



Hawaii

State Profile and Underage Drinking Facts

State Population: 1,360,301
Population Ages 12–20: 143,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	24.7	35,000
Past-Month Binge Alcohol Use	17.0	24,000
Ages 12–14		
Past-Month Alcohol Use	7.6	3,000
Past-Month Binge Alcohol Use	4.6	2,000
Ages 15–17		
Past-Month Alcohol Use	20.7	10,000
Past-Month Binge Alcohol Use	12.3	6,000
Ages 18–20		
Past-Month Alcohol Use	44.2	22,000
Past-Month Binge Alcohol Use	32.9	16,000
Alcohol-Attributable Deaths (under 21)		Number 12
Years of Potential Life Lost (under 21)		699

	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	74.0	15

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited with the following exception(s):

- Private location

Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s):

- Private location

Internal Possession by Minors

Internal possession is not explicitly prohibited.

Note: Hawaii has a statutory provision stating that, “[n]o minor shall consume or purchase liquor and no minor shall consume or have liquor in the minor’s possession or custody in any public place, public gathering, or public amusement, at any public beach or public park, or in any motor vehicle on a public highway” and that “‘consume’ or ‘consumption’ includes the ingestion of liquor” (Haw. Rev. Stat. § 281-101.5). Laws that prohibit minors from having alcohol in their bodies, but which do so without reference to a blood, breath, or urine test, are not considered as prohibiting internal possession, for purposes of this report.

Underage Purchase of Alcohol

Purchase is prohibited, but youth may 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.

Provisions Targeting Retailers

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- General affirmative defense—the retailer came to a good faith or reasonable decision that the purchaser was 21 years or older; inspection of an identification card not required.

Note: In Hawaii, the retailer has a defense to a charge of furnishing to a minor if, in making the sale or allowing the consumption of liquor by a minor, the retailer was misled by the appearance of the minor and the attending circumstances into honestly believing that the minor was of legal age, and if the retailer can prove that he or she acted in good faith.

Laws Targeting Underage Drinking and Driving

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”)

Provisions apply to minors under age 18.

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

- Discretionary

Length of Suspension/Revocation

- Minimum: 180 days
- Maximum: Not specified

Provisions Applicable to Minors Ages 18 to 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: 180 days
- Maximum: Not specified

Graduated Driver’s License

Learner Stage

- Minimum entry age: 15 years, 6 months
- Minimum learner-stage period: 6 months
- Minimum supervised driving requirement: 50 hours—10 of which must be at night

Intermediate Stage

- Minimum age: 16
- Unsupervised night driving
 - Prohibited after: 11 p.m.
 - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one passenger under 18, except household members, unless accompanied by parent or guardian
 - Primary enforcement of the passenger-restriction rule

License Stage

- Minimum age to lift restrictions: 17

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors

Furnishing is prohibited with the following exception(s):

- Parent/guardian

Compliance Check Protocols

No data

Penalty Guidelines for Sales to Minors

No data

Responsible Beverage Service

No beverage service training requirement

Minimum Ages for Off-Premises Sellers

- Beer: 18
- Wine: 18
- Spirits: 18

Condition(s) That Must Be Met in order for an Underage Person To Sell Alcoholic Beverages

- Manager/supervisor is present.

Note: Liquor can be sold by persons 18 to 20 years of age only in licensed establishments where selling or serving the intoxicating liquor is part of the minor’s employment, and where there is proper supervision of these minor employees to ensure that the minors shall not consume the intoxicating liquor.

Minimum Ages for On-Premises Sellers

- Beer: 18 for both servers and bartenders
- Wine: 18 for both servers and bartenders
- Spirits: 18 for both servers and bartenders

Condition(s) That Must Be Met in order for an Underage Person To Sell Alcoholic Beverages

- Manager/supervisor is present.

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

Dram Shop Liability

- There is no statutory liability.
- The courts recognize common law dram shop liability.

Social Host Liability Laws

Statutory liability exists subject to the following conditions:

- Limitations on who may be sued: Social host must be age 21 or older.

Host Party Laws

Social host law is not specifically limited to underage drinking parties

- Action by underage guest that triggers violation: Possession
- Property type(s) covered by liability law: Residence, outdoor, other
- Standard for hosts' knowledge or action regarding the party: Knowledge—host must have actual knowledge of the occurrence
- Exception(s): Family

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: None

Shipping Label Statement Requirements

- Contains alcohol
- Recipient must be 21

Note: Any adult may obtain a State permit to receive one shipment of beer, wine, or distilled spirits per year for personal use from outside the State, not to exceed 5 gallons. Only one permit is allowed per household.

Keg Registration

Not required

Alcohol Pricing Policies**Home Delivery**

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

Alcohol Tax

- Beer (5 percent alcohol): Specific excise tax is \$0.93 per gallon (\$0.54 per gallon for containers of 7 gallons or more).

- Wine (12 percent alcohol): Specific excise tax is \$1.38 per gallon.
- Spirits (40 percent alcohol): Specific excise tax is \$5.98 per gallon.

Drink Specials

No law

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Retailer credit: Restricted—30 days maximum

Wine (12 percent alcohol)

- Retailer credit: Restricted—30 days maximum

Spirits (40 percent alcohol)

- Retailer credit: Restricted—30 days maximum

Hawaii State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Honolulu Liquor Commission and Honolulu Police Department	
<i>Methods by which local and State enforcement agencies coordinate their efforts to enforce laws prohibiting underage drinking:</i> The Alcohol and Drug Abuse Division and the County's Police Department coordinate efforts to conduct off-premises (retail) compliance checks. In addition, Kauai is the only island that coordinates efforts to conduct compliance checks of restaurants and bars with the Alcohol and Drug Abuse Division. The University of Hawaii Cancer Center provides the Alcohol and Drug Abuse Division with scheduling of compliance checks and also conducts our Random Sample Survey.	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No
<i>Local law enforcement agencies use:</i>	
Cops in Shops	Yes
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary State agency responsible for enforcing laws addressing direct sales/shippments of alcohol to minors	Not applicable
Such laws are also enforced by local law enforcement agencies	Yes
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession ¹ by State law enforcement agencies	141
Number pertains to the 12 months ending	12/31/2010
Data include arrests/citations issued by local law enforcement agencies	Unknown
<i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by State agencies	259
Number of licensees that failed State compliance checks	30
Numbers pertain to the 12 months ending	12/31/2009
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by local agencies	450
Number of licensees that failed local compliance checks	103
Numbers pertain to the 12 months ending	12/31/2010
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the State ³	No data
Total amount in fines across all licensees	No data
Numbers pertain to the 12 months ending	No data
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	
Number of suspensions imposed by the State ⁴	No data
Total days of suspensions across all licensees	No data
Numbers pertain to the 12 months ending	No data

<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Unknown
Number of license revocations imposed ⁵	No data
Numbers pertain to the 12 months ending	No data
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 Does not include fines imposed by local agencies

⁴ Does not include suspensions imposed by local agencies

⁵ Does not include revocations imposed by local agencies

Underage Drinking Prevention Programs Operated or Funded by the State: Programs SPECIFIC TO Underage Drinking	
Enforcing Underage Drinking Laws Program	
Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Numbers pertain to the 12 months ending	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	No data
Program description: The Enforcing Underage Drinking Laws (EUDL) Program supports and enhances efforts by our coalitions to prohibit the sale of alcoholic beverages to minors and the purchase and consumption of alcoholic beverages by minors. (Minors are defined as individuals under 21 years old.)	
Strategic Prevention Framework—State Incentive Grant	
Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Numbers pertain to the 12 months ending	No data
Program has been evaluated	No data
Evaluation report is available	No data
URL for evaluation report	No data
URL for more program information	No data
Program description: The purpose of the Hawaii Strategic Prevention Framework—State Incentive Grant (HSPF-SIG) is to improve the quality of life for Hawaii citizens of all ages by preventing and reducing their abuse of and dependence on alcohol and drugs.	
Sober Truth on Preventing Underage Drinking (STOP) Act Coalition for Drug Free Hawaii	
Number of youth served	1,330
Number of parents served	2,000
Number of caregivers served	60
Numbers pertain to the 12 months ending	12/31/2010
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	No data
Program description: The purpose of this program is to prevent and reduce alcohol use among youth in the Ewa, Hawaii, community. It was created to strengthen collaboration among the coalition-formed EWAlution and to use state-of-the-art practices and initiatives that have proven to be effective in preventing and reducing alcohol use among youth.	

Mothers Against Drunk Driving (MADD)—Hawaii	
Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Numbers pertain to the 12 months ending	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	http://maddhawaii.com
<p>Program description: MADD Hawaii offers free support services to injured victims of impaired driving crashes and to bereaved families and friends of those killed or injured in highway crashes. MADD Hawaii has helped pass scores of new laws to strengthen the State's impaired-driving statutes, prevent underage drinking, and give victims of impaired-driving crashes more voice. MADD has underage drinking prevention programs available for high school students (Youth in Action), elementary school children (Protecting You Protecting Me), and college students (UMADD). MADD Hawaii has offices in Honolulu and Hilo and programs operating on Maui and Kauai. MADD Hawaii has been conducting its signature holiday red ribbon campaign, "Tie One on for Safety," for over 20 years. Over 400,000 ribbons are distributed annually for people to display on their vehicles as a pledge that they will be a safe and sober driver.</p>	

Underage Drinking Prevention Programs Operated or Funded by the State: Programs RELATED TO Underage Drinking	
None listed	
URL for more program information	Not applicable
Program description: Not applicable.	
Additional Information Related to Underage Drinking Prevention Programs	
<i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i>	No recognized Tribes
Program description: Not applicable.	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Program description: Not applicable.	
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Best practice standards description: On- and off-premises compliance checks	
Additional Clarification	
No data	
State Interagency Collaboration	
<i>A State-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<p><i>Committee contact information:</i> Name: Val Mariano Email: valerie.s.mariano@hawaii.gov Address: 235 South Beretania St. #401, Honolulu, HI 96813-2419 Phone: 808-586-1444</p>	
<p><i>Agencies/organizations represented on the committee:</i> Hawaii Department of Transportation Advocacy Organization Alcohol and Drug Abuse Division Department of the Attorney General Liquor Control Board County Police Departments Department of Land and Natural Resources</p>	

Mothers Against Drunk Driving Coalition for Drug Free Hawaii Department of Defense—Hawaii Army National Guard	
A Web site or other public source exists to describe committee activities URL or other means of access	No Not applicable
Underage Drinking Reports	
State has prepared a plan for preventing underage drinking in the last 3 years Prepared by: Hawaii Partnership to Prevent Underage Drinking (HPPUD) Coalition Plan can be accessed via	Yes No data
State has prepared a report on preventing underage drinking in the last 3 years Prepared by: Alcohol and Drug Abuse Division Plan can be accessed via: http://hawaii.gov/health/substance-abuse/prevention-treatment/survey/adsurv.htm	Yes
Additional Clarification	
No data	
State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks/decoy operations in retail outlets:</i>	
Estimate of State funds expended Estimate based on the 12 months ending	\$267,000 05/31/2010
<i>Checkpoints and saturation patrols:</i>	
Estimate of State funds expended Estimate based on the 12 months ending	Data unavailable Data unavailable
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of State funds expended Estimate based on the 12 months ending	\$17,779,050 06/30/2010
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of State funds expended Estimate based on the 12 months ending	Data unavailable Data unavailable
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of State funds expended Estimate based on the 12 months ending	Data unavailable Data unavailable
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of State funds expended Estimate based on the 12 months ending	Data unavailable Data unavailable
<i>Programs that target youth in the child welfare system:</i>	
Estimate of State funds expended Estimate based on the 12 months ending	Data unavailable Data unavailable
<i>Other programs:</i>	
Programs or strategies included Estimate of State funds expended Estimate based on the 12 months ending	No data No data No data
Funds Dedicated to Underage Drinking	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes Fines Fees Other	No No No No data
<i>Description of funding streams and how they are used:</i> No data	
Additional Clarification	
No data	