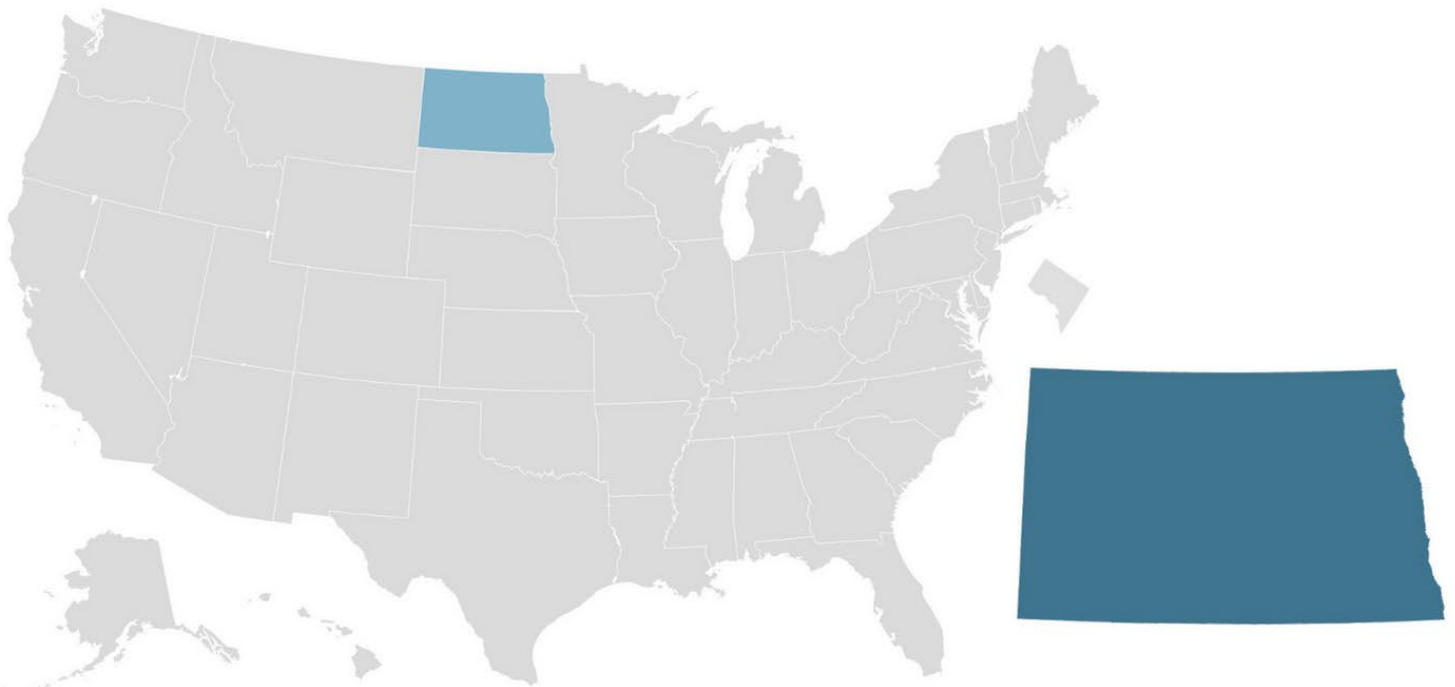




SAMHSA
Substance Abuse and Mental Health
Services Administration

North Dakota

2022 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



ICCPUD

**THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

ICCPUD

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), 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), chaired by Miriam Delphin-Rittmon, Ph.D., 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 2020 and 2021. Regional and state profile data were drawn from the most recently available federal survey data as of 2020. State legal data reflect the status of the law as of January 1, 2021. State survey data, collected in 2021, 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 2017 through 2020 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2021). 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 (updated May 2022) served as the resource for data about alcohol-attributable deaths from 2015–2019 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 2020 data used to present statistics about fatalities among 15- to 20-year-old drivers. State legal policy data were obtained from the following sources: 1) the National Institute on Alcohol Abuse and Alcoholism’s Alcohol Policy Information System (APIS) website (<https://alcoholpolicy.niaaa.nih.gov/>); 2) legal research planned and managed by the ICCPUD.

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NORTH DAKOTA



SAMHSA
Substance Abuse and Mental Health
Services Administration

THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)



North Dakota

State Population: 765,309

Population Ages 12–20: 91,000

Past-Month Alcohol Use	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	24,000 (25.9%)
Past-Month Binge Alcohol Use – Number (Percentage)	16,000 (17.3%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	1,000 (3.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	1,000 (2.1%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	4,000 (16.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	2,000 (8.5%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	19,000 (51.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	13,000 (35.7%)
Adults Ages 21+	
Past-Month Alcohol Use – (Percentage)	323,000 (61.1%)
Past-Month Binge Alcohol Use – (Percentage)	172,000 (32.5%)
Average Age of Initiation	
Average Age of Initiation	16.5
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21 ¹	
Alcohol-Attributable Deaths (under 21)	9
Years of Potential Life Lost (under 21)	540
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% ²	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	4
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	43%

¹ The Alcohol-Related Disease Impact Application was updated May 2022 to reflect new methodology for calculating the average annual alcohol-attributable deaths, and it reflects national and state annual averages from 2015–2019.

² 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 Services Overview¹

The Behavioral Health Division within the Department of Human Services serves as the State Mental Health Authority (SMHA), State Substance Abuse Authority (SSA), and the State Opioid Treatment Authority (SOTA). The Behavioral Health Division (NDCC 50-06-01.4) is a policy division responsible for reviewing and identifying service needs and activities in the state's behavioral health system to ensure health and safety, access to services, and quality of services. The Division is also responsible for establishing quality assurance standards for the licensure of substance use disorder program services and facilities and providing policy leadership in partnership with public and private entities. The Behavioral Health Division does not provide direct services, rather the role of the Division is to ensure health and safety and access to a wide range of quality behavioral health services across the state.

The Field Services Division within the Department of Human Services operates eight regional human service centers, the State Hospital and the Life Skills and Transition Center. During the 2017 Legislative Session, Senate Bill 2039 (NDCC 50-06-01.4) further defined the purpose of the service delivery division within the Department of Human Services. This service delivery division is responsible for providing chronic disease management, regional intervention services, and twenty-four-hour crisis services for individuals with behavioral health disorders. Each human service center serves a designated multi-county area, providing mental health services, substance abuse treatment, disability services, and other human services. The regional human service centers are the access point for State Hospital admissions. Open access walk-in behavioral health assessments have been implemented throughout many of the human service centers on certain days and times of the week. During these times, individuals can walk in and meet with a triage specialist and the business office and are then connected to services. Those with acute, severe symptoms are served right away. Others may be served within one to several days or may be referred to other community behavioral health service providers.

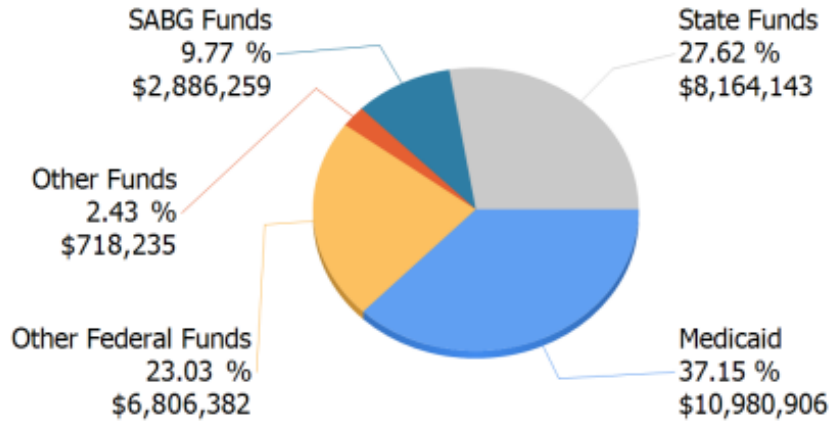
Delivering human services involves a partnership between the Department, counties, tribes, and service providers. In addition to providing direct services themselves, the regional human service centers also contract with private non-profit providers for crisis residential services, most residential services, as well as the Recovery Centers.

North Dakota's public health system is decentralized with 28 independent local public health units working in partnership with the North Dakota Department of Health. The 28 local public health units are organized into single or multi-county health districts, city/county health departments or city/county health districts. Seventy-five percent of the local health units serve single county, city or combined city/county jurisdictions, while the other twenty-five percent serve multi-county jurisdictions. The majority of the multi-county jurisdictions reside in the western part of the state. In this decentralized approach, the units are required to meet state standards and follow state laws and regulations, but they can exercise their own powers and have administrative authority to make decisions to meet their local needs.

¹ Extracted from fiscal year (FY) 2022/2023 – (North Dakota) State Behavioral Health Assessment and Plan, SABG, 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.

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2022-2023, North Dakota designated decreasing alcohol use among high school students as part of the number one priority for use of SABG funds.³

Exhibit 1: Sources of North Dakota’s 2021 Expenditures for Substance Abuse Prevention and Treatment



³ FY 2022/2023 – (North Dakota) 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.

State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details North Dakota'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 underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into six categories:

- underage possession or purchase of alcohol
- underage drinking and driving
- alcohol availability
- sales and delivery to consumers at home
- alcohol pricing
- enforcement policies

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:

- enforcement programs to promote compliance with underage drinking laws and regulations
- programs targeted to youth, parents, and caregivers to deter underage drinking
- state interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns
- state expenditures on the prevention of underage drinking

Underage Possession or Purchase of Alcohol

North Dakota-Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> • Is possession allowed if parent or guardian is present or consents? • Is possession allowed if spouse is present or consents? 	No No
Is there an exception based on location?	No

North Dakota-Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> • Is consumption allowed if parent or guardian is present or consents? • Is consumption allowed if spouse is present or consents? 	No No
Is there an exception based on location?	No

North Dakota-Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> • Is internal possession allowed if parent or guardian is present or consents? • Is internal possession allowed if spouse is present or consents? 	N/A N/A
Is there an exception based on location?	N/A
Notes: North Dakota has a statutory provision that prohibits an individual under 21 from having "recently consumed" an alcoholic beverage. N.D. Cent. Code § 5-01-08. 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.	

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

North Dakota-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?	No
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
Do state statutes or regulations mandate that state driver’s licenses for persons under 21 be easily distinguishable from licenses for persons 21 and over?	Yes
May the retailer seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
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 the retailer detain a minor who used a false ID?	No

Underage Drinking and Driving

North Dakota-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?	0.02
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?	0
What is the maximum age to which the limit applies?	21

North Dakota-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?	No
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	N/A
• Possession of alcohol	N/A
• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

North Dakota-Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	14
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	12 (6 months if driver is 16 or over)
What is the minimum number of hours of driving with parents, guardians or adults before advancing to intermediate stage?	50
Intermediate Stage	
What is the minimum age for driving without adult supervision?	15
For night driving, when does adult supervision requirement begin?	Later of sunset or 9:00 PM
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes
Are there restrictions on passengers?	No
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	N/A
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16

Alcohol Availability

North Dakota-Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes

Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> Is furnishing allowed if the parent or guardian supplies the alcohol? Is furnishing allowed if the spouse supplies the alcohol? 	No No
Is there an exception based on location?	No
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

North Dakota-Responsible Beverage Service (RBS) —Voluntary	
Is there a state law pertaining to Beverage Service Training?	Yes, voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
<ul style="list-style-type: none"> Defense in dram shop liability lawsuits 	No
<ul style="list-style-type: none"> Discounts in dram shop liability insurance, license fees, or other 	No
<ul style="list-style-type: none"> Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons 	Yes
<ul style="list-style-type: none"> Protection against license revocation for sales to minors or sales to intoxicated persons 	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Unspecified
Does the RBS law apply to new or existing licensees?	Unspecified

North Dakota-Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present when an underage person is selling beverages?	N/A

North Dakota-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	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present when an underage person is selling beverages?	Yes
Notes: Any person who is 18 years of age or older but under 21 years of age may be employed by the restaurant to serve and collect money for alcoholic beverages if the person is under the direct supervision of a person 21 or more years of age but may not be engaged in mixing, dispensing, or consuming alcoholic beverages.	

North Dakota-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)?	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

North Dakota-Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (knowledge of underage status)
Does common law dram shop liability exist?	No
Notes: If a retail licensee is found liable and exemplary damages are sought, the finder of fact may consider as a mitigating factor that the licensee provided to an employee alcohol server training that addressed intoxication, drunk driving, and underage drinking.	

North Dakota-Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (knowledge of underage status)
Does common law social host liability exist?	No

North Dakota-Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

North Dakota-Keg Registration	
How is a keg defined (in gallons)?	Greater than 6.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No
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?	No

North Dakota-High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

Sales and Delivery to Consumers at Home

North Dakota-Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Permitted
Wine	Permitted
Spirits	Permitted

North Dakota-Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, wine, and distilled spirits
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?	No
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	No
Must the label state "Recipient must be 21 years old"?	Yes

North Dakota-Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law

North Dakota- Direct to Consumer	
Is there a policy allowing on-premises retailers to deliver alcohol to a consumer at home?	No
Which on-premises retailers can provide delivery of alcoholic beverages? <ul style="list-style-type: none"> • Restaurant • Bar license • Third party license 	N/A N/A N/A
Which types of alcohol are permitted to be delivered? <ul style="list-style-type: none"> • Beer • Wine • Spirits • Mixed Drinks 	N/A N/A N/A N/A
Requirements and Restrictions	
Are there restrictions in place addressing details of the delivery? <ul style="list-style-type: none"> • Hours limited • Amount of alcohol limited • Food requirement 	N/A N/A N/A
Are there certain requirements that the delivery person must meet? <ul style="list-style-type: none"> • Must be 21 • Must check ID at point of delivery • Must receive payment regardless of delivery completion 	N/A N/A N/A

Alcohol Pricing

North Dakota-Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.16

Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> General sales tax rate 	5.00%
<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) 	2.00%
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> General sales tax rate 	5.00%
<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) 	2.00%
Additional taxes for 3.2 – 6% alcohol beer if applicable	
Notes: Beer in bulk containers is taxed at \$0.08 per gallon.	
Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.50
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> General sales tax rate 	5.00%
<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) 	2.00%
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	

Retail tax rate (if applicable)	7.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> • General sales tax rate 	5.00%
<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) 	2.00%
Additional taxes for 6 – 14% alcohol wine if applicable	
Spirits	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$2.50
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> • General sales tax rate 	5.00%
<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) 	2.00%
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	7.00%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
<ul style="list-style-type: none"> • General sales tax rate 	5.00%
<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) 	2.00%
Additional taxes for 15 – 50% alcohol spirits if applicable	

North Dakota-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

North Dakota-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?	Yes (30 days maximum)
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?	Yes (30 days maximum)

Enforcement Policies

North Dakota-Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No
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

North Dakota-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

North Dakota State Survey Responses

State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

North Dakota does not have an Alcohol Beverage Control (ABC) agency. Responsibilities are shared across several state agencies and across local jurisdictions.

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	Yes

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 No

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 Not applicable

Enforcement Statistics

State collects data on the number of minors found in possession Yes

Number of minors found in possession¹ by state law enforcement agencies 137

Number pertains to the 12 months ending 12/31/2020

Data include arrests/citations issued by local law enforcement agencies Yes

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 1,676

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 No

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>	No
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>	No
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

Parents Lead

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	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	www.parentslead.org

Program Description: Parents Lead is an evidence-based underage drinking prevention effort targeting parents through statewide, web-based, and traditional media communication. The program is designed to help parents initiate and/or continue conversations with their children about behavioral health-related topics, such as educating about underage drinking, modeling positive and healthy behaviors, monitoring children's whereabouts, and providing support and engagement.

Two key components of the program are 1) its interactive website (www.parentslead.org), which features pages for parents, communities, and professionals each offering useful tips, tools, and resources; and 2) its Facebook page (www.facebook.com/parentslead), which offers followers relevant, up-to-date tips, tools, and resources through social media.

Parents Lead also engages in various outreach efforts, such as presenting at professional development conferences (e.g. mental health, addiction provider, school counselor, etc.) and local events, and utilizing digital mass media (e.g. commercials, PSAs, etc.) to promote the message and resources.

Juvenile Drug Court	
Number of youth served	89
Number of parents served	169
Number of caregivers served	9
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 Juvenile Drug Court program aims to reduce alcohol and substance abuse, as well as delinquent and unruly acts of North Dakota juveniles. It is under the supervision of the North Dakota Supreme Court. There are six juvenile drug courts throughout the state. Each drug court has a team that consists of a judge, prosecutor, defense counsel, court officer, treatment provider, coordinator, school representative, and a law enforcement officer.

Responsible Beverage Service Training

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.ndsc.org/rbs/

Program Description: The North Dakota Safety Council (NDSC) partners with communities and law enforcement throughout the state to implement Responsible Beverage Server Training (RBS).

RBS is designed to educate owners, managers, servers, and sellers at alcohol establishments about strategies to avoid illegally selling alcohol to underage youth and intoxicated customers. The program is comprised of three 2-hour modules: Basic Server Course; Special Event Server Course; and Owners/Managers Course. The training program has been enhanced to offer virtual training sessions in addition to in person training sessions.

Tribal Substance Abuse Prevention Program (Tribal AOD)

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	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	https://prevention.nd.gov/community/prevention-support-north-dakota-tribes

Program Description: The Department of Human Services contracts with tribes and local tribal entities to provide culturally appropriate substance abuse prevention programs, policies, and practices. These programs follow the Strategic Prevention Framework (SPF). Substance Abuse Prevention programs are available on each reservation in North Dakota: Spirit Lake Nation, Standing Rock Sioux Tribe, Three Affiliated Tribes (MHA Nation), and Turtle Mountain Band of Chippewa Indians.

Community Substance Abuse 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	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	https://prevention.nd.gov/community/prevention-support-north-dakota-communities

Program Description: The Department of Human Services' Behavioral Health Division has awarded funding to 12 local public health units across the state to support local substance abuse prevention efforts, including efforts targeting underage drinking to the general public. In collaboration with their community partners, they assess their community, develop a plan, and implement evidence-based strategies tackling priority substance abuse issues, including underage drinking and building local capacity.

Electronic CheckUp To Go (e-Chug) for 1st year college students

Number of youth served	2,015
Number of parents served	No data
Number of caregivers served	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://echeckuptogo.com/

Program Description: The e-CheckUp is a personalized, evidence-based, online prevention and intervention tool originally developed by psychologists at San Diego State University. Drawing on Motivational Interviewing (Miller & Rollnick, 2002) and Social Norms Theory (Perkins & Berkowitz, 1986), the e-CheckUp program is designed to motivate individuals to reduce their consumption using personalized information about their own drinking and risk factors and provide those who have not yet chosen to drink with valuable information so that if they do choose to drink in the future, they are able to make well-informed decisions. Additionally, it is personalized to each campus, using the most recent alcohol and other drug survey information from that campus.

The e-CheckUp takes approximately 15 minutes to complete (depending on the student). Students' personal feedback includes information that previous research has demonstrated to be particularly motivating to college-aged young adults, including Quantity and Frequency of Alcohol Use, Amount of Alcohol Consumed, Normative Comparisons, Physical Health Information, Amount and Percent of Income Spent on Alcohol, Negative Consequences Feedback, Explanation, Advice, and Local Referral Information.

SafeColleges (now known as "Vector Solutions") Alcohol Awareness for Students Course

Number of youth served	727
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	https://bismarckstate.edu/students/services/counseling/PersonalCounseling/SafeCollegesRequiredTraining/

Program Description: This course is required of all incoming, on-campus students aged 17–24 at Bismarck State College (BSC). Criteria for inclusion requires that a student takes at least one on-campus course at BSC. The course description is as follows: Often, students underestimate the potentially dangerous effects of alcohol consumption. Excessive drinking can lead to poor grades, addiction, violence, sexual assault, drunk driving, alcohol poisoning, and in some cases, death. This course provides college students with important awareness of issues related to alcohol and some precautions to consider. The course is 25 minutes long and is completed online. Students are also required to review the Bismarck State College Alcohol and Illegal Drug Policy in order to fulfill this SafeColleges training.

Alcohol Use Disorders Identification Test (AUDIT)

Number of youth served	2,410
Number of parents served	No data

Number of caregivers served	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 AUDIT is conducted every 120 days with students with appointments at the campus Student Health Center. The University Counseling Center also uses the test during initial appointments for every student at the start of each semester. The nurse or counselor administering the test is able to view the student’s score and uses motivational interviewing techniques to recommend further assessment and counseling (if needed).

ATOD Education at North Dakota State College of Science

Number of youth served	2,000
Number of parents served	241
Number of caregivers served	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: North Dakota State College of Science (NDSCS) provides alcohol, tobacco/vaping, and other drug education to students for policy violations as well as for education purposes periodically throughout the year. This includes educational presentations through the mandatory First Year Experience (FYE 101) course as well as a family education session during New Student Registration & Orientation (NSRO) Days. During NSRO, ATOD information (policy, conversations/expectations with your student, resources and collaborative efforts the College provides students to educate and support) during orientation as well as the “Family Matters” brochure is included in every parent folder. We send the “tips” brochure via our parental notification policy.

Minor in Possession Provider Certification

Number of youth served	150
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	https://www.behavioralhealth.nd.gov/about-us/prevention

Program Description: The Minor in Possession (MIP) Provider Certification aims to increase capacity of workforce to provide evidence-based alcohol and drug education services, increase access to evidence-based early intervention services for youth sentenced to alcohol and drug education, and prevent the onset of substance use disorders (SUD) among youth who do not yet meet criteria for a SUD but are exhibiting warning signs.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

CHOICES with high risk populations

CHOICES is a brief alcohol abuse prevention and harm reduction program for college students involving interactive journaling. The CHOICES program involves a 90-minute class facilitated by professional staff or peers. Throughout the course, students are presented with information, and then they are able to reflect on what they have learned as it relates to their choices about drinking in their personal journals. The CHOICES program is presented to student-athletes (North Dakota highest-risk college population subset) at four campuses and shared with first-year students in a classroom setting at three campuses. The CHOICES program is shared in a non-confrontational manner that enables students to make their own decisions about alcohol consumption. The program served 340 students in 2020.

Alcohol, Parties, and the Law by CL Lindsay

This one-time program was hosted by Williston State College, and it informs students about their rights and responsibilities in regards to the law when it comes to drinking or using drugs. This presentation addresses a variety of student situations, including those who live on- or off-campus, those who are underage or of age, and those who are in other types of situations. This is offered on an annual basis to all the students.

Prime for Life

Prime for Life is an engaging prevention and early intervention program designed to assist students in reflecting on their own substance use, and it is used at the University of North Dakota in Grand Forks. Students are able to self-assess their own risk levels and learn strategies for making low-risk choices when it comes to substance use. Student who incur a second offense sanction of the campus Code of Student Life are referred to complete the Prime for Life program. The 8-hour Prime for Life program is conducted via the University Counseling Center in two 4-hour blocks. No assessment data is available at this time. Ninety-seven individuals completed 194 sessions in 2020.

American College Health Association's National College Health Assessment (ACHA-NCHA)

ACHA-NCHA is a campus assessment that measures health habits, behaviors, and perceptions conducted at the University of North Dakota in Grand Forks (UND). The assessment covers general health, substance abuse, mental health, sexual health, personal safety, and violence. It collects demographic data and academic impacts, allowing for statistical analysis to identify where certain behaviors may be more prevalent. UND has distributed the ACHA-NCHA in the spring of even-numbered years since the year 2000. Our survey is distributed to a representative sample of students and incentivized to increase response rate. We are able to compare our campus data with national datasets. These data reports inform our strategic decision-making regarding health topics and populations to target in our campus services and prevention. In 2020, 868 students (411 were 18–20 years of age) participated in the survey.

“Think...”

“Think...” is a program that focuses on the overall well-being of the NDSU student community. “Think...” was designed in collaboration with the Healthy Herd Champion Peer Educators to offer education and knowledge to student that allows them to make positive choices when making discussions. “Think...” focuses on but is not limited to: underage drinking, harm reduction in relation to alcohol use, mental health, suicide awareness, stress management and over all well-being. “reThink... that drink” is a program within “Think...” that focuses on alcohol education and how it affects you both physically and emotionally. “reThink...that drink” also educates on how you can reduce your risk of negative side effects (harm reduction) if you choose to drink alcohol. During this presentation, it discusses low risk options for drinking and addresses consequences for underage drinking. This year, talks have taken place at Fraternity and Sorority organizations and campus organizations. In 2020, 146 students participated.

<https://www.ndsu.edu/studenthealthservice/healthpromotion/think/>

Campus Attractions

Campus Attractions (CA) is dedicated to serving the NDSU community by providing educational, cultural, social, and recreational programs and activities through a wide variety of resources. CA works hard to provide NDSU students with many unique and entertaining opportunities that are alcohol and substance free. Throughout 2020, 6,096 students participated. <https://www.ndsu.edu/campusattractions/>

EVERFI: AlcoholEdu for College

EVERFI is the trusted standard in campus prevention programming for more than 20 years. Their flagship course, AlcoholEdu for College, was awarded the highest rating for its effectiveness in addressing harmful and underage drinking by the National Institute of Alcohol Abuse and Alcoholism's CollegeAIM. Minot State University funded this program and it served 7 students directly in 2020.

Brief Alcohol Screening and Intervention for College Students (BASICS)

BASICS training and implementation assistance is provided to 11 campuses in North Dakota, but currently, only two campuses enroll the program with students. BASICS is a prevention program for college students who drink alcohol heavily and have experienced or are at risk for alcohol-related problems. BASICS follows a harm reduction approach and aims to motivate students to reduce alcohol use in order to decrease the negative consequences of drinking.

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	Yes
Description of collaboration: The North Dakota Department of Human Services provides federal funds to the four federally recognized tribes in the state to support culturally appropriate, local substance abuse prevention infrastructure. The department provides additional support in the form of training and technical assistance for these programs.	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Description of program: Not applicable	
<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
Federal campaigns: "Talk. They Hear You."	Yes
Regional and local media campaigns:	No
Local school district efforts:	No
Other:	No
<i>State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You."</i>	Yes
State officially endorses TTHY efforts	No
State commits state resources for TTHY	No
State forwards TTHY materials to local areas	Yes
Other:	No
<i>State procures funding for TTHY</i>	No data
Pro bono	No data
Donated air time	No data
Earned media	No data
Other:	No data
<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): Substance Abuse and Mental Health Services Administration (SAMHSA); Office of Juvenile Justice and Delinquency Prevention (OJJDP); National Highway Traffic Safety Administration (NHTSA)	Yes
Agency(ies) within your state: ND Local Public Health Units	Yes
Nongovernmental agency(ies):	No
Other: Tribal Communities	Yes
Best practice standards description: North Dakota follows evidence-based prevention through a focus on addressing risk and protective factors by following the Strategic Prevention Framework and the public health models while emphasizing environmental strategies, such as enforcement. North Dakota prevention efforts are directed through a data-driven decision-making 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: Pamela Sagness
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 Phone: 701-328-8920

Agencies/organizations represented on the committee:

ND Department of Human Services
 ND Department of Health
 ND Department of Transportation
 ND Department of Public Instruction
 Advocate Representative
 ND Office of the First Lady
 ND Legislative Assembly Representatives
 ND University System
 ND Highway Patrol
 ND Indian Affairs
 ND Judiciary
 Local Law Enforcement Representative
 ND Addiction Counselor Representative

A website or other public source exists to describe committee activities No
 URL or other means of access: Not applicable

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years Yes
 Prepared by: ND Department of Human Services
 Plan can be accessed via: No data

State has prepared a report on preventing underage drinking in the last 3 years Yes
 Prepared by: ND Department of Human Services
 Report can be accessed via: <https://www.prevention.nd.gov/data>

Additional Clarification

No data

State Expenditures for the Prevention of Underage Drinking

Compliance checks in retail outlets:
 Estimate of state funds expended \$3,780
 Estimate based on the 12 months ending 12/31/2020

Checkpoints and saturation patrols:
 Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Community-based programs to prevent underage drinking:
 Estimate of state funds expended \$37,336.72
 Estimate based on the 12 months ending 12/31/2020

K-12 school-based programs to prevent underage drinking:
 Estimate of state funds expended \$0
 Estimate based on the 12 months ending 12/31/2020

Programs targeted to institutes of higher learning:
 Estimate of state funds expended \$55,630
 Estimate based on the 12 months ending 12/31/2020

Programs that target youth in the juvenile justice system:
 Estimate of state funds expended \$153,124.66
 Estimate based on the 12 months ending 12/31/2020

Programs that target youth in the child welfare system:

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2020

Other programs:

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

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

Taxes	Yes
Fines	No
Fees	No
Other: No data	No data

Description of funding streams and how they are used:

The Parents Lead Program is partially funded by State General funds, which is State tax payer dollars.

Additional Clarification

No data



**THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

ICCPUD