://www.alcoholpolicy.niaaa.nih.gov>. Follow links to the policy titled “False Identification for Obtaining Alcohol” for further descriptions of this policy and its variables, details regarding state policies, and a review of the limitations associated with the reported data.

Fell, J. C., Scherer, M., Thomas, S., & Voas, R. (2016). Assessing the impact of twenty underage drinking laws. *Journal of Studies on Alcohol and Drugs*, 77(2), 249–260.

Fell, J. C., Scherer, M., Thomas, S., & Voas, R. B. (2014). Effectiveness of social host and fake identification laws on reducing underage drinking driver fatal crashes. *Traffic Injury Prevention*, 15(Suppl 1), S64–S73.

Fell, J. C., Scherer, M., & Voas, R. (2015). The utility of including the strengths of underage drinking laws in determining their effect on outcomes. *Alcoholism: Clinical and Experimental Research*, 39(8), 1528–1537.

Fell, J. C., Thomas, S., Scherer, M., Fisher, D. A., & Romano, E. (2015). Scoring the strengths and weaknesses of underage drinking laws in the United States. *World Medical & Health Policy*, 7, 28–58.

Fell, J. C., Fisher, D. A., Voas, R. B., Blackman, K., & Tippetts, A. S. (2008). The relationship of underage drinking laws to reductions in drinking drivers in fatal crashes in the United States. *Accident Analysis and Prevention*, 40(4), 1430–1440.

Martinez, J. A., & Sher, K. J. (2010). Methods of “fake ID” obtainment and use in underage college students. *Addictive Behaviors*, 35(7), 738–740.

Maryland Collaborative to Reduce College Drinking and Related Problems. (2014). *High-risk drinking among college students in Maryland: Identifying targets for intervention*. College

Park, MD: Center on Youth Adult Health and Development, University of Maryland School of Public Health; Baltimore, MD: Center on Alcohol Marketing and Youth, Johns Hopkins University Bloomberg School of Public Health.

- Morleo, M., Cook, P. A., Bellis, M. A., & Smallthwaite, L. (2010). Use of fake identification to purchase alcohol amongst 15-16 year olds: A cross-sectional survey examining alcohol access, consumption and harm. *Substance Abuse Treatment, Prevention, and Policy*, 5, 12. doi:10.1186/1747-597X-5-12
- National Research Council & Institute of Medicine (2004). *Reducing Underage Drinking: A Collective Responsibility*. Washington, DC: National Academies Press.
- Nguyen, N., Walters, S. T., Rinker, D. V., Wyatt, T. M., & DeJong, W. (2011). Fake ID ownership in a U.S. sample of incoming first-year college students. *Addictive Behaviors*, 36(7), 759–761.
- van Hoof, J. J., & Gosselt, J. F. (2013). Underage alcohol sales—it only takes a minute: A new approach to underage alcohol availability. *Journal of Studies on Alcohol and Drugs*, 74(3), 423–427.
- Wechsler, H., Lee, J., Nelson, T., & Lee, H. (2003). Drinking and driving among college students: The influence of alcohol control policies. *American Journal of Preventive Medicine*, 25(3), 212–218.
- Yörük, B. K. (2014). Can technology help to reduce underage drinking? Evidence from the false ID laws with scanner provision. *Journal of Health Economics*, 36, 33–46.
- Yörük, B. K. (2017). The impact of the false ID laws on alcohol consumption among young adults: New results from the NLSY97. *Journal of Health Economics*, 57, 191–194. doi:10.1016/j.jhealeco.2017.11.005
- Zheng, E. Y. (2017). Can technology really help to reduce underage drinking? New evidence on the effects of false ID laws with scanner provisions. *Journal of Health Economics*, 57, 102–112. doi:10.1016/j.jhealeco.2017.10.009