

Exhibit 4.3.34: Number of States with Keg Registration Laws, January 1, 2003, through January 1, 2011***References and Further Information***

All data for this policy were obtained from APIS at <http://www.alcoholpolicy.niaaa.nih.gov>. Follow links to the policy entitled “Keg Registration.” APIS provides further descriptions of this policy and its variables, details regarding State policies, and a review of the limitations associated with the reported data. To see definitions of the variables for this policy, go to Appendix B.

18. HOME DELIVERY***Policy Description***

Home delivery restrictions prohibit or limit the ability of alcohol retailers to deliver alcoholic beverages to customers who are not present at their retail outlet. The University of Minnesota Alcohol Epidemiology Program notes that home delivery of alcohol may increase alcohol availability to youth by increasing opportunities for underage persons to subvert minimum age purchase requirements. Ordering by phone, fax, or email may facilitate deception. Delivery persons may have less incentive to check purchasers’ age identification when they are away from the licensed establishment and cannot be watched by a surveillance camera, the liquor store’s management, or other customers.

Research on home delivery of alcohol is limited. One study examined the use of home delivery by adult males. The authors report that regular drinkers without a history of alcohol problems were significantly less likely to have had alcohol delivered than problem drinkers. Another study found similar results for underage drinkers. Ten percent of 12th graders and 7 percent of 18- to 20-year-olds in 15 midwestern communities reported they obtained alcohol through delivery services in the last year. Use of delivery services was more prevalent among young males and among more frequent, heavier drinkers.

A State Home Delivery law may:

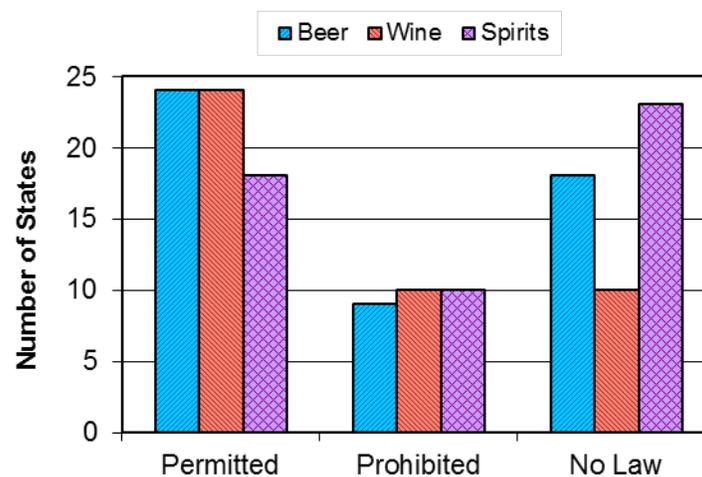
- Specifically prohibit or permit the delivery of beer, wine, and/or spirits to residential addresses, hotel rooms, conference centers, etc.
- Permit home delivery, but with restrictions, including:
 - Limits on the quantity that may be delivered;
 - Limits on the time of day or days of the week when deliveries may occur;
 - A requirement that the retail merchant obtain a special license or permit.

In some States that allow home delivery, local ordinances may restrict or ban home delivery in specific sub-State jurisdictions.

Status of Home Delivery Policies

Exhibit 4.3.35 shows the number of States that permit, prohibit, or have no law regarding home delivery of beer, wine, and spirits. As can be seen in the Exhibit, 18 States permit home delivery of all three beverages, 9 prohibit delivery of all three, and 16 have no law for any beverage. Eight States have different laws for different beverages: Five States (North Carolina, New Hampshire, Oregon, Virginia, and Washington) permit delivery of beer and wine, but have no law regarding spirits, and Kentucky prohibits home delivery of wine and spirits but has no law regarding beer. Louisiana permits home delivery of wine but has no law regarding beer and spirits.

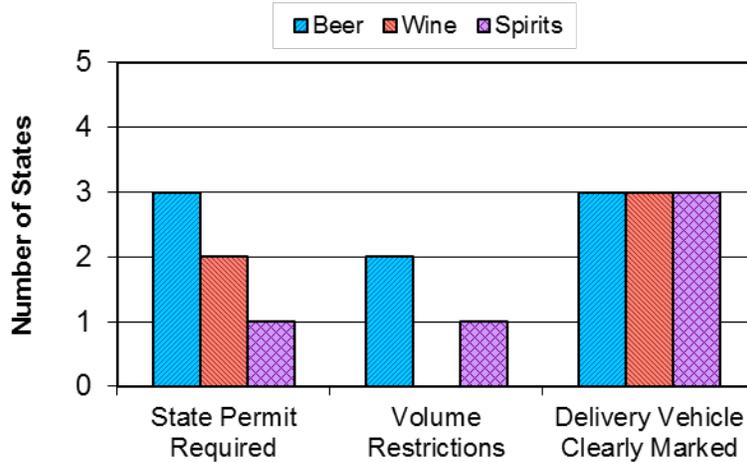
Exhibit 4.3.35: Home Delivery of Beer, Wine, and Spirits



Of the 24 States that permit home delivery of *beer and wine*, 10 place at least one restriction on retailers. Of the 18 States that permit home delivery of *spirits*, eight place at least one restriction on retailers. Exhibit 4.3.36 shows the distribution of those restrictions imposed by two or more States on home delivery laws: (1) a State permit is required (Colorado, Texas, and Virginia), (2) volumes that can be delivered are restricted (Indiana, New York, and Virginia), and (3) the delivery vehicle must be clearly marked (New Jersey, New York, and Texas). Three additional States that permit delivery of beer, wine, and spirits place a single, unique restriction on retailers: (1) Orders must be in writing (Alaska), (2) written information on Fetal Alcohol Syndrome must accompany the delivered product (Alaska), and (3) a local permit is required to deliver to the

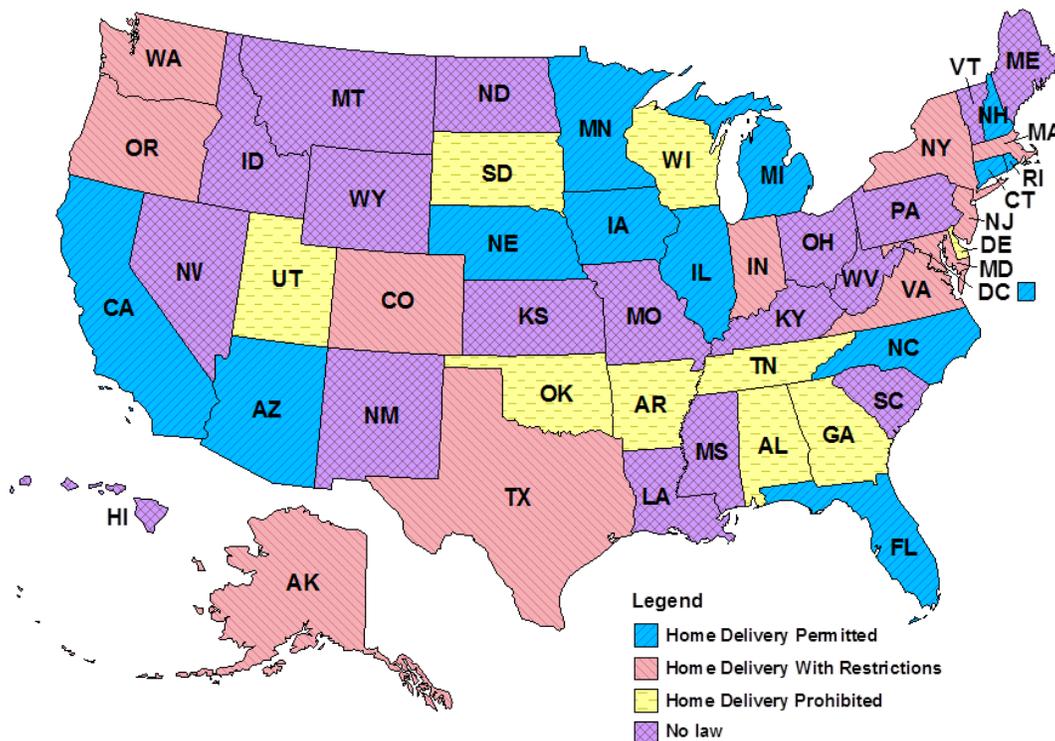
retailer’s county or city (Maryland). One State (Washington) that permits delivery of beer and wine requires a special license only for Internet orders. Massachusetts requires that each vehicle used for transportation and delivery have a State-issued permit. Oregon requires “for hire” carriers to be approved by the State.

Exhibit 4.3.36: Restrictions Imposed by Two or More States on Delivery of Beer, Wine, and Spirits



Exhibits 4.3.37 through 4.3.39 summarize the status of home delivery for beer, wine, and spirits as of January 1, 2011.

Exhibit 4.3.37: Beer



Trends in Home Delivery Policies

Between 2010 and 2011, no State changed its home delivery policies.

References and Further Information

Legal research and data collection for this topic are planned and managed by SAMHSA and conducted under contract by The CDM Group, Inc. To see definitions of the variables for this policy, go to Appendix B. For further information and background see:

<http://www.epi.umn.edu/alcohol/policy/homdeliv.shtm>

Fletcher, L. A., Nugent, S. M., Ahern, S. M., & Willenbring, M. L. (1996). Brief report. The use of alcohol home delivery services by male problem drinkers: a preliminary report. *J Substance Abuse, 8*(2), 251–261.

Fletcher, L. A., Toomey, T. L., Wagenaar, A. C., Short, B., & Willenbring, M. L. (2000). Alcohol home delivery services: A source of alcohol for underage drinkers. *J Stud Alcohol, 61*, 81–84.

Alcohol Pricing Policies

19. ALCOHOL TAXES

Policy Description

There is ample evidence that the “economic availability” of alcoholic beverages (i.e., retail price) has an impact on underage drinking and a wide variety of related consequences. The Surgeon General’s *Call to Action*³⁶ includes economic availability as a strategy in the context of increasing the cost of underage drinking, which includes the price, time, effort, and resources required for young people to obtain alcohol as well as penalties associated with its use.

Chaloupka and colleagues (2002)³⁷ report effects of price on underage drinking, college drinking, and binge drinking (including drinking among youth who show signs of alcohol use disorders). They also report significant effects on youth traffic crashes, violence on college campuses, and crime among people under 21. Although alcohol taxes are an imperfect index of retail prices, tax rates are relatively easy to measure and provide a useful proxy for economic availability.

Based on this and other research, the National Research Council/IOM Report, *Reducing Underage Drinking: A Collective Responsibility*, made the following recommendation: “[S]tate legislatures should raise excise taxes to reduce underage consumption and to raise additional revenues for this purpose.”³⁸

³⁶ <http://www.surgeongeneral.gov/topics/underagedrinking/calltoaction.pdf>

³⁷ Chaloupka, F., Grossman, M., & Saffer, H. (2002). The effects of price on alcohol consumption and alcohol-related problems. *Alcohol Research & Health, 26*.

³⁸ National Research Council and Institute of Medicine. (2003). *Reducing underage drinking: A collective responsibility*. Washington, DC: National Academies Press.