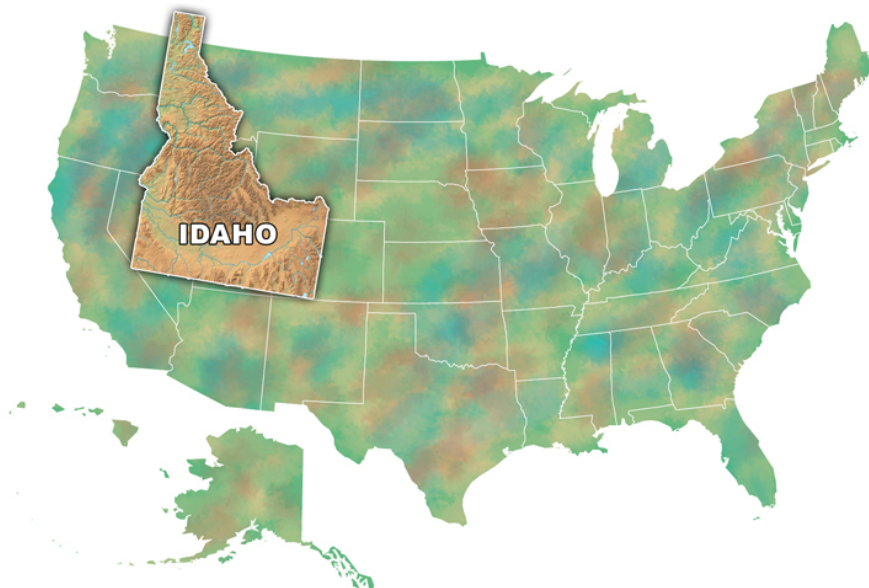


State Report

Idaho

This document is excerpted from:

The June 2015 Report to Congress on the Prevention and Reduction of Underage Drinking



Idaho

State Profile and Underage Drinking Facts*

State Population: 1,595,728
Population Ages 12–20: 204,000

| | Percentage | Number |
|--|---|---------------|
| Ages 12–20 | | |
| Past-Month Alcohol Use | 22.0 | 45,000 |
| Past-Month Binge Alcohol Use | 14.2 | 29,000 |
| Ages 12–14 | | |
| Past-Month Alcohol Use | 4.5 | 3,000 |
| Past-Month Binge Alcohol Use | 2.1 | 2,000 |
| Ages 15–17 | | |
| Past-Month Alcohol Use | 21.5 | 13,000 |
| Past-Month Binge Alcohol Use | 14.3 | 9,000 |
| Ages 18–20 | | |
| Past-Month Alcohol Use | 41.7 | 29,000 |
| Past-Month Binge Alcohol Use | 27.3 | 19,000 |
| Alcohol-Attributable Deaths (under 21) | | 22 |
| Years of Potential Life Lost (under 21) | | 1,376 |
| | Percentage of All Traffic Fatalities | Number |
| Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01 | 21.0 | 4 |

* See Appendix C for data sources.

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited with the following exception(s):

- Private residence AND
- Parent/guardian

Note: Idaho’s exceptions relate specifically to the possession of beer or wine.

Underage Consumption of Alcohol

Consumption is prohibited—no explicit exceptions noted in the law.

Internal Possession by Minors

Internal possession is not explicitly prohibited.

Note: Although Idaho does not prohibit Internal Possession as defined in this report, it has a statutory provision that makes it unlawful “[f]or any person under the age of twenty-one (21) years to purchase, attempt to purchase, possess, serve, dispense, or consume beer, wine or other alcoholic liquor” such that “[a] person shall also be deemed to ‘possess’ alcohol that has been consumed by the person, without regard to the place of consumption.” Laws that prohibit minors from having alcohol in their bodies, but do so without reference to a blood, breath, or urine test, are not considered as prohibiting Internal Possession as defined in this report.

Underage Purchase of Alcohol

Purchase is prohibited and there is no allowance for youth purchase for law enforcement purposes.

False Identification for Obtaining Alcohol

Provision(s) targeting minors

- Use of a false ID to obtain alcohol is a criminal offense.
- Penalty may include driver’s license suspension through a judicial procedure.

Provision(s) targeting suppliers

- It is a criminal offense to lend, transfer, or sell a false ID.
- It is a criminal offense to manufacture or distribute a false ID.

Provision(s) targeting retailers

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- No statutory affirmative defense—statutes do not provide an affirmative defense related to retailer’s belief that the minor was 21 years old or older.

Note: Retailers are only required to deliver documents to law enforcement that have been lost or voluntarily surrendered; however, when presented with identification documents that appear to be mutilated, altered, or fraudulent, they must contact law enforcement and refuse service.

Laws Targeting Underage Drinking and Driving

BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)

- BAC limit: 0.02
- BAC level at or above the limit is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)

Use/lose penalties apply to minors under age 21.

Type(s) of violation leading to driver’s license suspension, revocation, or denial

- Underage purchase
- Underage possession
- Underage consumption

Authority to impose driver’s license sanction

- Mandatory

Length of suspension/revocation

- Minimum: Not specified
- Maximum: 365 days

Graduated Driver’s License

Learner stage

- Minimum entry age: 14 years, 6 months—upon completion of driver education, instruction permit signed over to allow driving with adult over 21
- Minimum learner stage period: 6 months
- Minimum supervised driving requirement: 50 hours, of which 10 must be at night

Intermediate stage

- Minimum age: 15
- Unsupervised night driving
 - Night driving is not restricted—no unsupervised driving ½ hour after sunset
 - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one unrelated passenger under 17
 - Primary enforcement of the passenger-restriction rule

License stage

- Minimum age to lift restrictions: 16—passenger restrictions expire 6 months after issuance of license; unsupervised night-driving restrictions remain until age 16.

Laws Targeting Alcohol Suppliers

Furnishing of Alcohol to Minors

Furnishing is prohibited—no explicit exceptions noted in the law.

Compliance Check Protocols

Age of decoy

- Minimum: 16
- Maximum: 20.5

Appearance requirements

- Age-appropriate appearance
- Male: Not large in stature; no excessive facial hair
- Female: Minimal makeup and jewelry

ID possession

- Required

Verbal exaggeration of age

- Prohibited

Decoy training

- Mandated—briefing given on procedures and expectations

Penalty Guidelines for Sales to Minors

- Time period/conditions: 3 years
- First offense: 10-day suspension of alcohol license
- Second offense: 30-day suspension of alcohol license
- Third offense: 180-day suspension of alcohol license
- Fourth offense: Revocation of alcohol license

Responsible Beverage Service

No beverage service training requirement

Minimum Ages for Off-Premises Sellers

- Beer: 19
- Wine: 19
- Spirits: 19

Minimum Ages for On-Premises Sellers

- Beer: 19 for both servers and bartenders
- Wine: 19 for both servers and bartenders
- Spirits: 19 for both servers and bartenders

Distance Limitations for New Alcohol Outlets near Universities and Schools

Colleges and universities

- Limitations on outlet siting:
 - Off-premises outlets: Yes—on campus grounds. College or university has authority to override state restrictions.
 - On-premises outlets: Yes—on campus grounds. College or university has authority to override state restrictions.
 - Alcohol products: Beer, wine, spirits

Primary and secondary schools

- Prohibitions against outlet siting:
 - Off-premises outlets: No
 - On-premises outlets: Yes—within 300 feet. Local government has authority to override state restrictions.
 - Alcohol products: Beer, wine, spirits

Dram Shop Liability

Statutory liability exists.

Social Host Liability Laws

Statutory liability exists.

Host Party Laws

No state-imposed liability for hosting underage drinking parties

Retailer Interstate Shipments of Alcohol

Prohibition against retailer interstate shipments:

- Beer: Prohibited
- Wine: Uncertain
- Spirits: Prohibited

Note: A licensee who holds a license for the retail sale of wine for consumption off the licensed premises may ship not more than two cases of wine, containing not more than 9 liters per case, per shipment, for personal use and not for resale, directly to a resident of another state if the state to which the wine is sent allows residents of this state to receive wine sent from that state without payment of additional state tax, fees, or charges. The sale shall be considered to have occurred in this state.

Direct Sales/Shipments of Alcohol by Producers

Direct sales/shipments from producers to consumers are permitted for wine with the following restrictions:

Age verification requirements: None

State approval/permit requirements

- Producer/shipper must obtain state permit.

Reporting requirements

- Common carrier must record/report purchaser's name.

Shipping label statement requirements

- Contains alcohol
- Recipient must be 21

Keg Registration

- Keg definition: 7.75 gallons or more
- Prohibited: Possessing an unregistered, unlabeled keg—maximum fine/jail \$1,000/6 months
- Purchaser information collected: Purchaser's name and address

- Warning information to purchaser: Not required
- Deposit: Not required
- Provisions do not specifically address disposable kegs

Home Delivery

- Beer: No law
- Wine: No law
- Spirits: No law

Alcohol Pricing Policies

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$0.15 per gallon
- Additional taxes: \$0.45 per gallon applies to beer over 5 percent alcohol. Beer with 5 percent or less alcohol is sold by license. Beer greater than 5 percent but less than 7.5 percent alcohol is sold by both license and the state.

Wine (12 percent alcohol)

- Control state

Spirits (40 percent alcohol)

- Control state

Drink Specials

No law

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Volume discounts: Banned
- Price posting requirements: Post and hold—6 months minimum
- Retailer credit: Not permitted

Wine (12 percent alcohol)

- Control state

Spirits (40 percent alcohol)

- Control state

Idaho State Survey Responses

| State Agency Information | |
|---|--|
| <i>Agency with primary responsibility for enforcing underage drinking laws:</i> Idaho State Police Alcohol Beverage Control (ISP ABC) | |
| Enforcement Strategies | |
| <i>State law enforcement agencies use:</i> | |
| Cops in Shops | No |
| Shoulder Tap Operations | Yes |
| Party Patrol Operations or Programs | Yes |
| Underage Alcohol–Related Fatality Investigations | Yes |
| <i>Local law enforcement agencies use:</i> | |
| Cops in Shops | No |
| Shoulder Tap Operations | No |
| Party Patrol Operations or Programs | Yes |
| Underage Alcohol–Related Fatality Investigations | No |
| <i>State has a program to investigate and enforce direct sales/shipment laws</i> | |
| | Yes |
| Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors | Idaho State Police Alcohol Beverage Control |
| Such laws are also enforced by local law enforcement agencies | No |
| Enforcement Statistics | |
| <i>State collects data on the number of minors found in possession</i> | |
| | Yes |
| Number of minors found in possession by state law enforcement agencies | 2,337 |
| Number pertains to the 12 months ending | 12/31/2012 |
| Data include arrests/citations issued by local law enforcement agencies | Yes |
| <i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i> | |
| | Yes |
| Data are collected on these activities | Yes |
| Number of retail licensees in state ³ | 4,801 |
| Number of licensees checked for compliance by state agencies (including random checks) | 160 |
| Number of licensees that failed state compliance checks | 19 |
| Numbers pertain to the 12 months ending | 12/31/2012 |
| Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments | Both on- and off-sale establishments |
| <i>State conducts random underage compliance checks/decoy operations</i> | |
| | Yes |
| Number of licensees subject to random state compliance checks/decoy operations | 160 |
| Number of licensees that failed random state compliance checks | 19 |
| <i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i> | |
| | Yes |
| Data are collected on these activities | No |
| Number of licensees checked for compliance by local agencies | Not applicable |
| Number of licensees that failed local compliance checks | Not applicable |
| Numbers pertain to the 12 months ending | Not applicable |

| Sanctions | |
|---|------------|
| <i>State collects data on fines imposed on retail establishments that furnish minors</i> | Yes |
| Number of fines imposed by the state ⁴ | 63 |
| Total amount in fines across all licensees | \$69,500 |
| Smallest fine imposed | \$250 |
| Largest fine imposed | \$3,000 |
| Numbers pertain to the 12 months ending | 12/31/2012 |
| <i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i> | Yes |
| Number of suspensions imposed by the state ⁵ | 24 |
| Total days of suspensions across all licensees | 184 |
| Shortest period of suspension imposed (in days) | 5 |
| Longest period of suspension imposed (in days) | 30 |
| Numbers pertain to the 12 months ending | 12/31/2012 |
| <i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i> | Yes |
| Number of license revocations imposed ⁶ | 0 |
| Numbers pertain to the 12 months ending | 12/31/2012 |
| Additional Clarification | |
| <p>*DUI saturation patrols are conducted by multiple law enforcement agencies in Idaho. However, we do not receive reporting when an underage person is arrested for DUI. There were approximately 534 DUI arrests for people 19 years old and under in Idaho in 2012. When searched by age, the crime data do not distinguish between people ages 20 to 24 (1,803 DUI arrests in this 20–24 age category) so it is unknown how many 20-year-olds were arrested for DUI. The crime data do not indicate if these are alcohol DUIs or drug DUIs.</p> | |

¹Or having consumed or purchased per state statutes.

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

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

⁴Does not include fines imposed by local agencies.

⁵Does not include suspensions imposed by local agencies.

⁶Does not include revocations imposed by local agencies.

| Underage Drinking Prevention Programs Operated or Funded by the State | |
|---|---|
| <i>Boise State University Regional Alcohol Drug Awareness Resource (RADAR) Center Video and Print Materials Resource Center</i> | |
| Program serves specific or general population | General population |
| Number of youth served | 31,711 youth viewed videos (includes all videos, not just UAD) |
| Number of parents served | No data |
| Number of caregivers served | No data |
| Program has been evaluated | Yes |
| Evaluation report is available | Yes |
| URL for evaluation report: | E-mail RADAR for report |
| URL for more program information: | http://radar.boisestate.edu |
| <p>Program Description: The mission of the RADAR Center is to provide free substance abuse prevention and addiction treatment resources to Idahoans. Funding from the Enforcing Underage Drinking Laws (EUDL) program administered by the Idaho Department of Juvenile Corrections is used specifically to support materials related to underage drinking prevention. EUDL funding is used to purchase underage drinking prevention videos and print materials and to support the operation of the center with an emphasis on the video lending library.</p> | |

| | |
|--|--|
| <p>RADAR resource materials are available to any Idaho resident. However, the underage drinking videos are primarily borrowed by middle and high school educators and school counselors and substance use treatment providers. Therefore, the population for underage drinking materials is primarily middle and high school students. The center keeps track of the number of youth and adults who view these videos. Print materials purchased with EUDL funds are tracked when they are disseminated. The center also keeps track of the number of youth (18 and under) and adults expected to be exposed to the materials.</p> | |
| <p>Idaho Drug Free Youth (IDFY), i2i Student Assembly and i2i: True Confessions of an Idaho Teen</p> | |
| Program serves specific or general population | General population |
| Number of youth served | 5,000 |
| Number of parents served | 600 |
| Number of caregivers served | No data |
| Program has been evaluated | Yes |
| Evaluation report is available | No |
| URL for evaluation report: | Not applicable |
| <p>URL for more program information: http://www.idahodrugfreeyouth.org</p> | |
| <p>Program Description: i2i Student Assembly is an interactive and engaging 3-hour or up to 6-hour program, in which IDFY facilitators lead an assembly of students through a variety of activities and discussions designed to draw diverse students together, create conversation, and help students see eye to eye. Once students see eye to eye, they become more compassionate and understanding. i2i culminates in a sense of mutual support, which leads to healthy decisionmaking and positive change. Through i2i, walls between students break down and students become open to succeeding and seeing others succeed. i2i: True Confessions of an Idaho Teen is an interactive evening presentation designed to educate families regarding the impact of alcohol on teenagers. While creating a nonjudgmental and open atmosphere, this presentation is a hard-hitting and informative program that engages the audience and challenges them to reflect on their beliefs about underage drinking, while learning ways to combat the #1 predictor of underage drinking. This presentation exposes the alcohol industry's attempt to break down and rebuild beliefs and attitudes that young people have toward alcohol. Community members, parents, and students alike will gain a new set of skills and insight and be empowered to face and prevent underage drinking.</p> | |
| <p>Additional Underage Drinking Prevention Programs Operated or Funded by the State</p> | |
| <p>No data</p> | |
| <p>URL for more program information: No data</p> | |
| <p>Program description: No data</p> | |
| <p>Additional Clarification</p> | |
| <p>No data</p> | |
| <p>Additional Information Related to Underage Drinking Prevention Programs</p> | |
| <p><i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i></p> <p>Description of collaboration: EUDL funding is sometimes awarded to Tribal applicants. Furthermore, the EUDL coordinator is a member of the State Advisory Group for juvenile justice (JJ) and a chair of one of Idaho's eight local JJ councils. Another of the councils is made up of representatives from Idaho's Tribes. There are quarterly collaborative meetings.</p> | <p>Yes</p> |
| <p><i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i></p> <p>Description of program: Not applicable</p> | <p>No</p> |
| <p><i>State has adopted or developed best practice standards for underage drinking prevention programs</i></p> <p>Agencies/organizations that established best practices standards:</p> <p>Federal agency(ies):</p> <p>Agency(ies) within your state:</p> <p>Nongovernmental agency(ies):</p> | <p>No</p> <p>No data</p> <p>No data</p> <p>No data</p> |

| | |
|--|---------|
| Other: Best practice standards description: Not applicable | No data |
| Additional Clarification | |
| Although there is no requirement that EUDL programs be certified as “best practice,” recipients of funds are required to identify the research basis of their proposed strategies. | |

| | |
|---|-----|
| State Interagency Collaboration | |
| <i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i> | Yes |
| <i>Committee contact information:</i> Name: Elisha Figueroa E-mail: elisha.figueroa@odp.idaho.gov Address: 304 N 8th Street, Room 455, Boise, ID 83720 Phone: 208-854-3040 | |
| <i>Agencies/organizations represented on the committee:</i> Office of Drug Policy Department of Juvenile Corrections Department of Health & Welfare Department of Education Community Coalitions of Idaho Alcohol Beverage Control Idaho State Police Boise Police Department Idaho Division of Liquor RADAR Center | |
| <i>A website or other public source exists to describe committee activities</i> URL or other means of access: Not applicable | No |

| | |
|---|-----|
| Underage Drinking Reports | |
| <i>State has prepared a plan for preventing underage drinking in the last 3 years</i> Prepared by: Idaho Office of Drug Policy in coordination with the Underage Drinking Workgroup and State Strategic Prevention Committee Plan can be accessed via: E-mail Office of Drug Policy for logic model and action plan: gayle.hines@odp.idaho.gov | Yes |
| <i>State has prepared a report on preventing underage drinking in the last 3 years</i> Prepared by: Idaho Department of Juvenile Corrections and Office of Drug Policy Plan can be accessed via: EUDL application process and http://www.odp.idaho.gov or http://www.betheparents.org | Yes |
| Additional Clarification | |
| None | |

| | |
|---|--------------------|
| State Expenditures for the Prevention of Underage Drinking | |
| <i>Compliance checks in retail outlets:</i> | |
| Estimate of state funds expended | \$7,840 |
| Estimate based on the 12 months ending | 12/31/2012 |
| <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: | |
| Estimate of state funds expended | Data not available |
| Estimate based on the 12 months ending | Data not available |

Funds Dedicated to Underage Drinking

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

| | |
|--------|----|
| Taxes | No |
| Fines | No |
| Fees | No |
| Other: | No |

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

Additional Clarification

*ISP ABC does not have an individual budget category for underage compliance operations. Underage compliance operations are conducted by ISP ABC. Seven 8-hour days of underage compliance operations were conducted by ISP ABC in 2012. The dollar estimate stated in the survey was based on the following: 56 hours (seven 8-hour days) of underage drinking operations conducted in 2012. Four officers @ \$30 per hour = \$6,720; two minors @ \$10 per hour = \$1,120 totaling approximately \$7,840.
*Checkpoints are not allowed in Idaho.