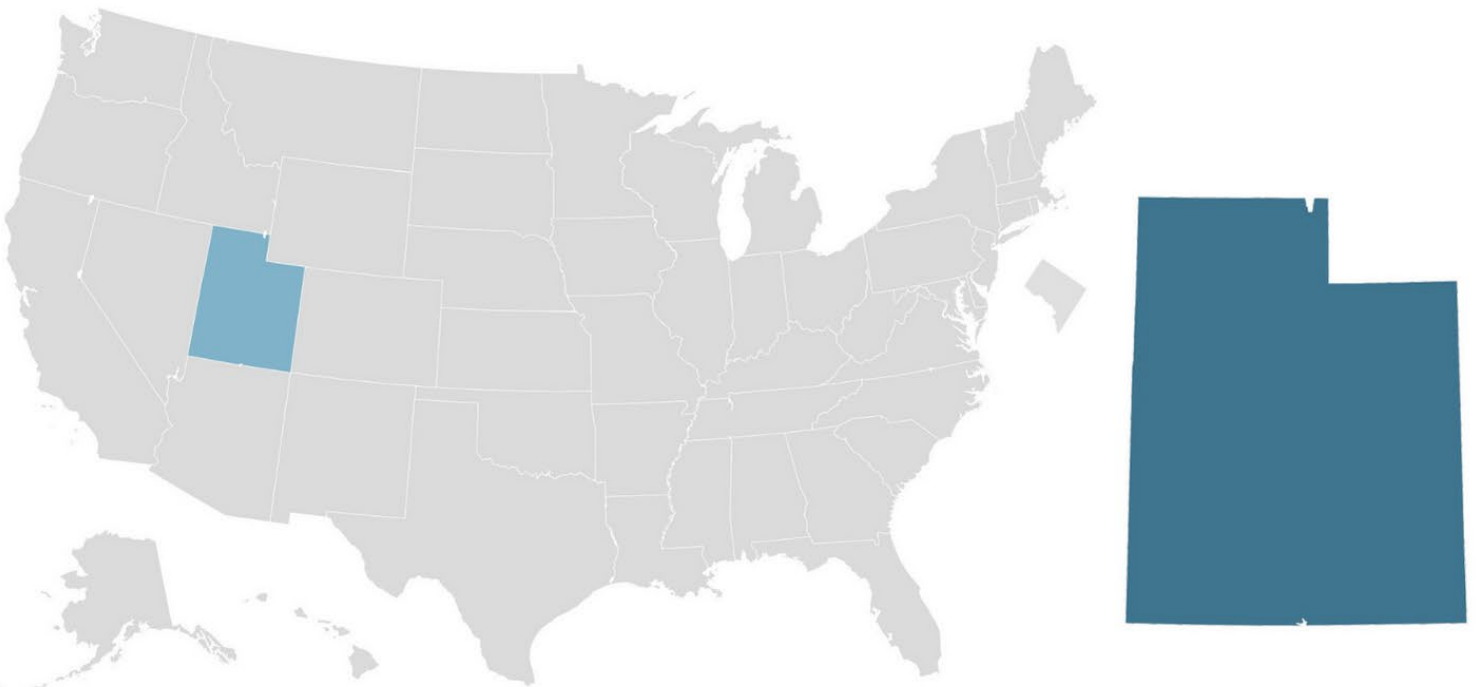




SAMHSA
Substance Abuse and Mental Health
Services Administration

Utah

2022 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



ICCPUD

THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (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.

Recommended Citation: U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA; 2022). *2022 Utah State Report – Underage Drinking Prevention and Enforcement*. Rockville, MD: SAMHSA.

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UTAH



SAMHSA
Substance Abuse and Mental Health
Services Administration

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



Utah

State Population: 3,249,879

Population Ages 12–20: 453,000

Past-Month Alcohol Use	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	46,000 (10.2%)
Past-Month Binge Alcohol Use – Number (Percentage)	30,000 (6.7%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	0 (0%)
Past-Month Binge Alcohol Use – Number (Percentage)	0 (0%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	10,000 (6.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	6,000 (3.7%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	28,000 (19.5%)
Past-Month Binge Alcohol Use – Number (Percentage)	18,000 (12.5%)
Adults Ages 21+	
Past-Month Alcohol Use – (Percentage)	662,000 (31.8%)
Past-Month Binge Alcohol Use – (Percentage)	350,000 (16.8%)
Average Age of Initiation	
Average Age of Initiation	15.9
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21 ¹	
Alcohol-Attributable Deaths (under 21)	34
Years of Potential Life Lost (under 21)	1,979
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%	8
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	20%

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

In the 2021 Legislative Session, H.B. 365 State Agency Realignment, was passed that merges the Utah Department of Human Services and the Utah Department of Health. The new Department will be called the Department of Health and Human Services. The Department Executive Director is a member of the Governor’s Cabinet Council along with all other Department heads. The Department of Human Services (soon to be the Department of Health and Human Services) has been one of the largest departments in Utah State government and currently consists of the following service offices and divisions:

- Division of Substance Abuse and Mental Health (substance use disorders, prevention, and mental health)
- Division of Aging & Adult Services (programs supported under the Older Americans Act and Adult Protective Services)
- Division of Services for People with Disabilities (persons with developmental delays, intellectual disabilities and traumatic brain injuries)
- Division of Child & Family Services (child welfare)
- Division of Juvenile Justice Services (youth corrections)
- Office of Recovery Services (child support enforcement)
- Office of Public Guardian (guardian/conservator services for vulnerable adults)
- Office of Licensing (for all public and private human service provider agencies within Utah)
- Office of Quality and Design

Coordination will continue to be a major emphasis in the Department of Health and Human Services/Division of Substance Abuse and Mental Health (DHHS/DSAMH). This will be accomplished through several means. The various division and office directors meet monthly to discuss interagency issues and to resolve interdepartmental conflicts. Additionally, there are numerous workgroups and committees that meet regularly to resolve issues and to improve collaboration. For example, DHS has comprised a new interagency workgroup to address and advise on integrated service approaches addressing consistency and efficiency in key operations. The workgroup will address key issues and give input on barriers and opportunities that are collectively shared between all agencies. There are currently multiple groups meeting to address Prescription Drug Abuse, Opioid Overdose Prevention, Suicide Prevention, Recovery Supports (Employment, Housing, Peer Supports), Integration, Clients with Complex Needs, Long-term Services and Supports, and Children/Youth Mobile Crisis Outreach and Follow up Care, all to ensure collaboration and to maximize the use of available resources.

Utah’s Statewide substance use disorder prevention system is similar to the mental health and substance use disorder treatment systems’ organization. DSAMH provides oversight, technical assistance and support to the Local Substance Abuse Authority (LSAA) prevention staff. DSAMH also collaborates with other state agencies on statewide prevention strategies, including underage drinking prevention, opioid overdose prevention and suicide prevention. The Utah Division of Substance Abuse and Mental Health is authorized under Utah State Code Annotated

¹ Extracted from fiscal year (FY) 2022/2023 – (Utah) 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.

§62A-15-103 as the single state authority for mental health and substance abuse in Utah. Utah Statutes require that the State Division of Substance Abuse and Mental Health to: “... set policy for its operation and for programs funded with state and federal money...establish, by rule, minimum standards for local substance abuse authorities and local mental health authorities...develop program policies, standards, rules, and fee schedules for the division...”(Utah Code Title 62A, Chapter 15, Section 105 “Authority and Responsibilities”) and that DSAMH “...contract with local substance abuse authorities and local mental health authorities to provide a comprehensive continuum of services...in accordance with division policy, contract provisions, and the local plan...” (Utah Code 62A-15-103. “Division -- Creation-- Responsibilities”).

The Director of The Division of Substance Abuse and Mental Health serves as the SSA and SMHA, and as such oversees the provision of Behavioral Health Services in the State. The Director is supported by an Assistant Directors of Adult Mental Health, Children, Youth, and Family Mental Health, and an Assistant Director of Substance Abuse. DSAMH carries out its statutory obligations by contracting with Local Substance Abuse and Mental Health Authorities for the delivery of Behavioral Health services. Local Prevention is organized through the LSAA system, meaning the designated authority is responsible for completing the Strategic Prevention Framework at the community level. The LSAA is responsible for providing prevention services throughout the entire LSAA.

The DSAMH distributes federal and state funds through contracts (counties are required to provide matching funds) and monitors the Local Authorities to ensure compliance with statutory mandates and contracted services. Contracting requirements, monitoring and oversight, rule writing, interagency coordination, and technical assistance are used to influence and guide systems of care. The DSAMH also provides leadership and coordination with other state agencies, the state legislature and advocacy groups.

Utah State Statute Utah Code 62A-15-103, specifically mandates the Local Substance Abuse Authorities (LSAA) provide a “continuum of services for Adolescents and Adults” aimed at substance use disorders, prevention and treatment; and requires Local Mental Health Authorities (LMHA) to provide ten mandatory services for individuals with serious mental illness or severe emotional disturbance. Thus, Utah’s Local Mental Health Authorities are given the responsibility to provide mental health services to their citizens. Utah utilizes MHBG and SAPT Block Grant funds, along with State General Funds, other State and Federal appropriations and the Counties’ 20% funding match to fulfill these requirements to provide for services required by federal and state statutes. State and federal funds are allocated to Local Authorities through a formula which takes into account the percent of the state's population residing within the county's boundaries and a rural differential. Each county is required to provide at least a 20% match on all state general funds. The majority of general and county funds allocated for mental health services are used to meet Medicaid match requirements.

A Local Mental Health or Substance Abuse Authority is generally the governing body of a county. The 29 counties in Utah have organized themselves into 13 Local Substance Abuse Authorities and 13 Local Mental Health Authorities. (See attached diagram). Twenty-three of the counties have joined together under inter-local agreements to create six Local Authorities, where one commissioner representing each county holds a seat on the governing board for that Local Authority. Services are delivered through contracts with Mental Health and Substance Abuse

providers, and in compliance with statute, administrative rule, and under the administrative direction of DSAMH.

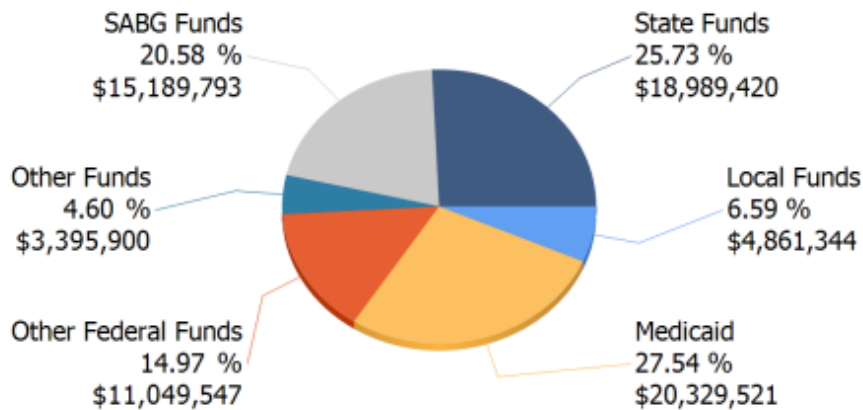
Local Authorities set the priorities to meet local needs, but at a minimum must provide ten statutorily mandated mental health services as well as peer support services mandated through Medicaid contract, and a continuum of substance use disorder services either directly or through contracts and agreements. Area plans describing what services will be provided with state, federal and county funds are developed and submitted to DSAMH annually. These plans become the foundation of contracts between DSAMH and each of the Local Authorities

Expenditures for Substance Abuse Prevention and Treatment

All states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Utah used for expenditures on substance abuse prevention and treatment in 2021. As indicated, Medicaid funds and state funds account for the largest sources (27.54 percent and 25.73 percent, respectively).²

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, Utah designated reduction of underage drinking in adolescents as part of the number one priority and improving the quality of adolescent treatment services as priority number four for use of SABG funds.³

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



² WebBGAS State Profile, 2021 SABG and Community Mental Health Block Grant (MHBG) Reports – Utah 2021.

³ FY 2022/2023 – (Utah) 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 Utah’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

Utah-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

Utah-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

Utah-Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	Yes
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? 	No No
Is there an exception based on location?	No

Utah-Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

Utah-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?	Yes, through a judicial process

Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
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?	Yes
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?	Yes
May the retailer detain a minor who used a false ID?	Yes

Underage Drinking and Driving

Utah-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
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

Utah-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?	Yes

What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	365
Maximum number of days	365

Utah-Graduated Driver's Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians or adults before advancing to intermediate stage?	40 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	Midnight
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes
Are there restrictions on passengers?	Yes, no passengers who are not immediate family members, unless accompanied by licensed driver 21 or older.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	17 (passenger restrictions are lifted at age 16 years, 6 months; unsupervised night driving restrictions remain until age 17)

Alcohol Availability

Utah-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
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

Utah-Responsible Beverage Service (RBS)—Mandatory	
Is there a state law pertaining to Beverage Service Training?	Yes, mandatory
If training is mandatory, who must participate?	Manager and server/seller
If training is voluntary, which of the following incentives are offered?	
<ul style="list-style-type: none"> Defense in dram shop liability lawsuits 	N/A
<ul style="list-style-type: none"> Discounts in dram shop liability insurance, license fees, or other 	N/A
<ul style="list-style-type: none"> Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons 	N/A
<ul style="list-style-type: none"> Protection against license revocation for sales to minors or sales to intoxicated persons 	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both
Notes: In Utah, the Off-Premises Establishments subject to mandatory training are "off-premise beer retailers." "Off-premise beer retailers" are licensed to sell "beer," which in Utah is any product that contains not more than 5% alcohol by volume or 4% by weight and is obtained by fermentation, infusion, or decoction of any malted grain.	

Utah-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
Notes: Although employees must be at least 21 years of age to sell "liquor" at off-sale establishments in Utah, persons between 16 and 21 years of age may sell "beer", defined as containing not more	

than 5 percent ABV or 4 percent ABW on the premises of a beer retailer for off-premise consumption if under the supervision of a person 21 years of age or older who is on the premises.

Utah-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	21
Wine	21
Spirits	21
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?	N/A

Utah-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)?	Yes, within 200 feet.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 200 feet.
To which alcohol products does requirement apply?	Beer, wine, and spirits

Utah-Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	Yes (\$1,000,000 limit for one person and \$2,000,000 limit for all injured parties per occurrence)
Does the statute limit who may be sued?	Yes (retailers that furnish beer only for off-premises consumption are exempt)
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No
Notes: Liability is strictly imposed for furnishing alcohol to an underage drinker. Evidence of retailer's negligence is not required.	

Utah-Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	Yes (\$1,000,000 limit for one person and \$2,000,000 limit for all injured parties per occurrence)
Does the statute limit who may be sued?	Yes (social host must be 21 years of age or older)
Does the statute limit elements or standards of proof?	No
Does common law social host liability exist?	No

Utah-Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	Specific
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	Residential/outdoor/other
What level of knowledge by the host is required?	Knowledge (Host must have actual knowledge of party)
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	No
Notes: In Utah, an individual may not knowingly conduct, aid, or allow an "underage drinking gathering." An "underage drinking gathering" means a gathering of two or more individuals: (a) at which an individual knowingly serves, aids in the service of, or allows the service of an alcoholic beverage to an underage person; and (b) to which an emergency response provider is required to respond, except for a response related solely to providing medical care at the location of the gathering. The definition does not otherwise specify a Property Type or an Action by Underage Guest.	

Utah-Keg Registration	
How is a keg defined (in gallons)?	Keg sales prohibited
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	N/A
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	N/A
What purchaser information is collected?	
Must the retailer collect the name and address?	N/A
Must the retailer collect the ID number, name and address on license or other government information?	N/A
Must the retailer collect the address at which keg will be consumed?	N/A

Must warning information be given to purchaser?	N/A
Is a deposit required?	N/A
Does law cover disposable kegs?	N/A

Utah-High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No; however, this state is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

Sales and Delivery to Consumers at Home

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

Utah-Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	No
What alcohol types may be shipped?	N/A
Must purchaser make mandatory trip to producer before delivery is authorized?	N/A
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	N/A
Must the common carrier (deliverer) verify age of recipients?	N/A
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	N/A
Must the common carrier (deliverer) be approved by a state agency?	N/A
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	N/A
Must the common carrier (deliverer) record/report recipient's name?	N/A

Shipping label requirements	
Must the label state "Package contains alcohol"?	N/A
Must the label state "Recipient must be 21 years old"?	N/A

Utah-Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited

Utah- 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

Utah-Alcohol Taxes	
Beer	
Control system for beer?	Yes
Specific excise tax per gallon for 5% alcohol beer	Not relevant
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)	
If retail tax rate applies, is there an exemption from general sales tax?	Not relevant
<ul style="list-style-type: none"> • General sales tax rate 	
<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) 	
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)	
If retail tax rate applies, is there an exemption from general sales tax?	Not relevant
<ul style="list-style-type: none"> • General sales tax rate 	
<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) 	
Additional taxes for 3.2 – 6% alcohol beer if applicable	
Wine	
Control system for wine?	Yes
Specific excise tax per gallon for 12% alcohol wine	Not relevant
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)	
If retail tax rate applies, is there an exemption from general sales tax?	Not relevant
<ul style="list-style-type: none"> • General sales tax rate 	

<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) 	
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)	
If retail tax rate applies, is there an exemption from general sales tax?	Not relevant
<ul style="list-style-type: none"> • General sales tax rate 	
<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) 	
Additional taxes for 6 – 14% alcohol wine if applicable	
Spirits	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	Not relevant
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)	
If retail tax rate applies, is there an exemption from general sales tax?	Not relevant
<ul style="list-style-type: none"> • General sales tax rate 	
<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) 	
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)	
If retail tax rate applies, is there an exemption from general sales tax?	Not relevant
<ul style="list-style-type: none"> • General sales tax rate 	
<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) 	
Additional taxes for 15 – 50% alcohol spirits if applicable	

Utah-Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Yes (The status of full-day price reductions is uncertain)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes

Utah-Wholesaler Pricing Restrictions	
Beer	Control System
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
Wine	Control System
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
Spirits	Control System
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A

Enforcement Policies

Utah-Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18
What is the maximum age a decoy may be to participate in a compliance check?	20
Are there appearance requirements for the decoy?	Yes; age-appropriate appearance with no age enhancements. Males will be clean shaven or have facial hair that is groomed and not excessive in length or appearance. Females will not wear excessive makeup nor provocative attire. No jewelry on hands. Hats and clothing consistent with casual attire commonly worn by peer group.
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

Utah-Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	Three years
What is the penalty for the first offense?	5–30-day suspension and/or \$500–\$3,000 fine
What is the penalty for the second offense?	10–90-day suspension and/or \$1,000–\$9,000 fine
What is the penalty for the third offense?	15–120-day suspension up to revocation and/or \$9,000–\$25,000 fine
What is the penalty for the fourth offense?	N/A
Notes: List of mitigating and aggravating factors provided.	

Utah State Survey Responses

State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Utah Department of Public Safety/State Bureau of Investigation

Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	No

State has a program to investigate and enforce direct sales/shipment laws Yes

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors is The Department of Alcoholic Beverage Control. The Utah State Legislature created the department by statute and charged it with the responsibility of conducting, licensing, and regulating the sale of alcoholic beverages in a manner and at prices which reasonably satisfy the public demand and protect the public interest, including the rights of citizens who do not wish to be involved with alcoholic beverages. The purpose of control is to make liquor available to those adults who choose to drink responsibly—but not to promote the sale of liquor. By keeping liquor out of the private marketplace, no economic incentives

are created to maximize sales, open more liquor stores, or sell to underage persons. Instead, all policy incentives to promote moderation and to enforce existing liquor laws is enhanced.
Don't know

Such laws are also enforced by local law enforcement agencies

Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	Yes
Number of minors found in possession ¹ by state law enforcement agencies	111
Number pertains to the 12 months ending	12/31/2019
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations² to determine whether 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	3,529
Number of licensees checked for compliance by state agencies (including random checks)	1,678
Number of licensees that failed state compliance checks	82
Numbers pertain to the 12 months ending	06/30/2020
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	1,678
Number of licensees that failed random state compliance checks	82
<i>Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	Yes
Data are collected on these activities	Yes
Number of licensees checked for compliance by local agencies	652
Number of licensees that failed local compliance checks	60
Numbers pertain to the 12 months ending	06/30/2020
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish to minors</i>	Yes
Number of fines imposed by the state ⁴	No data
Total amount in fines across all licensees	\$81,200
Smallest fine imposed	\$200
Largest fine imposed	\$9,000
Numbers pertain to the 12 months ending	06/30/2020
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of suspensions imposed by the state ⁵	28
Total days of suspensions across all licensees	196
Shortest period of suspension imposed (in days)	5
Longest period of suspension imposed (in days)	30
Numbers pertain to the 12 months ending	06/30/2020
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed ⁶	0

Numbers pertain to the 12 months ending

06/30/2020

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 Empowered**

Number of youth served	375,000
Number of parents served	750,000
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	www.ParentsEmpowered.org
URL for more program information:	www.ParentsEmpowered.org

Program Description: Parents Empowered (PE) is a statewide underage drinking prevention media program that targets parents and caregivers with children ages 9–16 years old to educate and provide them with information about the harmful effects of alcohol on the developing brain, along with proven skills for preventing underage alcohol use. Media for dissemination includes (in English and Spanish) a website, prevention bulletins, billboards, and radio, television, and digital ads. Community events are held at the local level through coalition efforts, and collateral information is distributed at each event. Press releases are sent out either quarterly or semi annually to various media outlets to inform them of changing statistics in the underage prevention drinking rates.

Life Skills Training

Number of youth served	107,105
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:	https://www.blueprintsprograms.org/programs/5999999/lifeskills-training-lst/
URL for more program information:	https://www.schools.utah.gov/file/94f4a1df-104b-466b-8d05-6ca9ae5cf564

Program Description: LifeSkills Training (LST) is a 3-year universal substance abuse and violence prevention program designed to be implemented with middle/junior high school students. LST consists of 15 core sessions in Level 1, 10 booster sessions in Level 2, and 5 booster sessions in Level 3. Additional violence prevention lessons also are available for each level (3, 2, and 2 sessions). Units are taught sequentially and delivered primarily by classroom teachers. LST provides students with training in personal self-management, social skills, and resistance skills specifically related to drug use. Skills are taught using instruction, demonstration, feedback, reinforcement, and practice.

Eliminate Alcohol Sales to Youth

Number of youth served	No data
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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:	No URL available
URL for more program information:	No data

Program Description: Eliminate Alcohol Sales To Youth (EASY) is a universal alcohol compliance program that incorporates two phases of an intervention that: 1) trains clerks and cashiers in off-premise alcohol retail outlets throughout Utah in the laws regarding alcohol sales in general and preventing alcohol sales to youth; and 2) coordinates and monitors a Covert Underage Buyers (CUBS) program, where CUBS are allowed to go into stores and attempt to purchase alcohol without manipulation. Violators are fined and prosecuted according to local laws. The focus of this program is to eliminate alcohol sales to youth and therefore reduce alcohol availability to youth.

No URL is available for this report, but we have a PDF of the annual report and can send it upon request: Jill Sorensen E.A.S.Y. Program Coordinator Utah Department of Public Safety Highway Safety Office
5500 W Amelia Earhart Drive #155 Salt Lake City, UT 84116, 801-903-7078.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

No data

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

State collaborates with federally recognized tribal governments in the prevention of underage drinking Yes

Description of collaboration: The Utah Department of Human Services has a consultation agreement with the Native American tribes that has been in existence for more than 10 years. The Department of Health also has a tribal agreement in place. The Department of Substance Abuse and Mental Health (DSAMH) maintains a willingness and commitment to work with the six recognized Utah Tribes in collaborating on resources to reduce substance abuse issues within Native American culture and to increase community resources. These tribes are identified as sovereign nations; therefore, our collaborative efforts are limited to the extent we are allowed. We continue to seek additional opportunities to participate in the Governor’s Native American Summit and other Native American conferences.

There is a need to address underage drinking with the Native American population, but currently, none of the workgroups specifically work with preventing underage drinking.

The DSAMH's Local Substance Abuse Authority (LSAA) network provides trainings, resources, and statistics on risks related to underage drinking. Some underage drinking prevention objectives are also addressed during annual site visits and monitoring of Utah’s 13 LSAA's. Several of the LSAA's have direct relationships with the Native American tribes in their area and provide or share resources and information for prevention and treatment.

State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing No

Description of program: Not applicable

State collaborates with/participates in media campaigns to prevent underage drinking Yes

Federal campaigns: No

Regional and local media campaigns: Parents Empowered is a statewide media and education campaign Yes

Local school district efforts: No

Other: No

State collaborates with/participates in SAMHSA’s national media campaign, “Talk. They Hear You.” No

State officially endorses TTHY efforts	Not applicable
State commits state resources for TTHY	Not applicable
State forwards TTHY materials to local areas	Not applicable
Other: Not applicable	Not applicable
<i>State procures funding for TTHY</i>	Not applicable
Pro bono	Not applicable
Donated air time	Not applicable
Earned media	Not applicable
Other:	Not applicable

State has adopted or developed best practice standards for underage drinking prevention programs Yes

Agencies/organizations that established best practices standards:

Federal agency(ies): Substance Abuse and Mental Health Services Administration, The Center for Substance Abuse Prevention, Center of Application Prevention Technology, and National Institute on Drug Abuse Yes

Agency(ies) within your state: Division of Substance Abuse and Mental Health, Department of Alcohol and Beverage Control, Department of Health, Local Substance Abuse Authority Network through the Utah Association of Counties, and the Utah State Board of Education Yes

Nongovernmental agency(ies): R & R Partners, the advertising firm that manages the legislative portion of the funds to implement PE on an annual basis. R&R staff collaborates with the Underage Drinking Prevention Committee that consists of government agencies. Yes

Other: The Utah Prevention Coalition Association and local coalitions Yes

Best practice standards description: Utah has adopted the NIDA Guiding Principles document and created the Utah Guiding Principles. This document outlines principles and guidelines for substance abuse prevention programs, strategies, and policies in Utah. It is designed to ensure that prevention resources are effective and appropriate. It was created in partnership with the DSAMH, the Utah Behavioral Healthcare Committee’s Prevention Network, and the Utah State Office of Education, and includes research cited by SAMHSA and the NIDA publication Preventing Drug Abuse Among Children and Adolescents. Before implementing any prevention program or activity, the substance abuse prevention coordinator in one of the 13 LSAs in a county-aligned area must be contacted and consulted to help make sure an appropriate, effective, and consistent message is delivered in the participating community. Many LSA plans are reviewed through an annual area plan review process.

Utah also follows CSAP Evidence-Based Guidelines for implementing evidence-based policies, programs, and strategies. To ensure that all interventions are evidence-based, the DSAMH convened an Evidence-Based Workgroup to review proposed interventions. CSAP has created a guidance document which includes the following criteria for considering an intervention to be evidence-based: Definition 1: It is included on Division of Substance Abuse and Mental Health-approved federal lists or registries of evidence-based interventions. Definition 2: It is reported (with positive effects) in peer-reviewed journals. Definition 3: It has documented effectiveness supported by other sources of information and the consensus judgment of informed experts, as described in the following set of guidelines, all of which must be met. (Please note that all four of the following criteria must be met.):

- The intervention is based on a theory of change that is documented in a clear logic or conceptual model.
- The intervention is similar in content and structure to interventions that appear in registries and/or the peer-reviewed literature.
- The intervention is supported by documentation that it has been effectively implemented in the past, and multiple times, in a manner attentive to scientific standards of evidence and with results that show a consistent pattern or credible and positive effects.

- The intervention is reviewed and deemed appropriate by a panel of informed prevention experts that includes well-qualified prevention researchers who are experienced in evaluating prevention interventions similar to those under review; local prevention practitioners; and key community leaders as appropriate, (e.g., officials from law enforcement and education sectors or elders within indigenous cultures).

By Utah code, the standards are promulgated by the Utah Department of Human Services through the DSAMH as authorized by Title 32B, Chapter 2, Part 4, Alcoholic Beverage and Substance Abuse Enforcement and Treatment Restricted Account Act and Human Services, Substance Abuse and Mental Health Rule R523-8. Evidence-Based Prevention Registry: the Evidence-Based Workgroup serves as the informed experts for Utah. Utah collaborates with the Center of Application Prevention Technologies (CAPT) for technical assistance to ensure we are using the latest technology and web systems to track all prevention information related to prevention of underage drinking, DUI, alcohol consumption and other related issues.

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: Doug Murakami
 Email: dmurakami@utah.gov
 Address: Utah Department of Alcoholic Beverage Control, 1625 South 900 West, P.O. Box 30408, Salt Lake City, UT 84130-0408
 Phone: 801-977-6820

Agencies/organizations represented on the committee:

Attorney General's Office
 Governor's Office and First Lady's Uplift Families Project
 Department of Alcoholic Beverage Control
 Department of Health
 Department of Public Safety/Highway Safety Office
 Division of Substance Abuse and Mental Health
 Juvenile Justice Services
 Law Enforcement (DEA, local law enforcement)
 Utah State Board of Education
 Local Substance Abuse Authority Network
 University of Utah Addiction Center
 Utah Poison Control Center
 R&R Partners (ad agency that manages several government contracts for substance use prevention)

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 No

Prepared by: Not applicable
 Plan can be accessed via: Not applicable

State has prepared a report on preventing underage drinking in the last 3 years Yes

Prepared by: Department of Alcoholic and Beverage Control prepares an annual report. Report can be accessed via: The plan is not posted on any website, but can be provided upon request by contacting Doug Murakami at dmurakami@utah.gov.

Additional Clarification

No data

State Expenditures for the Prevention of Underage Drinking

Compliance checks in retail outlets:

Estimate of state funds expended	\$44,430
Estimate based on the 12 months ending	06/30/2020

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	\$328,117
Estimate based on the 12 months ending	06/30/2021

K–12 school-based programs to prevent underage drinking:

Estimate of state funds expended	\$671,280
Estimate based on the 12 months ending	06/30/2021

Programs targeted to institutes of higher learning:

Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

Programs that target youth in the juvenile justice system:

Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

Programs that target youth in the child welfare system:

Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

Other programs:

Programs or strategies included: Parents Empowered	
Estimate of state funds expended:	\$2,490,500
Estimate based on the 12 months ending:	06/30/2021

Funds Dedicated to Underage Drinking*State derives funds dedicated to underage drinking from the following revenue streams:*

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

Description of funding streams and how they are used:

Sales of alcoholic beverages generate approximately a 0.06 percent income tax that is used to help fund the Parents Empowered underage drinking prevention campaign.

Income from sales of alcoholic beverages is also used to fund compliance checks of licensed establishments that serve alcoholic beverages to ensure minors are not served.

Botvins LST comes from the Underage Drinking Prevention and Substance Abuse Program Restricted Account as described in 53F-9-304 (alcohol taxes). The substance abuse prevention grant originates from the Substance Abuse Prevention Account as described in 51-9-405 (fees associated with DUI/reckless driving).

Beer tax money made available to municipalities to provide treatment, prevention, and law enforcement and to use at the state board of education.

Additional Clarification

No data



ICCPUD

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

