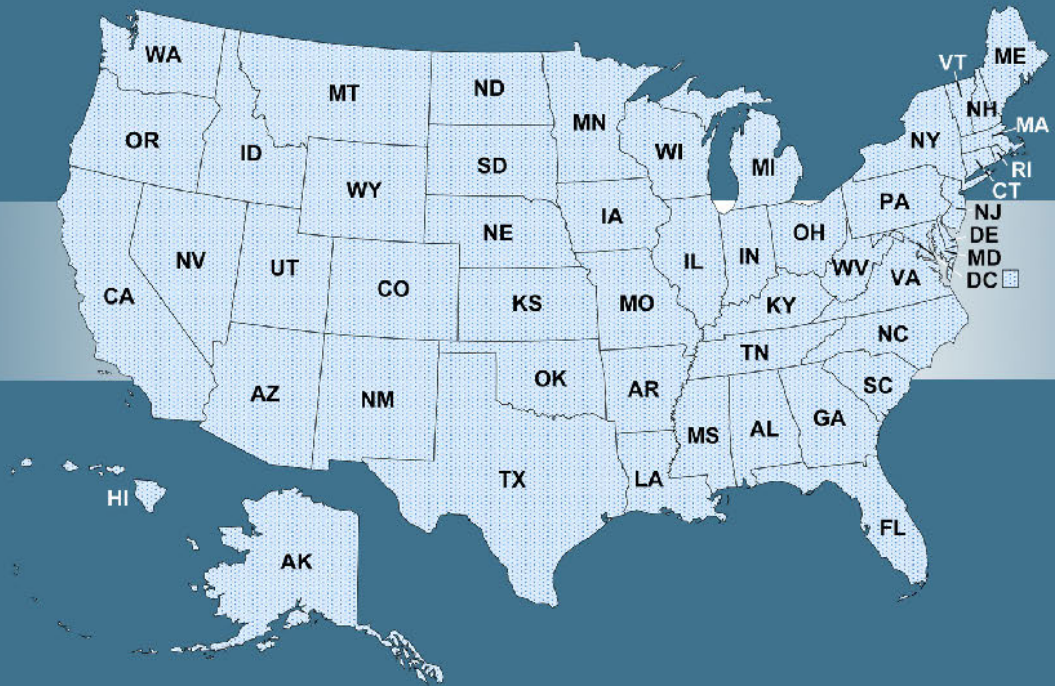


HAWAII STATE REPORT

Underage Drinking Prevention and Enforcement

2020



SAMHSA
Substance Abuse and Mental Health
Services Administration

This *State Report* 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 requires an annual report “on each State's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the *State Reports* were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

Time Period Covered by this *State Report*: This *State Report* primarily includes data from calendar year 2019. Regional and state profile data were drawn from the most recently available federal survey data as of 2018. State legal data reflect the status of the law as of January 1, 2019. State survey data, collected in 2019, were drawn from the most recent 12-month period in which the states maintained the data.

Source of Data: For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2015 through 2018 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2018). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application served as the resource for data about alcohol-attributable deaths from 2006–10 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2018 data used to present statistics about fatalities among 15-to 20-year-old drivers.

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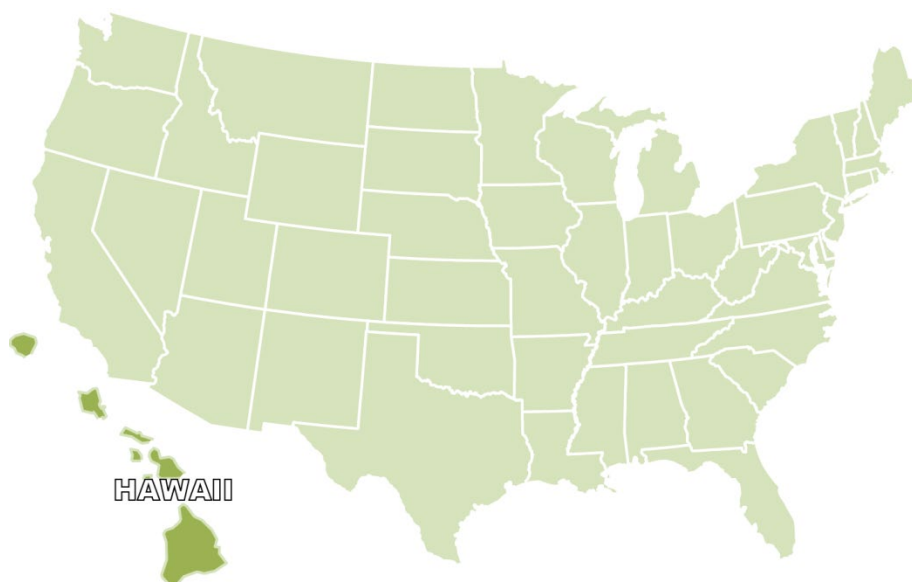
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Hawaii

State Population: 1,420,491

Population Ages 12–20: 141,000

Past-Month Alcohol Use Among 12- to 20-Year-Olds	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	25,100 (17.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	15,200 (10.8%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	1,000 (2.2%)
Past-Month Binge Alcohol Use – Number (Percentage)	700 (1.4%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	7,200 (14.9%)
Past-Month Binge Alcohol Use – Number (Percentage)	3,400 (7.1%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	16,900 (37.5%)
Past-Month Binge Alcohol Use – Number (Percentage)	11,100 (24.8%)
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21	
Alcohol-Attributable Deaths (under 21)	11
Years of Potential Life Lost (under 21)	680
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% ¹	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	2
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	20%

¹ Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number, however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.

Substance Abuse Service System Overview²

The Hawaii State Alcohol and Drug Abuse Division (ADAD) is the Single State Agency (SSA) that manages the Substance Abuse Prevention and Treatment Block Grant (SABG) for Hawaii. ADAD's efforts are designed to promote a statewide culturally appropriate, comprehensive system of substance abuse services to meet the treatment and recovery needs of individuals and families and to address the prevention needs of communities.

ADAD is under the Hawaii State Department of Health (DOH), Behavioral Health Administration (BHA). BHA also includes the Adult Mental Health Division (AMHD) and Child and Adolescent Mental Health Division (CAMHD). While mental health and substance abuse services are organizationally under the DOH-BHA umbrella, ADAD's operations are not integrated with AMHD and CAMHD, and ADAD is physically sited in separate and distant locations from the mental health divisions. Also, while mental health services for adults and children are administered by separate divisions, ADAD oversees and funds substance abuse services for both adults and adolescents.

ADAD is the primary source of public substance abuse treatment funds in Hawaii. Some substance abuse treatment services are publicly funded through the Hawaii Medicaid 1115 waiver program called QUEST, which is administered by the Department of Human Services. Each QUEST managed care plan determines the substance abuse treatment providers with which it will contract. Treatment services are provided to QUEST clients within the limits of the benefits in the plan.

ADAD's major functions include: grants and contracts management; monitoring implementation of treatment services and prevention activities; clinical consultation; accreditation of substance abuse treatment programs; training and certification of substance abuse counselors and program administrators; policy development; planning and coordination of services; needs assessments for substance abuse services; and information systems management. Lingering effects of the economic recession and previous state budget deficits resulted in significant statewide budget cuts and required reductions in state funding for contracted services and loss of positions. Staff turnover, attrition, and difficulties in filling positions continue to adversely affect ADAD's operations.

ADAD utilizes the state procurement process to direct available block grant and state funds to support the provision of services for the substance abuse continuum of care. In planning for substance abuse services, ADAD focuses on four substate planning areas that are consistent with the state's island counties. Oahu (City and County of Honolulu) is the major substate planning area that comprises 69.5 percent of the state's population of 1,428,557 as of July 1, 2016, based on estimates from the U.S. Bureau of the Census, Federal-State Cooperative Program for Population Estimates. The other three substate planning areas consist of the neighbor island counties of Hawaii, Maui (which includes the islands of Maui, Molokai and Lanai), and Kauai.

² Extracted from fiscal year (FY) 2018/2019 – (Hawaii) State Behavioral Health Assessment and Plan, SABG, Center for Substance Abuse Prevention (CSAP), Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

Treatment Services – Youth

ADAD-contracted treatment services for adolescents consist of school- and community-based substance abuse treatment supported by state general funds. School-based treatment services are provided at nearly all of the public middle and high schools in each of the state's four counties. The school-based treatment allows for 1-8 hours per week of outpatient treatment. The community-based treatment allows for 1-9 hours per week of intensive outpatient and 1-8 hours per week of outpatient treatment services and cultural and recreational activities.

Substance Abuse Prevention Services – Youth

Programs and service activities related to reducing minors' use of and access to tobacco and alcohol overseen by ADAD include compliance support activities and public education and policy development focusing on limiting youth access to alcohol, strictly enforcing underage drinking laws, and promoting zero tolerance for underage drinking while creating positive outlets for youth. In addition, to support the required Synar Amendment Compliance and Enforcement activities, ADAD has a contractual agreement with the U.S. Food and Drug Administration (FDA) for field enforcement of FDA regulations [21 CFR 897014 (a) and (b)] prohibiting tobacco and tobacco product sales to minors and carrying out inspection of retail outlets throughout the state using FDA Commissioned Officers and underage volunteers in controlled, observed undercover buy operations.

Expenditures for Substance Abuse Prevention and Treatment

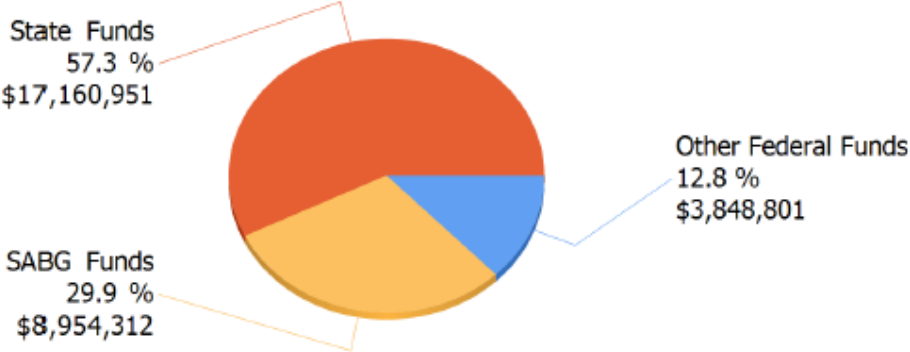
All states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Hawaii used for expenditures on substance abuse prevention and treatment in 2019. As indicated, state funds and SABG funds account for the largest sources (57.3 percent and 29.9 percent, respectively).³

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2018–2019, Hawaii designated services to children of pregnant women and women with dependent children (up to the age of 12) with substance abuse treatment needs as priority number one for use of SABG funds, and prevention of the use and abuse of alcohol, tobacco, and other drugs by youth as priority number four.⁴

³ WebBGAS State Profile, 2019 SABG and Community Mental Health Block Grant (MHBG) Reports – Hawaii 2019.

⁴ FY 2018/2019 – (Hawaii) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

Exhibit 1: Sources of Hawaii’s 2019 Expenditures for Substance Abuse Prevention and Treatment



State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Hawaii’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. The following sections address these measures.

State Laws and Policies: These 26 underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into four categories:

1. Laws addressing minors in possession of alcohol;
2. Laws targeting underage drinking and driving;
3. Laws targeting alcohol suppliers; and
4. Laws affecting alcohol pricing.

STOP Act State Survey Data: The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

1. Enforcement programs to promote compliance with underage drinking laws and regulations.
2. Programs targeted to youth, parents, and caregivers to deter underage drinking.
3. State interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns.
4. State expenditures on the prevention of underage drinking.

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 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 any private location

Underage-Internal Possession	
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
Notes: Although Hawaii does not prohibit Internal Possession as defined by APIS, beginning on June 19, 2006, it has a statutory provision that states that, "[n]o minor shall consume or purchase liquor and no minor shall consume or have liquor in the minor's possession or custody in any public place, public gathering, or public amusement, at any public beach or public park, or in any motor vehicle on a public highway" and that "'consume" or 'consumption' includes the ingestion of liquor." Haw. Rev. Stat. § 281-101.5. Laws that prohibit minors from having alcohol in their bodies, but which do so without reference to a blood, breath, or urine test, are not considered as prohibiting Internal Possession as defined by APIS.	

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?	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"> Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)? 	No
<ul style="list-style-type: none"> 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
Notes: In Hawaii, the retailer has a defense to a charge of furnishing to a minor if, in making the sale or allowing the consumption of liquor by a minor, the retailer was misled by the appearance of the minor and the attending circumstances into honestly believing that the minor was of legal age, and if the retailer can prove that he or she acted in good faith.	

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?	Not specified
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 17 and Under	
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"> Purchase of alcohol 	Yes
<ul style="list-style-type: none"> Possession of alcohol 	Yes
<ul style="list-style-type: none"> Consumption of alcohol 	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	180
Maximum number of days	Not specified

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?	11:00 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 18, except household members, 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?	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
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
Are there appearance requirements for the decoy?	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 that are 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 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 Ages 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?	Yes
Notes: Liquor can be sold by persons 18 to 20 years of age only in licensed establishments where selling or serving the intoxicating liquor is part of the minor's employment, and where there is proper supervision of these minor employees to ensure that the minors shall not consume the intoxicating liquor.	

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
Notes: Liquor can be sold or served by persons 18 to 20 years of age only in licensed establishments where selling or serving the intoxicating liquor is part of the minor's employment, and where there is proper supervision of these minor employees to ensure that the minors shall not consume the intoxicating liquor. Persons below the age of 18 years may sell or serve liquor in individually specified licensed establishments found to be otherwise suitable by the liquor commission in which an approved program of job training and employment for dining room waiters and waitresses is being conducted in cooperation with the University of Hawaii, the state community college system, or a federally sponsored personnel development and training program, under arrangements that ensure proper control and supervision of employees.	

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools	
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 500 feet, if 40% of registered voters or property owners within area protest.
To which alcohol products does requirement apply?	Beer, Wine, Spirits
Notes: Exceptions are 1) designated resort areas; 2) hotel or condominium hotel liquor licenses.	

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?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	Yes (Social host must be 21 years of age 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?	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?	Recklessness: Host must act with intentional disregard for probable consequence of actions
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	Unclear
Wine	Unclear
Spirits	Unclear
Notes: Any adult may obtain a State permit to receive one shipment of beer, wine or distilled spirits per year for personal use from outside the State, not to exceed five gallons. Only one permit is allowed per household. It is unclear whether an out-of-state retailer may ship the alcohol directly to the permittee for his or her personal use. Haw. Rev. Stat. § 281-33.1	

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?	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
Notes: Any adult may obtain a State permit to receive one shipment of beer, wine or distilled spirits per year for personal use from outside the State, not to exceed five gallons. Only one permit is allowed per household.	

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?	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	\$0.93
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?	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)	N/A
Retail tax rate (if applicable)	N/A
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	
Notes: \$0.54 per gallon for containers of 7 gallons or more.	
Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$1.38
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
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?	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)	N/A
Retail tax rate (if applicable)	N/A
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	
Spirits	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$5.98
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
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?	No
• General sales tax rate	Not relevant

<ul style="list-style-type: none"> 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)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> 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	
Are on-premises retailers prohibited from offering the following types of drink specials?	
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

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 period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
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 period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Spirits	
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 period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)

Hawaii State Survey Responses

State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

The State of Hawaii, Department of Health, Alcohol and Drug Abuse Division is a state agency; however, it is not the primary agency responsible for enforcing underage drinking laws. The local county police departments and county liquor control boards (Hawaii, Maui, Oahu, and Kauai) have the primary responsibility for enforcing laws regarding underage drinking.

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	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

The County of Hawaii from last year's survey answered this question. The other Liquor Control Boards did not provide any information to this survey question.

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 possession¹ by state law enforcement agencies

190

Number pertains to the 12 months ending

12/30/2017

Data include arrests/citations issued by local law enforcement agencies

Don't know

State conducts underage compliance checks/decoy operations² to determine whether alcohol retailers are complying with laws prohibiting sales to minors

Yes

Data are collected on these activities

Yes

Number of retail licensees in state³

1,127

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

291

Number of licensees that failed state compliance checks

38

Numbers pertain to the 12 months ending

12/31/2018

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

106

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

26

Local agencies conduct underage compliance checks/decoy operations to determine whether 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

185

Number of licensees that failed local compliance checks	12
Numbers pertain to the 12 months ending	06/30/2018
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish to minors</i>	Yes
Number of fines imposed by the state ⁴	8
Total amount in fines across all licensees	\$15,000
Smallest fine imposed	\$1,000
Largest fine imposed	\$2,000
Numbers pertain to the 12 months ending	06/30/2018
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	No
Number of suspensions imposed by the state ⁵	Not applicable
Total days of suspensions across all licensees	Not applicable
Shortest period of suspension imposed (in days)	Not applicable
Longest period of suspension imposed (in days)	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed ⁶	0
Numbers pertain to the 12 months ending	06/30/2018

Additional Clarification

The collection and consolidation of this data is challenging, as each County Liquor Control Board operates differently and the data is inconsistent. The latest (2017) Uniform Crime Report from the Attorney General's Office has the most recent data on alcohol-related crimes for juveniles, which includes driving under the influence, liquor law violations, and disorderly conduct. The County's Liquor Control Board together with each county's Police Department minimally conducts compliance checks on an as needed basis and if funding allows. The Alcohol and Drug Abuse Division does provide funding to the Office of Public Health Studies to conduct off-premises compliance checks for the island of Oahu only. The funding source to conduct the compliance checks is the State General funds.

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State**Hawaii Partnerships to Prevent Underage Drinking Coalition (HPPUD) and HPPUD Community Action Team (to prevent underage drinking as it relates to sexual violence prevention)**

Number of youth served	3
Number of parents served	19
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: www.hppud.org , facebook/instagram@hppudoahu , twitter@hppud	

Program Description: Coalition efforts include activities on community outreach, policy advocacy; coordination of public educational and informational resources specific to prevention, and early intervention.

Maui Underage Drinking Prevention Coalition

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	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

Program Description: The Maui Underage Drinking Prevention Coalition aims to prevent and reduce youth substance use by using data-driven prevention strategies designed to help young people thrive and progress in the community and society without the detrimental effects of substance use and misuse.

Community Works 96744

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	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

Program Description: Community Works 96744 aims to prevent youth substance abuse, strengthen community collaboration, and improve overall health.

EWA lution 96706

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:	No data

Program Description: EWA lution 96706 aims to reduce and prevent substance abuse in Ewa Beach through community collaboration and positive action.

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 Maui Underage Drinking Prevention Coalition (MUDP) conducts a Community Alcohol Outlet Environmental Scan designed to give their community a perspective on alcohol outlets and their alcohol advertising. Scan results determine the potential risks that these alcohol outlets may pose to the community. The MUDP arranges the environmental scan according to the four P's of marketing: Place, Promotion, Product, and Price.

State collaborates with/participates in media campaigns to prevent underage drinking Don't know/No answer

Federal campaigns:	Not applicable
Regional and local media campaigns:	Not applicable
Local school district efforts:	Not applicable
Other:	Not applicable
<i>State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You."</i>	Not applicable
State officially endorses TTHY efforts	Not applicable
State commits state resources for TTHY	Not applicable
State forwards TTHY materials to local areas	Not applicable
Other:	Not applicable
<i>State procures funding for TTHY</i>	Not applicable
Pro bono	Not applicable
Donated air time	Not applicable
Earned media	Not applicable
Other:	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	Yes
Agency(ies) within your state:	No
Nongovernmental agency(ies):	No
Other: Evidence Based Workgroup Inventory of Environmental Strategies	Yes
Best practice standards description: The Center on the Family at the University of Hawaii received permission from the Wyoming Survey and Analysis Center (WYSAC) via representatives Humphrey Costello and Rodney Wambeam to update the catalog of environmental substance abuse prevention strategies for use with our PFS project under contract to the Hawaii Department of Health, Alcohol and Drug Abuse Division. This catalog focuses solely on underage drinking prevention environmental strategies for Hawaii's PFS and presents the findings in an easy-to-use- format intended for the Hawaii underage drinking prevention coalitions and other prevention planners and providers.	

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 Not sure

Prepared by: Not applicable

Plan can be accessed via: Not applicable

State has prepared a report on preventing underage drinking in the last 3 years Not sure

Prepared by: Not applicable

Report 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	\$604,000
Estimate based on the 12 months ending	09/29/2018
<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: Compliance checks for the island of Oahu	
Estimate of state funds expended:	\$130,000
Estimate based on the 12 months ending:	06/28/2019

Funds Dedicated to Underage Drinking

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

Taxes	No
Fines	Yes
Fees	Yes
Other: State General Funds, Partnership for Success Funds (Discretionary)	Yes

Description of funding streams and how they are used:
 The Honolulu Liquor Commission earmarks fines and fees collected to conduct compliance checks and/or underage drinking prevention at the discretion of the Liquor Control Board. If the amount is over the \$25,000 threshold, the Liquor Commission's request for these prevention efforts would go to the City Council for approval. As stated earlier, the State General Fund allocates money to the Office of Public Health Studies to conduct compliance checks on the island of Oahu. In addition, a majority of state funds (general and SAPT funds) allocate funding to run evidence-based and innovative interventions that address underage drinking prevention. Our PFS (discretionary) grant allocates funds to 4 coalitions (described above) to address underage drinking using the SPF model.

Additional Clarification

No data



SAMHSA
Substance Abuse and Mental Health
Services Administration