

## In Case You Didn't Know

It's illegal for anyone under 21:

- To buy alcohol.
- To have alcohol in their possession at any time regardless of whether they've consumed any of it.
- To possess or transport an unopened alcohol container in a motor vehicle.
- To possess or transport an open alcohol container in the passenger area of a motor vehicle (both the driver and the passenger can be charged regardless of age or whether they consumed the alcohol).
- To create or use a fake I.D. to obtain alcohol.
- To allow any person to use your motor vehicle after they have been drinking.

Printed with funds from the Office of Juvenile Justice and Delinquency Program at the Department of Justice.

Minnesota Department  
of Public Safety  
444 Cedar Street  
St. Paul, MN 55101  
651-282-6565  
<http://www.dps.state.mn.us/>



Partnerships to Prevent  
Underage Drinking

## Minnesota's ENFORCING Underage Drinking LAWS Program



## Underage Drinking and Its Consequences

Alcohol is the drug most commonly used by young people. They use alcohol more often than tobacco and far more often than marijuana or any other illicit drug.

Research shows that underage alcohol use is associated with health and social problems and criminal behavior. Examples include traffic deaths and injuries, unprotected sex, teen pregnancy, sexually transmitted diseases, sexual assaults or other violent crimes (as offenders or victims) and academic failure. Youth who drink before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21.

Comparisons of youth drinking behavior can be made between 35 years ago and now with alarming differences.

### Youth 35 years ago:

- Bought a six pack
- Used the family car
- Experienced few health consequences
- Had little spending money
- Drinking was not accepted by parents

### Youth now:

- Buy a keg or cases
- Have their own car
- Are exposed to sexually transmitted infections, HIV/AIDS, physical violence, traffic crashes
- Have one or two jobs
- Drinking acceptable by many

In addition, it is not uncommon for young people to drive a vehicle after drinking or to ride as a passenger in a vehicle driven by someone under the influence of alcohol. DWI arrests increased for the fifth year in a row among drivers in the 15 to 20 year-old age group.

## Enforcing Minnesota Laws

Minnesota has strong laws that prohibit underage drinking, but it takes the will of each community to enforce those laws. The State of Minnesota, county agencies, community coalitions, law enforcement and youth advocates have formed a partnership to assist Minnesota families and communities in the prevention of underage alcohol use.

## The partnership includes the following organizations:

- Minnesota Department of Public Safety's Office of Traffic Safety (OTS) and Alcohol and Gambling Enforcement Division (AGED)
- Minnesota Join Together
- Mothers Against Drunk Driving Minnesota (MADD) and Youth In Action
- Various local community coalitions and law enforcement agencies

The partnership has one goal: to stop the sale of alcoholic beverages to – or the consumption of alcoholic beverages by – minors.

## To make that goal a reality, the organizations in the partnership are:

- Conducting compliance checks with retailers and investigating adult providers;
- Emphasizing enforcement targeted towards youth who attempt to purchase alcohol products;
- Using media coverage to gain exposure for the issue and explaining why these efforts are being made.

Most young people don't think about the dangers of drinking alcohol until something tragic happens to them or to one of their friends. It is important for parents and communities to get involved and stay involved with youth and their daily activities.

If you or your organization would like to find out more about underage drinking, its consequences and what is being done to enforce Minnesota's laws, contact:

**Sharon Johnson**  
**State Program Administrator**  
**651-215-9092**  
**sharon.l.johnson@state.mn.us**

## Reference Card of Useful Laws Regarding Underage Alcohol Use

### M.S.340A.415

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

### M.S.340A.503 Subd. 1

It is illegal:

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

### M.S.340A.503 Subd. 2

It is illegal for a person:

- To sell, barter, furnish or give alcoholic beverages to a person under the age of 21.
- To persuade to purchase or obtain any alcoholic beverage, or to lend or knowingly allow the use of a person's driver's license, permit, Minnesota Identification card or any other form of identification for a person under the age of 21.

It is illegal for any person under the age of 21:

- To purchase or attempt to purchase any alcoholic beverage.

### M.S.340A.503 Subd. 3

It is illegal for a person under the age of 21:

- To possess any alcoholic beverage with the intent to consume it. For possession in the household of the person's parent or guardian, an exception applies. Possession at a place other than the household of the parent or guardian creates the presumption of intention to consume.

### M.S. 340A.503 Subd.4

It is illegal for a person under the age of 21:

- To enter a liquor establishment for the sale of alcoholic beverages or for the purpose of purchasing or having served or delivered any alcoholic beverage.

### M.S. 340A.503 Subd. 5

It is illegal for a person under the age of 21:

- To claim to be 21 years of age or older for the purposes of purchasing alcoholic beverages.

### M.S. 340A.507 Subd. 4

It is illegal:

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

### M.S. 340A.701 (Kevin's Law)

It is illegal:

- For any person to provide alcohol to a minor. If the minor suffers great bodily harm or death as a result of intoxication, the provider can be charged with a felony.

### M.S. 340A.702

It is illegal:

- For a licensed retailer to provide alcohol to a minor. If the minor suffers great bodily harm or death as a result of intoxication, the provider can be charged with a gross misdemeanor.

### M.S. 340A.801

It provides for common law tort:

- Against any person 21 years old or older who knowingly provides or furnishes alcoholic beverages to a person under the age of 21 years.

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

A statutory cause of action has been created:

- For any person injured by an intoxicated person under age 21, giving the injured party the right of civil third-party liability action for damages, excluding homeowner's insurance coverage.

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