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The Status of Underage Drinking and Laws in Missouri

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Overview

Underage drinking presents a serious public health problem in the United States with 10.7 million youth ages 12-20 reporting consumption of alcohol.² Twenty-eight percent of youth ages 12-20 report using alcohol within the past 30 days.² Additionally, underage youth consumed 19.7 percent of all alcohol in 1999, spending \$22.5 billion on beer, wine, and liquor.³ Underage drinking contributes to a host of public health problems such as homicide, suicide, injury, drowning, burns, property crime, high risk sex, fetal alcohol syndrome, and alcohol poisoning.⁴

In addition to these concerns, research indicates early onset of alcohol use is a strong predictor of alcohol dependence later in life.⁵ Youth who begin drinking before age 15 are four times more likely to develop alcohol dependence and are two and a half times more likely to become abusers of alcohol than those who begin drinking at age 21.⁶ In Missouri, one out of four youth begins using alcohol before the age of 13.⁷

¹ Lara Sansing is a University of Missouri – Columbia student and coordinates a statewide program to reduce underage drinking among college students. Conclusions are those of the author, not necessarily those of the Institute of Public Policy or the Truman School of Public Affairs.

² SAMHSA, Office of Applied Studies, National Survey on Drug Use and Health (NSDUH) (2002).

³ The Economic Value of Underage Drinking and Excessive Drinking to the Alcohol Industry (2003). The National Center on Addiction and Substance Abuse, Columbia University.

⁴ Underage Drinking in Missouri. (2004). Pacific Institute for Research and Evaluation.

⁵ Spear, L. (2002). Alcohol's effects on adolescents. *Alcohol Research and Health*. Vol. 26 (4), 287-291.

⁶ Grant, B. F. & Dawson, D. A. (1997). Age at onset of alcohol use and its association with DSM-IV alcohol abuse and dependence: Results from the Nation Longitudinal Epidemiologic Survey. *Journal of Substance Abuse* 9: 103-110.

⁷ Center for Disease Control and Prevention (CDC). (2003) Youth Risk Behavior Surveillance System (YRBSS). Available [Online]: <http://www.cdc.gov/HealthyYouth/YRBS/> YRBSS is a biannual survey, conducted by the CDC, monitoring six categories of health-risk behaviors among youth and young adults.

There are a number of economic consequences resulting from underage drinking. In 2001, the estimated economic cost to Missouri was \$1.4 billion.⁴ Table 1 shows the breakdown of economic consequences related to underage drinking in Missouri. These costs include “medical care, work loss, pain and suffering associated with the multiple problems resulting from the abuse of alcohol by youth.”⁸ Research suggests underage alcohol use costs \$2,497 per Missouri youth, making Missouri the state with the 11th most costly problem due to alcohol use. In 2001, Missouri youth consumed 18.6% of all alcohol sold in Missouri, spending \$374 million.⁴

Table 1

Problems and Costs Associated with Underage Drinking*

Problem	Total Costs (in millions)
Youth Violence	\$681.6
Youth Traffic Crashes	\$456.5
High-Risk Sex, Ages 14-20	\$110.2
Youth Property Crime	\$72.4
Youth Injury	\$33.4
Poisonings and Psychoses	\$19.1
Fetal Alcohol Syndrome Among Mothers Age 15-20	\$21.5
Youth Alcohol Treatment	\$29.3
Total	\$1,424.1

*Underage Drinking in Missouri, Pacific Institute for Research and Evaluation, 2004.

According to the Youth Risk Behavior Surveillance System, 77.8% of Missouri high school students have consumed alcohol, which is above the national average of 74.9%.⁷ This research also found that 49% of Missouri youth have used alcohol in the past month, which is higher than Nebraska, Oklahoma, and Tennessee.⁹ Additionally, this survey also found 30.5 % of Missouri youth have had five or more drinks of alcohol in a row (within several hours) on one or more of the past 30 days, which is also above the national average of 28.3%.⁷

States use a variety of policy approaches to reduce underage drinking. Some of the policy efforts focus on underage drinkers and their ability to gain access to alcohol while

⁸ Levy, D.T., Miller, T.R., & Cox, K.C. (2003). Underage drinking: societal costs and seller profits. Working Paper. Calverton, MD: Pacific Institute for Research and Evaluation. PIRE is one of the nation’s preeminent independent, nonprofit organizations margining scientific knowledge and proven practice to create solutions that improve the health, safety, and well-being of individuals, communities, nations, and the world.

⁹ Data from YRBSS were not available for other states that border Missouri.

others focus on the consequences of underage drinking. Several of the different policy approaches and Missouri's current policy environment are discussed below.

Laws

Fraudulent Identification

All U.S. states have laws that make it illegal for youth under 21 to use a fraudulent identification (fake ID) to purchase alcohol. Fines, jail time, and/or suspension of a driver's license are common punishments for youth possessing a fake ID in the United States.¹⁰ In Missouri, the possession of a fake ID can result in up to a \$1,000 fine and/or 1 year in jail.¹¹

Keg Registration

On July 1, 2004 the Missouri Keg Registration and Tracking law became effective. Keg registration requires liquor retailers to attach a labels to kegs sold for off-premise consumption. If the label has been removed, the retailer may not refund the keg deposit. The retailer must keep records and be able to verify who purchased the keg for three months. The purchaser must present identification when purchasing the keg and sign a statement that states misuse of the keg or its contents by may result in civil liability, criminal prosecution, or both.¹² Missouri is one of 24 states to enact such a law, along with Nebraska and Kansas.¹⁰

Open Container

All states prohibit the possession and consumption of alcohol by the driver of a motor vehicle. Thirty-seven states have laws that make it illegal for there to be an open alcoholic beverage container and consumption of alcoholic beverages by passengers in a motor vehicle. Missouri does not currently have such a law; however it has been presented in previous legislative sessions. Many of Missouri's neighboring states have open container laws, including Illinois, Iowa, Nebraska, Kansas, and Oklahoma.¹⁰

The National Highway Traffic Safety Administration (NHTSA) has recommended that every state adopt an open container law, to help combat underage drinking and driving while intoxicated. This recommendation has been taken one step further in the form of each state being required to enact such a law to receive all highway construction funds. In Missouri, the lack of an open container law has diverted an estimated \$34.7 million from road and bridge construction funds since FY 2001 to highway safety programs.¹³ These diverted funds are used for programs addressing high or potentially high crash rates. In FYs 2005-2007, \$12 million annually is scheduled to be diverted and, beginning in FY2008, \$8 million will be diverted annually.¹³

¹⁰ State-by-State Alcohol-Related Laws. (2004). MADD. Available [Online]: <http://www3.madd.org/laws>

¹¹ Possession of an altered identification is a Class A misdemeanor. See Section 311.329, RSMo.

¹² See Section 311.082, RSMo.

¹³ Lack of Primary Safety Belt and Open Container Laws Costing Missouri Lives, Money. (2004). Missouri Department of Transportation.

Social Host Liability

Social Host laws target adults who serve alcohol to obviously intoxicated persons or those under age 21. Under these laws, the adult serving alcohol may be held liable if the youth or intoxicated individuals are involved in crashes causing death or injury to third parties. Missouri is one of 19 states that does not currently have a social host law. Illinois and Iowa are two neighboring states that have such laws.¹⁰

Underage Consumption

Thirty-six states have laws making it illegal for youth under 21 to consume alcohol or to have any amount of alcohol in their bodies. Proposed legislation has been presented in previous Missouri legislative sessions; however the law has yet to be passed. Iowa, Illinois, Kansas, Nebraska, Oklahoma, and Tennessee all have consumption laws.¹⁰

Underage Purchasing

All fifty states have laws that make it illegal for youth under 21 years of age to purchase alcohol. The laws vary from state to state, but many include strict penalties, with some states even imposing driver's license suspension.¹⁰ Missouri and many of its border states have classified the attempt of a minor to purchase alcohol as a misdemeanor, with fines and jail time as potential consequences for first time offenders. In some states the penalty increases with the second offense. In Iowa, for example, a second offense results in an increased fine and loss of driver's license for up to one year.¹⁴

Zero Tolerance

All 50 U.S. states have implemented a zero tolerance law, which makes it illegal for drivers under age 21 to operate a vehicle with a blood alcohol concentration (BAC) of .02 or higher. There is some variation in this law which makes it illegal to operate a vehicle with .00 or .01 BAC. Missouri's law allows for a .02 BAC. Illinois and Oklahoma both have .00 BAC laws, with the remaining border states having .02 BAC laws, similar to Missouri.¹⁰

Conclusion

There is widespread alcohol use by minors in Missouri. Underage drinking significantly increases the likelihood of subsequent alcohol dependence and policies that merely delay alcohol use can have significant and positive down stream health effects. Missouri has taken steps to punish those who purchase alcohol fraudulently, those who permit the misuse of kegged beer, and those who are under age and drive after drinking. Missouri could take several additional steps to discourage underage alcohol consumption including

¹⁴ Persons under legal age-penalty. See Section 123.47, Iowa Code.

a prohibition against open containers, establishing local host liability, and more stringently regulating purchasing and consumption of alcohol.

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