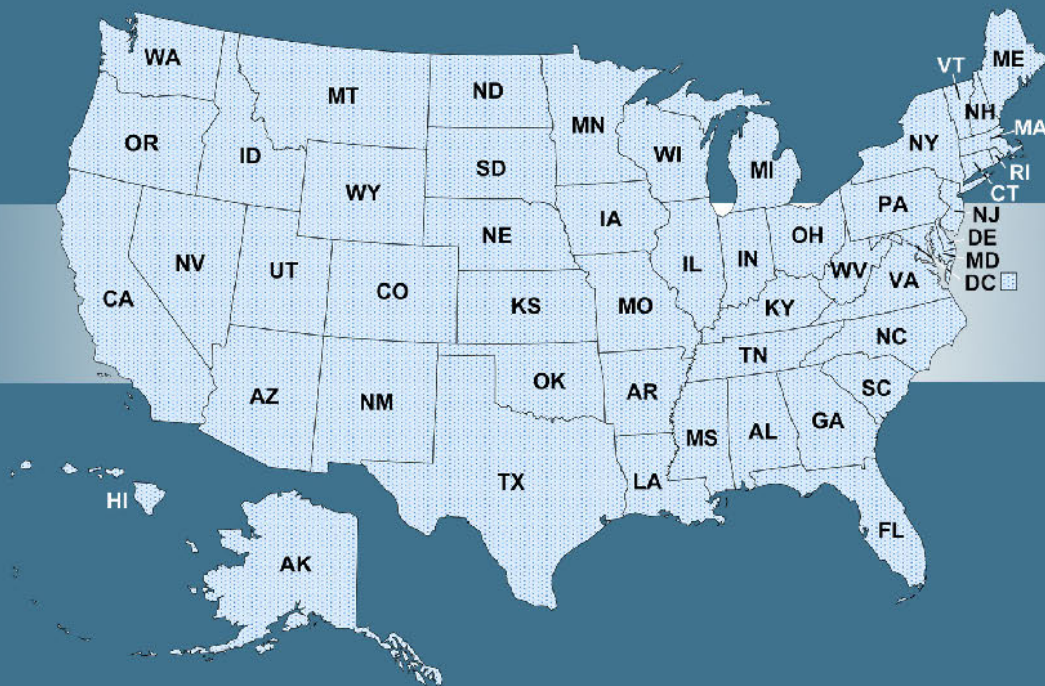


MARYLAND STATE REPORT

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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Staff Chair and Point of Contact, ICCPUD:

Robert M. Vincent, MS.Ed

Public Health Analyst

SAMHSA’s Center for Substance Abuse Prevention (CSAP)

Division of Systems Development

Phone: (240) 276-1582

Email: Robert.Vincent@samhsa.hhs.gov

Maryland Governor’s Designated Contact for STOP Act State Survey:

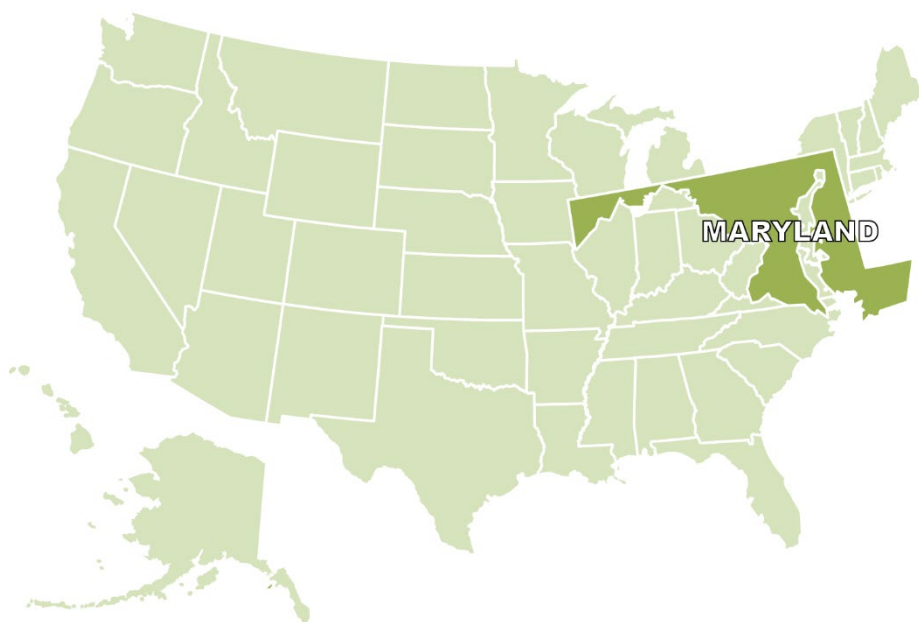
Brooke Holmes

Program Administrator

Office of Population Health Improvement, Maryland Department of Health

Phone: (410) 767-5948

Email: brooke.holmes@maryland.gov



Maryland

State Population: 6,042,718

Population Ages 12–20: 667,100

Past-Month Alcohol Use Among 12- to 20-Year-Olds	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	136,500 (20.5%)
Past-Month Binge Alcohol Use – Number (Percentage)	77,000 (11.5%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	5,900 (2.6%)
Past-Month Binge Alcohol Use – Number (Percentage)	1,600 (0.7%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	42,600 (18.6%)
Past-Month Binge Alcohol Use – Number (Percentage)	22,800 (9.9%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	88,000 (41.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	52,700 (24.6%)
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21	
Alcohol-Attributable Deaths (under 21)	86
Years of Potential Life Lost (under 21)	5,174
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%	8
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	14%

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.

Behavioral Health System Overview²

In fiscal year (FY) 2015, through the passage of House Bill 1510 during the 2014 legislative session, Maryland's Mental Hygiene Administration merged with the Alcohol and Drug Abuse Administration to form the Behavioral Health Administration. (BHA). The BHA is responsible for all publicly funded specialty mental health and substance-related disorder (SRD) services.

Enacted through state legislation, the Maryland Department of Health and Mental Hygiene (DHMH), Medicaid (MA) Office of Health Services and BHA implemented a new integrated public behavioral health system (PBHS). The MA Office, Behavioral Health Unit, and BHA oversee and have the authority over the PBHS, which includes policy development, statewide planning, resource allocation, and continuous quality improvement. The Administrative Services Organization (ASO), Beacon Health Options, assist with the management of the PBHS.

BHA's Office of Prevention oversees Maryland's publicly funded substance use disorder (SUD) prevention system, providing funding annually to local jurisdictions for evidence-based prevention services. BHA also has contracts with the University of Maryland School of Pharmacy's Behavioral Health Research Team (BHRT) to provide technical assistance and evaluation services to all its prevention grantees. The School of Pharmacy also manages the State Epidemiological Outcomes Workgroup (SEOW). The new State Behavioral Health Advisory Council (BHAC), its Prevention Committee, the BHRT, and the SEOW are specifically structured and intended to strengthen the capacity of Maryland's state and local prevention infrastructure.

The Maryland BHA will use the Substance Abuse and Mental Health Services Administration's (SAMHSA) Strategic Prevention Framework (SPF) model to allocate its Substance Abuse Prevention and Treatment Block Grant (SABG) prevention funding to prevent and reduce underage drinking, nonmedical use of prescription drugs/opioids, youth binge drinking, youth marijuana use, and youth heroin use. These substances were identified as state prevention priorities by the BHAC's Prevention Committee in February 2017, based on the results of its statewide youth substance misuse needs assessment.

Prevention Program – Youth

Maryland's SABG Prevention Program adheres to SAMHSA definitions, policies, and best practices to plan, fund, implement, and evaluate a comprehensive array of data-driven, evidence-based substance abuse prevention practices, strategies, and programs. Through this process, Maryland will support universal, selected, and indicated prevention activities designed to reach a broad and diverse group of Maryland youth, at various levels of risk for substance use and abuse, resulting in a reduction of youth substance abuse at the population level. Each jurisdiction will develop its own unique SABG Strategic Prevention Plan which will lay out the jurisdiction's specific substance abuse issues, resources, contributing factors, objectives and strategies. This

² Extracted from FY 2018/2019 – (Maryland) 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.

plan will be submitted to the BHA for review and approval and, upon approval, BHA will provide SABG funds to the jurisdiction to implement its strategic plan.

The Maryland Strategic Prevention Framework (MSPF2) project provides CSAP SPF-Partnership for Success (PFS) grant funds to strengthen the efforts of ten local community coalitions to prevent and reduce underage and youth binge drinking in their communities. These coalitions, with training and technical assistance provided by BHA's SPF Technical Assistance and Evaluation Team, are building upon their past successes and addressing the challenges they faced over the five years of the initial MSPF initiative.

Underage and youth binge drinking are the state's MSPF priorities as determined by a recent statewide youth AOD needs assessment. The primary recipients of the prevention strategies are 367,356 youth living in the ten selected communities. These communities were selected based on a formula that first considered prevalence indicators of youth alcohol use, consequences, and contributing factors. This accounted for 70 percent of their selection score. The remaining 30 percent of the score was determined based on past coalition performance in bringing resources to bear, and each jurisdiction's contribution to the cultural diversity and geographic balance of the initiative.

Expenditures for Substance Abuse Prevention and Treatment

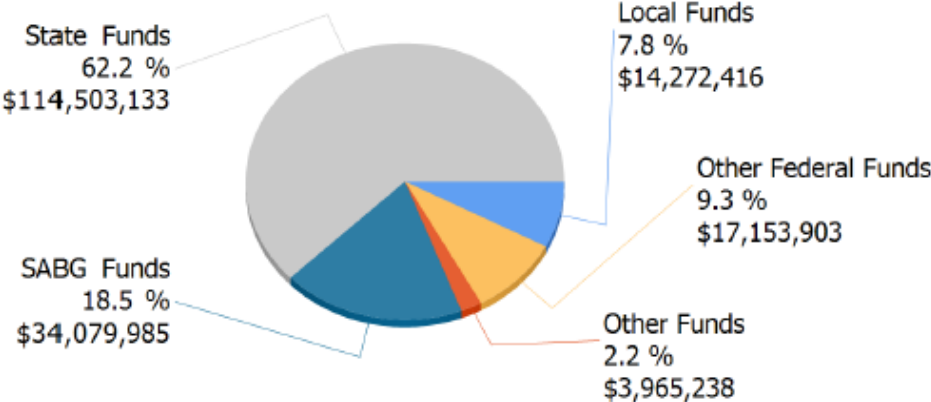
All states receive federal funds for substance abuse prevention through SABG funds administered by SAMHSA. Exhibit 1 shows the sources that Maryland used for expenditures on substance abuse prevention and treatment in 2019. As indicated, state funds and SABG funds account for the largest sources (62.2 percent and 18.5 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, Maryland did not identify underage drinking as a priority for use of SABG funds.⁴

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

⁴ FY 2018/2019 – (Maryland) 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 Maryland’s 2019 Expenditures for Substance Abuse Prevention and Treatment



State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Maryland'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?	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 residence if parent/guardian/spouse is present or consents
Notes: Maryland's exception includes members of an individual's "immediate family" when the alcoholic beverage is furnished and possessed "in a private residence or within the curtilage of the residence." APIS interprets the phrase "immediate family" as including a spouse. See Md. Code Ann., Crim. Law § 10-117(c)(1) beginning October 1, 2002, and Md. Ann. Code 1957 art. 27, § 401A(c)(1) prior to October 1, 2002.	

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

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?	Yes, in specified locations – see below
• Is internal possession allowed if the spouse is present or consents?	Yes, in specified locations – see below
Is there an exception based on location?	Yes, in any private residence if parent/guardian/spouse is present or consents
Notes: Maryland's exception includes members of an individual's "immediate family" when the alcoholic beverage is furnished and consumed "in a private residence or within the curtilage of the residence." APIS interprets the phrase "immediate family" as including a spouse. See Md. Code Ann., Crim. Law § 10-117(c)(1) beginning October 1, 2002, and Md. Ann. Code 1957 art. 27, § 401A(c)(1) prior to October 1, 2002.	

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

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)? 	Yes
<ul style="list-style-type: none"> 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
<p>Notes: In Maryland, a licensee or employee of the licensee may not be found guilty of underage furnishing if the person establishes to the satisfaction of the jury or the court sitting as a jury that the person used due caution to establish that the person under 21 years of age was not, in fact, a person under 21 years of age if a nonresident of the State. This constitutes a general affirmative defense under APIS coding. In contrast, if the person is a resident of the State of Maryland, the licensee or employee of the licensee may accept, as proof of a person's age, the person's driver's license or identification card as provided for in the Maryland Vehicle Law. In addition, beginning October 1, 2006, the licensee or employee of the licensee may accept, as proof of a person's age, a United States military identification card. These are examples of a specific affirmative defense under APIS coding.</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?	0.00%
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)	
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	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	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, 9 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?	60 (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?	12:00 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 under 18 who are not immediate family members, or relatives living with driver, unless accompanied by licensed 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?	18 years (Passenger restrictions expire 151 days after issuance of intermediate license)

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?	No
Notes: Maryland's exception allows furnishing of alcohol to minors by members of their "immediate family" when the alcoholic beverage is furnished and consumed "in a private residence or within the curtilage of the residence." APIS interprets the phrase "immediate family" as including a spouse. See Md. Code Ann., Crim. Law § 10-117(c)(1) beginning October 1, 2002, and Md. Ann. Code 1957 art. 27, § 401A(c)(1) prior to October 1, 2002.	

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)–Mandatory	
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

<ul style="list-style-type: none"> • 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 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	21
Does a manager or supervisor have to be present?	No
Notes: Maryland statutes allow for exceptions by specific localities within Maryland that may have more or less restrictive laws on the age to sell or serve alcoholic beverages. Such "local options" are not addressed by APIS.	

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
Notes: Maryland statutes allow for exceptions by specific localities within Maryland that may have more or less restrictive laws on the age to sell or serve alcoholic beverages. Such "local options" are not addressed by APIS.	

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)?	Yes, Distance restrictions vary by county and municipality

Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, Distance restrictions vary by county and municipality
To which alcohol products does requirement apply?	Beer, Wine, Spirits (Product restrictions vary by county and municipality)
Notes: Exceptions vary by county and municipality.	

-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?	Yes
Notes: Common law liability rests on a violation of the criminal social host statute (Md. Ann. Code, Criminal Law, s. 10-117). <i>Kiriakos v. Phillips</i> . The criminal social host statute prohibits an adult from knowingly and willfully allowing an underage person to consume alcohol on the host's premises.	

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

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Prohibited
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?	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 (Maximum fine/jail, \$500 (or \$1,000 if repeat violation))
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (Maximum fine/jail, \$500 (or \$1,000 if repeat violation))
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?	Yes
Notes: Although Maryland does not require a retailer to record the number of a keg purchaser's ID, it does require that the purchaser's name and address be recorded as they appear on the purchaser's identification. Effective July 1, 2008, retailers in Prince George's County must also record the purchaser's identification number.	

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes (Written approval from the county or city is required.)
Wine	Yes (Written approval from the county or city is required.)
Spirits	Yes (Written approval from the county or city is required.)

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 (95% or more)
Are there exceptions to restrictions?	No

Laws Affecting Alcohol Pricing

Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.09
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)	9.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> General sales tax rate 	6.00%
<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) 	3.00%
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)	9.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> General sales tax rate 	6.00%
<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) 	3.00%
Additional taxes for 3.2 – 6% alcohol beer if applicable	
<p>Notes: For the period January 1, 2003 through January 2, 2008, a 5 percent general sales tax applied to alcoholic beverages, and no specific ad valorem tax applied to alcoholic beverages. For the period January 3, 2008 through June 30, 2011, a 6 percent general sales tax applied to alcoholic beverages, and no specific ad valorem tax applied to alcoholic beverages. For the period beginning July 1, 2011 a 9 percent ad valorem tax on alcoholic beverages applies, in lieu of the 6 percent general sales tax. See Md. Ann. Code, Tax - General, § 11-104(a), (g) (as amended by 2007 Md. Laws 1st Sp. Sess. Ch. 6, 2011 Md. Laws 571, and 2011 Md. Laws 572).</p>	
Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.40
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)	9.00%

If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.00%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	3.00%
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)	9.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.00%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	3.00%
Additional taxes for 6 – 14% alcohol wine if applicable	
Notes: For the period January 1, 2003 through January 2, 2008, a 5 percent general sales tax applied to alcoholic beverages, and no specific ad valorem tax applied to alcoholic beverages. For the period January 3, 2008 through June 30, 2011, a 6 percent general sales tax applied to alcoholic beverages, and no specific ad valorem tax applied to alcoholic beverages. For the period beginning July 1, 2011 a 9 percent ad valorem tax on alcoholic beverages applies, in lieu of the 6 percent general sales tax. See Md. Ann. Code, Tax - General, § 11-104(a), (g) (as amended by 2007 Md. Laws 1st Sp. Sess. Ch. 6, 2011 Md. Laws 571, and 2011 Md. Laws 572).	
Spirits	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$1.50
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)	9.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.00%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	3.00%
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)	9.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.00%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	3.00%
Additional taxes for 15 – 50% alcohol spirits if applicable	
Notes: For the period January 1, 2003 through January 2, 2008, a 5 percent general sales tax applied to alcoholic beverages, and no specific ad valorem tax applied to alcoholic beverages. For the period	

January 3, 2008 through June 30, 2011, a 6 percent general sales tax applied to alcoholic beverages, and no specific ad valorem tax applied to alcoholic beverages. For the period beginning July 1, 2011 a 9 percent ad valorem tax on alcoholic beverages applies, in lieu of the 6 percent general sales tax. See Md. Ann. Code, Tax -General, § 11-104(a), (g) (as amended by 2007 Md. Laws 1st Sp. Sess. Ch. 6, 2011 Md. Laws 571, and 2011 Md. Laws 572).

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?	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 period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No law
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?	No law
Notes: With respect to purchases of beer, all counties require payment on delivery except Worcester County where 10 days of credit may be extended. With respect to purchases of wine and spirits, the Alcohol and Tobacco Tax (MATT) Regulatory Division posts a list of purchase periods and due dates that is accessible only to Maryland wholesalers and retail licensees. On September 27, 2007, the U.S. District Court for the District of Maryland found that Maryland's wholesaler volume discounting and	

post-and-hold provisions, considered together, violate the Sherman Act's ban on price fixing and are not protected by the 21st Amendment. *TFWS, Inc. v. Schaefer*, 2007 WL 2917025 (D. Md. Sept. 27, 2007). The Federal Court of Appeals (4th Circuit) affirmed. *TFWS, Inc. v. Franchot*, 572 F.3d 186 (2009).

Maryland State Survey Responses

State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

No state agency has primary responsibility for the enforcement of laws designed to prevent 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	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 Comptroller of Maryland

Such laws are also enforced by local law enforcement agencies No

Enforcement Statistics

State collects data on the number of minors found in possession No

Number of minors found in possession¹ 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 operations² to determine whether alcohol retailers are complying with laws prohibiting sales to minors No

Data are collected on these activities No

Number of retail licensees in state³ No data available

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 whether 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 to minors Don't know

Number of fines imposed by the state⁴ 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 to minors</i>	Don't know
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>	Don't know
Number of license revocations imposed ⁶	Not applicable
Numbers pertain to the 12 months ending	Not applicable

Additional Clarification

No data

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

Maryland Strategic Prevention Framework 2 Initiative (MSPF2)

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:	
http://www.pharmacy.umaryland.edu/programs/bhrt/resources/	

Program Description: Maryland MSPF2 Project provides grant funds to strengthen the efforts of 10 local jurisdiction coalitions to prevent and reduce underage and youth binge drinking in their communities. These coalitions, with training and technical assistance provided by the Office of Population Health Improvement's (OPHI) MSPF Technical Assistance and Evaluation Team, are building upon their past successes and addressing challenges they faced over the five years of the initial MSPF initiative.

Ten communities were selected based on a formula that first considered prevalence indicators of youth alcohol use, consequences, and contributing factors. This accounted for 70 percent of their selection score. The remaining 30 percent of the score was determined based on past coalition performance in bringing resources to bear and each jurisdiction's contribution to the cultural diversity and geographic balance of the initiative.

Underage and youth binge drinking are the state's MSPF priorities as determined by a recent statewide youth alcohol and other drug (AOD) needs assessment. Accordingly, Goal 1 of the initiative is to reduce underage and youth binge drinking in Maryland. Its measurable objectives are (1) to reduce past 30-day underage drinking in the 10 selected jurisdictions and statewide, and (2) to reduce past 30-day binge drinking by youth, ages 18–25, in 10 jurisdictions and statewide. Interventions to attain this goal will primarily be evidence-based prevention strategies addressing key intervening variables for underage and youth binge drinking, including retail access to alcohol, social access, youth perception of harm and risk, community and social norms, enforcement of alcohol laws, alcohol pricing, and promotions. While it is expected that most strategies implemented will be environmental and community-process strategies, coalitions may augment these strategies with information dissemination and prevention education to strengthen community awareness of and support for their prevention efforts.

Goal 2 of the initiative is to strengthen state and local community prevention capacity and infrastructure. Its measurable objectives are (1) to increase the capacity of sub-recipient prevention coalitions through the provision

of guidance, training and technical assistance, and (2) to strengthen the state and local prevention infrastructure by leveraging, redirecting, and realigning the SABG resources administered by the OPHI to exclusively support evidence-based programs and strategies that are determined through the SPF process, as measured by grant program and fiscal records.

Substance Abuse Block Grant (SABG) Prevention Program

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: Maryland’s SABG Prevention Program adheres to SAMHSA definitions, policies, and best practices to plan, fund, implement, and evaluate a comprehensive array of data-driven, evidence-based substance abuse prevention practices, strategies, and programs. Only primary prevention activities can be supported through this grant program (i.e., services for those who have not been identified as having a substance use disorder that requires treatment). Through this process, Maryland will support universal, selected, and indicated prevention activities designed to reach a broad and diverse group of Maryland youth who are at various levels of risk for substance use and abuse, resulting in a reduction of youth substance abuse at the population level. Each jurisdiction develops its own unique SABG Strategic Prevention Plan, which lays out the jurisdiction’s specific substance abuse issues, resources, contributing factors, objectives, and strategies.

Jurisdictions, based on their plans, can address the particular substances that are supported by their local data and endorsed by their planning body, and may provide universal, selected, or indicated primary prevention strategies. Since the Office of Population Health Improvement (OPHI) emphasizes change at the population level, all jurisdictions must allocate at least 50 percent of their prevention block grant award to strategies that are most likely to result in population-level change. This includes environmental, community process, and information dissemination strategies. As youth problem drinking (underage drinking and youth binge drinking) has been identified as the state’s top youth substance abuse priority, the vast majority of our jurisdictions also have made the prevention of youth problem drinking their top priority and have allocated the majority of their grant funds to address this issue.

Jurisdictions may also implement any other Substance Abuse and Mental Health Services Administration (SAMHSA) strategies, which specifically target individuals and families rather than the entire community, with their remaining prevention block grant funds. However, all funds must be used for programs and strategies with research findings/evidence shown to be effective or promising. All strategies must be evidence-based and determined through the SPF planning process.

Maryland College Alcohol, Tobacco, and Other Drug (ATOD) Prevention Centers

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 OPHI provides funding to four Maryland universities to develop and maintain programs/activities that prevent and reduce substance use and risk-taking behaviors associated with use of alcohol, tobacco, and drugs. Alcohol, Tobacco, and Drug (ATOD) Prevention Centers have been established at Frostburg State University, Towson University, Bowie State University, and the University of Maryland Eastern Shore. The centers promote and assist in design and implementation of campus policies, evidence-based practices, and prevention/wellness education programs for their institutions. They also collaborate with agencies and organizations in communities surrounding the campuses. Center directors have working relationships with

local health department prevention coordinators, local drug and alcohol councils, and other colleges/universities in the region.

Underage drinking and binge drinking by students create major issues on college campuses and their surrounding communities; subsequently, preventing and reducing these issues are a primary focus of prevention activities funded with OPHI grant awards. It is estimated that 21,235 students are served through College ATOD Prevention Center-funded prevention strategies.

Maryland Collaborative to Reduce College Drinking and Related Problems

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:	http://marylandcollaborative.org

Program Description: OPHI provides funding to the University of Maryland College Park and Johns Hopkins University to bring together state colleges and universities to (1) reduce the current level of excessive alcohol use and related harm on college campuses in Maryland and (2) mobilize and sustain the commitment of campus and community leaders to reducing excessive alcohol use and related harm on the state’s campuses. Goals are attained through an assessment of current challenges to campuses and surrounding communities with respect to college drinking problems, formation of a collaborative of committed colleges and universities, institution of a common data collection system, and provision of ongoing expert training and technical assistance to participants in understanding and implementing evidence-based best practices. Sixteen colleges and universities currently participate in the Collaborative, which has produced several documents, including the *Report on College Drinking in Maryland*, *Guide to Best Practices to Reduce Underage Drinking*, and *Results of 1st Annual Maryland College Alcohol Survey*.

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 Center on Alcohol Marketing and Youth (CAMY) at the Johns Hopkins University employs a public health approach to prevent and reduce alcohol-related problems among young people. CAMY’s work focuses on the marketing variables of product, place, promotion, and price, and the role these variables play in youth drinking and related problems. CAMY is funded in part through the federal Substance Abuse Prevention and Treatment (SAPT) Block Grant. More information is available at <http://www.camy.org>.

State collaborates with/participates in media campaigns to prevent underage drinking No

Federal campaigns: Not applicable
 Regional and local media campaigns: Not applicable
 Local school district efforts: Not applicable
 Other: Not applicable

State collaborates with/participates in SAMHSA’s national media campaign, “Talk. They Hear You.” 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):	No
Agency(ies) within your state: OPHI	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: Recipients of OPHI's MSPF2 and Opioid Misuse Prevention Program (OMPP) grants must follow the structured Maryland SPF process (as described in our written guidance documents) in order to receive funding. The SPF process requires that all programs implemented to reduce underage and problem youth drinking be evidence-based programs. A set of approved evidence-based strategies and best practices is included in our written guidance documents and on our website. Recipients of our SAPT Block Grant funds that implement direct services programs are required to implement at least one evidence-based program. Recipients that implement environmental strategies must implement strategies from the list of evidence-based strategies included in our written guidance documents and on our website. We now require SAPT Block grantees to infuse the five-step SPF process in their program planning and implementation. Currently, SAPT Block grantees are in the Implementation phase of the SPF 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: Shayna Dee
 Email: shayna.dee@maryland.gov
 Address: 55 Wade Ave., Catonsville, MD 21228
 Phone: 410-402-8629

Agencies/organizations represented on the committee:

University of Maryland School of Pharmacy
 Office of Population Health Improvement
 Maryland Behavioral Health Administration
 Governor's Office of Crime Control & Prevention
 Maryland State Department of Education
 Maryland Department of Juvenile Services
 College of Southern Maryland
 Maryland State Highway Administration
 Montgomery County Department of Liquor Control
 Maryland Department of Public Safety & Corrections
 Maryland State's Attorney's Office
 Talbot Partnership
 Wicomico County Health Department
 Dorchester County Health Department

Substance Abuse Prevention offices in: Charles County, Allegany County, Wicomico County, Cecil County, Queen Anne's County, Caroline County, Dorchester County, Carroll County, Garrett County, St. Mary's County, Kent County, Prince George's County, Frederick County, and Harford County

<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>	No
Prepared by: Not applicable	
Report can be accessed via: Not applicable	

Additional Clarification

The state underage drinking plan was developed ten years ago for Maryland's SPF application. The plan has been implemented since then through the OPHI-funded Maryland Strategic Prevention Framework (MSPF) grant program and the OPHI-funded SAPT Block Grant program.

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

<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	No data

Description of funding streams and how they are used:

No data

Additional Clarification

No data



SAMHSA
Substance Abuse and Mental Health
Services Administration