

Minnesota State Laws

Communities directly benefit when underage drinking is prevented or cited. Diligent enforcement results in fewer traffic crashes, fatalities, serious injuries, homicides, suicides, assaults, rapes, and other criminal activity that requires enforcement and emergency medical response.

M.S.169A.33 (Not A Drop)

It is illegal for a person under age 21: To operate a motor vehicle while consuming alcoholic beverages or the physical condition of having ingested an alcoholic beverage. If a person's alcohol-concentration level is 0.08 or more, regular DWI laws apply instead of the underage consumption while driving offense.

M.S.340A.415

A commercial licensee can be fined up to \$2,000 and/or license suspension or revocation, for selling or distributing alcoholic beverages to a person under the age of 21.

M.S.340A.503 Subd. 1

It is illegal: For a liquor establishment to permit any person under the age of 21 years to drink alcoholic beverages on the licensed premises.

M.S.340A.503 Subd. 2

It is illegal for a person: To sell, barter, furnish or give alcoholic beverages to a person under the age of 21.

M.S.340A.503 Subd. 3

It is illegal for a person under the age of 21: To possess any alcoholic beverage with the intent to consume it, unless that person is in their home and under the supervision of a parent or guardian.

M.S. 340A.503 Subd.4

It is illegal for a person under the age of 21: To enter a liquor establishment for the purposes of purchasing or being served an alcoholic beverage.

M.S. 340A.503 Subd. 5

It is illegal for a person under the age of 21: To claim to be 21 years of age or older for the purposes of purchasing alcoholic beverages.

M.S. 340A.507 Subd. 4

It is illegal: For a manufacturer, wholesaler or retailer of alcoholic beverages to conduct, sponsor or contribute financially to activities that are held on college campuses or other post-secondary institutions of learning, that involve the consumption or sale of alcoholic beverages.

M.S. 340A.701

It is illegal: For a licensed retailer to provide alcohol to a minor. If the minor suffers great bodily harm or death as a result of intoxication, the provider can be charged with a felony.

M.S. 340A.801

It provides for common law tort: Against any person 21 years old or older who knowingly provides or furnishes alcoholic beverages to a person under the age of 21 years.

M.S. 340A.90 (Civil Liability, Cause of Action)

A statutory cause of action has been created: For any person injured by an intoxicated person under age 21, giving the injured party the right of civil third-party liability action for damages, excluding homeowners' insurance coverage.

Who to Contact

Every Minnesotan can help reduce underage drinking and its negative consequences. Know the law, hold youth and adults responsible for their behavior, and work with concerned groups. For information, contact:

- Minnesota Department of Public Safety Alcohol and Gambling Enforcement Division
651-201-7500 or age.dps.mn.gov
- Mothers Against Drunk Driving Minnesota (MADD)
651-523-0802 or madd.org
- Local community coalitions and law enforcement agencies

WHAT'S THE BIG DEAL?

Underage Drinking in Minnesota

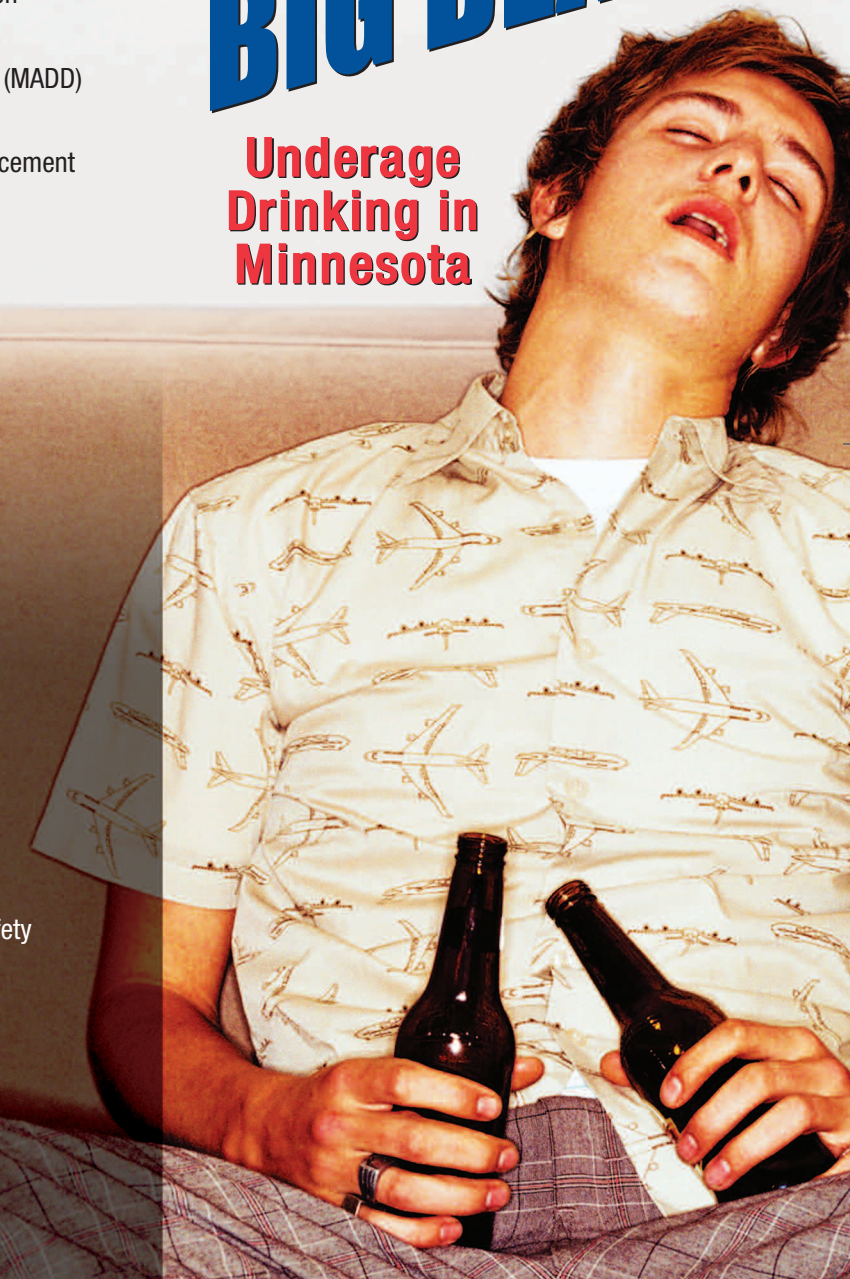


Minnesota Department of Public Safety
Office of Traffic Safety
445 Minnesota Street
St. Paul, MN 55101

ots.dps.mn.gov

PI 6504 • 7/2015

This information is only a guide and should not be considered legal advice.



The Consequences of Drinking Outweigh the Experience.

What's the Big Deal?

Underage alcohol use is a big deal — and directly related to criminal behavior and serious social and health problems such as:

- Suicide and homicide.
- Traffic crashes, injuries and fatalities.
- Unprotected or unwanted sex, teen pregnancy, sexually transmitted diseases including HIV/AIDS and assaults.
- Withdrawal, depression and emotional/psychological difficulties.
- School delinquency, failure and dropout.

Half Empty or Half Full?

A Social Context For Underage Drinkers

Alcohol is the most commonly used drug among young people — more than tobacco and much more than marijuana. Many adults turn a blind eye to underage drinking, citing use in their own youth. But the world is very different from a generation ago, and today's socio-economic changes dramatically impact youth:

- More have jobs and their own income.
- More have cars, increasing their mobility.
- More live in single-parent or dual income households, resulting in more unsupervised time and activities.
- More youth participate in “competitive” drinking games like beer pong, drinkopoly, flip the cup, and others that encourage binge drinking.
- Hard liquor is the “drink of choice” for youth, over beer and other alcoholic beverages.

Chugging Ahead...

The following are results of a 2013 Minnesota Student Survey conducted by the Minnesota Department of Health, Human Services and Public Safety.

- Fifty-eight percent of youth report trying alcohol by the time they are a junior in high school
- Forty-two percent of high school juniors report drinking before age 16.
- Just 56 percent of juniors said they have not had any alcohol during the past year.
- During the past 30 days, 16 percent of juniors have consumed five or more drinks within a couple of hours on one occasion (binge drinking).

Good to the Last Drop

Too often youth take drinking to a disturbing and dangerous extreme. Alcohol use, especially binge drinking (consuming five or more (male), or four or more drinks (female), on the same occasion), contribute to:

- Suicide and death — one-third of all suicides involve alcohol.
- Traffic deaths and severe injuries — nearly one in five traffic fatalities among 16-20-year-olds are drunk driving related.

The Hangover

The legal and financial consequences of underage drinking are great:

- A DWI offense can result in loss of license for up to a one year, thousands of dollars in costs, possible jail time, and increased insurance rates. A DWI stays on a person's record for life.
- A driver cited for underage drinking can face up to 90 days in jail and/or a maximum \$1,000 fine. The offense would stay on your record for 10 years.
- Trying to purchase alcohol with a fake ID can result in loss of driving privileges for at least 90 days and a fine.
- An increasing number of Minnesota communities have social host ordinances that make it a criminal misdemeanor to host an event or gathering where persons under 21 years of age possess or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol.

Alcohol: Not a Pitcher of Health

Alcohol contributes to serious health problems and physical consequences — especially among youth and teens:

- Sexual dysfunction, reproductive system disorders, fetal effects and spontaneous abortion.
- Brain damage to the decision-making and reasoning areas of the brain, which are still developing during the teen years.
- Loss of brain cells, resulting in the loss of ability to acquire and store memories.

Underage Drinking Isn't Just About the Kids

Adults who provide alcohol to a person under 21 years of age will be held responsible and suffer serious criminal and legal consequences. Adults who provide alcohol to an underage person will be charged with a gross misdemeanor, and can go to jail for up to one year and be fined up to \$3,000. If an adult provides alcohol to an underage person and that person is killed or injured or kills or injures someone else, the adult can be charged with a felony and face time in prison.

Adults who provide alcohol are also subject to civil liability in cases of injury, property damage or death. Civil liability is not covered by most insurance.

Adults and parents both face dramatic rate increases in their insurance coverage due to their role in damages resulting from underage drinking.

