

## Who to Contact?

Every Minnesotan can help reduce underage drinking and its negative consequences. Know the law, hold youth and adults responsible for their behavior, and work with concerned groups. For information, contact:

Minnesota Department of Public Safety  
Office of Traffic Safety  
651-215-9092 • [www.dps.state.mn.us/trafsafe](http://www.dps.state.mn.us/trafsafe)

Minnesota Department of Public Safety  
Alcohol and Gambling Enforcement Division  
651-215-6200 • [www.dps.state.mn.us/alchgamb](http://www.dps.state.mn.us/alchgamb)

Mothers Against Drunk Driving Minnesota (MADD)  
and Youth In Action  
651-523-0802  
[programs@maddmn.org](mailto:programs@maddmn.org) • [www.maddmn.org](http://www.maddmn.org)

Minnesota Join Together  
763-427-5310 • [www.miph.org/mjt](http://www.miph.org/mjt)

Local community coalitions and  
law enforcement agencies



Upon request, this material can be made available in alternative formats, such as Braille or large print.

If you require an alternative format, please call 651-282-6565 (voice) or 651-282-6555 (TTY).



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# Minnesota State Laws

Law enforcement directly benefits when underage drinking is prevented or cited. More enforcement results in fewer traffic crashes and fatalities, homicides, suicides, assaults, rapes and other criminal activity that require response.

### M.S.169A.33 (Not A Drop)

It is illegal for a person under age 21: To operate a motor vehicle while consuming alcoholic beverages or the physical condition of having ingested an alcoholic beverage. If a person's BAC is 0.10 or more, regular DWI laws apply instead of the underage consumption while driving offense.

### 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.513, Subd. 2

Off-sale retailers must affix an identification label or tag to each beer keg that is for sale. The retailer will record the purchaser's ID information, date and time of purchase, keg ID number and purchaser's signature. The record will be kept for 90 days.

### 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 homeowners' insurance coverage.

# What's the Big Deal?



## Underage Drinking in Minnesota

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

## What's the Big Deal?

Underage alcohol use is a big deal and directly related to criminal behavior and serious social and health problems such as:

- Suicide and homicide.
- Traffic crashes, injuries and fatalities.
- Unprotected or unwanted sex, teen pregnancy, sexually transmitted diseases including HIV/AIDS, and assaults.
- Withdrawal, depression and emotional/psychological difficulties.
- School delinquency, failure and dropout.

## Half Empty or Half Full?

A Social Context For Underage Drinkers

Alcohol is the most commonly used drug among young people—more than tobacco and much more than marijuana. Many adults turn a blind eye to underage drinking, citing use in their own youth. But the world is very different from a generation ago, and today's socio-economic changes dramatically impact youth:

- More have jobs and their own income.
- More have cars, increasing their mobility.
- More live in single-parent or dual income households, resulting in more unsupervised time and activities.

## Chugging Ahead...

While a recent decrease in underage drinking is progress, underage consumption still reflects a sobering reality, especially when it comes to binge drinking (five or more drinks in a row in a two-week period):

- About one-third of high school seniors and one in six freshmen report binge drinking.
- Binge drinking can result in rapid intoxication, leading to alcohol poisoning and even death due to slowed or stopped breathing, choking on vomit, etc.
- More than 27 percent of high school males report frequent drinking (drinking 20 or more times during the past year).
- Among freshmen, girls consume alcohol and binge drink at a rate equal to boys.

*Minnesota Student Survey, Key Trends Through 2001, Minnesota Departments of Children, Families & Learning, and Human Services*

That's the  
only thing  
he'll be kissing  
tonight.

## Good to the Last Drop

Too often, teens take drinking to a disturbing extreme.

Alcohol and drinking problems contribute to:

- Suicide and death—Nearly half of all teen suicides each year and more than half of adolescent deaths in Minnesota involve alcohol.
- Traffic deaths—One-third of all traffic fatalities among 15- to 19-year olds are caused by drinking and driving.
- Violence, sexual assaults and date rape—Drinkers are more prone to injuries due to violence; and two-thirds of sexual assaults and date rapes among teens and college students are alcohol-related.
- Alcohol dependence—Those who begin drinking at age 15 are four times more likely than those who begin at age 21 to develop alcohol dependence.

## The Hangover

The legal and financial consequences of underage drinking are great:

- A DWI offense can result in one year in jail, \$3,000 fine, loss of driving privileges, legal costs and increased insurance rates. A DWI stays on a person's record for a minimum of 15 years.
- A citation for underage drinking can cost \$100, result in loss of driving privileges for 30 days, and remain on a person's record for 15 years. A second violation will result in loss of driving privileges for 180 days.
- Trying to purchase alcohol with a fake ID can result in loss of driving privileges for at least 90 days and a fine.

## Alcohol: Not a Pitcher of Health

Alcohol contributes to serious health problems and physical consequences—especially among youth and teens:

- Sexual dysfunction, reproductive system disorders, fetal effects and spontaneous abortion.
- Brain damage to the decision-making and reasoning areas of the brain, which are still developing during the teen years.
- Loss of brain cells, resulting in the loss of ability to acquire and store memories.

The  
consequences  
of drinking outweigh the  
experience.

## Underage Drinking Isn't Just About the Kids

Adults who provide alcohol to underage drinkers will be held responsible and suffer serious criminal and legal consequences. If an adult provides alcohol to an underage person and that person is killed or injured or kills or injures someone else, the adult can be charged with a felony and face time in prison.

Adults who provide alcohol are also subject to civil liability in cases of injury, property damage or death. Civil liability is not covered by most insurance.

Adults and parents both face dramatic rate increases in their insurance coverage due to their role in damages resulting from underage drinking.

