State Report

Colorado

This state report is excerpted from:
The 2013 Report to Congress on the Prevention and Reduction of Underage Drinking
submitted to Congress by The U.S. Department of Health and Human Services.

To obtain more information and a copy of the full Report to Congress go to:
https://www.stopalcoholabuse.gov
**Colorado**

State Profile and Underage Drinking Facts*

State Population: 5,116,796  
Population Ages 12–20: 568,000

<table>
<thead>
<tr>
<th>Ages 12–20</th>
<th>Percentage</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Past-Month Alcohol Use</td>
<td>31.7</td>
<td>180,000</td>
</tr>
<tr>
<td>Past-Month Binge Alcohol Use</td>
<td>17.9</td>
<td>102,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ages 12–14</th>
<th>Percentage</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Past-Month Alcohol Use</td>
<td>9.7</td>
<td>18,000</td>
</tr>
<tr>
<td>Past-Month Binge Alcohol Use</td>
<td>2.5</td>
<td>5,000</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Ages 15–17</th>
<th>Percentage</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Past-Month Alcohol Use</td>
<td>28.7</td>
<td>56,000</td>
</tr>
<tr>
<td>Past-Month Binge Alcohol Use</td>
<td>16.9</td>
<td>33,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ages 18–20</th>
<th>Percentage</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Past-Month Alcohol Use</td>
<td>57.8</td>
<td>105,000</td>
</tr>
<tr>
<td>Past-Month Binge Alcohol Use</td>
<td>35.2</td>
<td>64,000</td>
</tr>
</tbody>
</table>

| Alcohol-Attributable Deaths (under 21) | 74 |
| Years of Potential Life Lost (under 21) | 4,492 |

<table>
<thead>
<tr>
<th>Percentage of All Traffic Fatalities</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC &gt; 0.01</td>
<td>16.0</td>
</tr>
</tbody>
</table>

* See Appendix C for data sources.
Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol
Possession is prohibited with the following exception(s):
- Private location AND
- Parent/guardian

Note: Colorado’s exception requires the knowledge and consent of the owner of the private property when minors possess alcohol (in addition to the consent and presence of a parent or guardian).

Underage Consumption of Alcohol
Consumption is prohibited with the following exception(s):
- Private location AND
- Parent/guardian

Note: Colorado’s exception requires the knowledge and consent of the owner of the private property when minors consume alcohol (in addition to the consent and presence of a parent or guardian).

Internal Possession by Minors
Internal possession is prohibited with the following exception(s):
- Private location AND
- Parent/guardian

Note: Colorado’s exception requires the knowledge and consent of the owner of the private property when minors possess or consume alcohol (in addition to the consent and presence of a parent or guardian).

Underage Purchase of Alcohol
Purchase is prohibited and there is NO ALLOWANCE for youth purchase for law enforcement purposes

False Identification for Obtaining Alcohol

Provision(s) Targeting Minors
- Use of a false ID to obtain alcohol is a criminal offense.
- Penalty may include driver’s license suspension through a judicial procedure.

Note: In Colorado, the license revocation period for a first conviction of obtaining or attempting to obtain an alcoholic beverage by misrepresentation of age is 24 hours of public service, if ordered by the court, or 3 months.

Provision(s) Targeting Suppliers
- It is a criminal offense to lend, transfer, or sell a false ID.

Provisions Targeting Retailers
- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- Retailers are permitted to seize apparently false IDs.
• Specific affirmative defense—the retailer inspected the false ID and came to a reasonable conclusion based on its appearance that it was valid.
• Retailer has the authority to detain a minor suspected of using a false ID in connection with the purchase of alcohol.

**Laws Targeting Underage Drinking and Driving**

**BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)**

- BAC limit: 0.02
- BAC level at or above the limit is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

**Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)**

Use/lose penalties apply to minors under age 21.

**Type(s) of Violation Leading to Driver’s License Suspension, Revocation, or Denial**

- Underage purchase
- Underage possession
- Underage consumption

**Authority To Impose Driver’s License Sanction**

- Mandatory

**Length of Suspension/Revocation**

- Minimum: Not specified
- Maximum: 90 days

**Graduated Driver’s License**

**Learner Stage**

- Minimum entry age: 15
- Minimum learner stage period: 12 months
- Minimum supervised driving requirement: 50 hours—10 of which must be at night

**Intermediate Stage**

- Minimum age: 16
- Unsupervised night driving
  - Prohibited after: 12 a.m.
  - No primary enforcement of the night-driving rule
- Passenger restrictions exist: For first 6 months, no passengers under 21 unless immediate family member; second 6 months, only one passenger under 21 who is not immediate family
  - No primary enforcement of the passenger-restriction rule

**License Stage**

- Minimum age to lift restrictions: 17
Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors

Furnishing is prohibited with the following exception(s):
- Private location AND
- Parent/guardian

Compliance Check Protocols

Age of Decoy
- Minimum: 18
- Maximum: 20

Appearance Requirements
- Age-appropriate appearance with no age enhancements

ID Possession
- Discretionary

Verbal Exaggeration of Age
- Prohibited

Decoy Training
- Not specified

Penalty Guidelines for Sales to Minors
- Time period/conditions: 1 year
- First offense: Written warning to up to 15-day license suspension—accepting fine in lieu of
  15 days of suspension is discretionary
- Second offense: 25-day suspension, 10 days served and 15 held in abeyance
- Third offense: 44-day suspension, 20 served and 24 held in abeyance
- 4th offense: 45-day or more license suspension or license revocation

Note: Lists of aggravating and mitigating factors are provided. Responsible alcohol vendors
may receive a warning on the first offense.

Responsible Beverage Service

Voluntary Beverage Service Training
- The law does not specify on- or off-sale establishments.
- The law does not specify new or existing outlets.

Incentive for Training
- Mitigation of fines or other administrative penalties for sales to minors.

Note: No person shall be employed to serve alcohol beverages or provide security within a
“common consumption area,” that is, an area designed as a common area in an “entertainment
district” approved by the local licensing authority that uses physical barriers to close the area to
motor vehicle traffic and limit pedestrian access, unless the server has completed the server and
seller training program established by the director of liquor enforcement. An “entertainment
district” is a designated area within a municipality with no more than 100 acres containing at
least 20,000 feet of premises licensed as a tavern, hotel and restaurant, brew pub, retail gaming
tavern, or vintner’s restaurant when the district is created.

Minimum Ages for Off-Premises Sellers

- Beer: 21
- Wine: 21
- Spirits: 21

Note: Although employees must be at least 21 years old to sell malt, vinous, or spirituous
liquors in a retail liquor store, employees at least 18 years old may sell fermented malt beverages
containing not more than 3.2 percent alcohol by weight in establishments where fermented malt
beverages are sold at retail in containers for off-premises consumption.

Minimum Ages for On-Premises Sellers

- Beer: 18 for both servers and bartenders
- Wine: 18 for both servers and bartenders
- Spirits: 18 for both servers and bartenders

Condition(s) That Must Be Met in order for an Underage Person To Sell Alcoholic Beverages

- Manager/supervisor is present.

Note: Persons under 21 years old employed to sell or dispense malt, vinous, or spirituous liquors
must be supervised by another person who is on premise and has attained 21 years of age.

Distance Limitations for New Alcohol Outlets Near Universities and Schools

Colleges and Universities

Limitations on outlet siting:
- Off-premises outlets: Yes—within 500 feet
- On-premises outlets: Yes—within 500 feet
- Alcohol products: Beer, wine, spirits

Primary and Secondary Schools

Prohibitions against outlet siting:
- Off-premises outlets: Yes—within 500 feet
- On-premises outlets: Yes—within 500 feet
- Alcohol products: Beer, wine, spirits

Dram Shop Liability

Statutory liability exists subject to the following conditions:
- Limitations on damages: $280,810 per person
- Limitations on elements/standards of proof: Knowledge of underage status

Social Host Liability Laws

Statutory liability exists subject to the following conditions:
- Limitations on damages: $280,810 per person
- Limitations on elements/standards of proof: Knowledge of underage status
Host Party Laws
No state-imposed liability for hosting underage drinking parties

Retailer Interstate Shipments of Alcohol
Retailer interstate shipments are prohibited for all types of beverages.

Direct Sales/Shipments of Alcohol by Producers
Direct sales/shipments from producers to consumers are permitted for wine with the following restrictions:

Age Verification Requirements
• Common carrier must verify age of recipient.

State Approval/Permit Requirements
• Producer/shipper must obtain state permit.

Reporting Requirement
• Producer must record/report purchaser’s name.

Shipping Label Statement Requirements
• Contains alcohol
• Recipient must be 21

Keg Registration
Not required

Alcohol Pricing Policies

Home Delivery
• Beer: Permitted—state permit required
• Wine: Permitted—state permit required
• Spirits: Permitted—state permit required

Alcohol Tax
• Beer (5 percent alcohol): Specific excise tax is $0.08 per gallon.
• Wine (12 percent alcohol): Specific excise tax is $0.32 per gallon.
• Spirits (40 percent alcohol): Specific excise tax is $2.28 per gallon.

Drink Specials
No law

Wholesale Pricing
Pricing restrictions exist.

Beer (5 percent alcohol)
• Minimum markup/Maximum discount: Yes—no sales below cost
• Retailer credit: Restricted—30 days maximum
**Wine (12 percent alcohol)**
- Minimum markup/Maximum discount: Yes—no sales below cost
- Retailer credit: Restricted —30 days maximum

**Spirits (40 percent alcohol)**
- Minimum markup/Maximum discount: Yes—no sales below cost
- Retailer credit: Restricted—30 days maximum
## Colorado State Survey Responses

### State Agency Information

**Agency with primary responsibility for enforcing underage drinking laws:**
Liquor Enforcement Division, Colorado Department of Revenue

### Methods by which local and state enforcement agencies coordinate their efforts to enforce laws prohibiting underage drinking:

The state holds cooperative enforcement operations with local law enforcement agencies conducting compliance checks and special event patrols. The state also conducts training for local law enforcement.

### Enforcement Strategies

#### State law enforcement agencies use:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cops in Shops</td>
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<td></td>
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<tr>
<td>Shoulder Tap Operations</td>
<td></td>
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<tr>
<td>Party Patrol Operations or Programs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Underage Alcohol–Related Fatality Investigations</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Local law enforcement agencies use:

<table>
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<th>Activity</th>
<th>Yes</th>
<th>No</th>
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<tr>
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<td></td>
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</tbody>
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### Enforcement Statistics

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

- Number of minors found in possession by state law enforcement agencies: 464
- Number pertains to the 12 months ending: 12/31/2011
- Data include arrests/citations issued by local law enforcement agencies: No

#### State conducts underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors

- Data are collected on these activities: Yes
- Number of licensees checked for compliance by state agencies: 1,867
- Number of licensees that failed state compliance checks: 280
- Numbers pertain to the 12 months ending: 12/31/2011

#### Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors

- Data are collected on these activities: Yes
- Number of licensees checked for compliance by local agencies: 1,509
- Number of licensees that failed local compliance checks: 107
- Numbers pertain to the 12 months ending: 12/31/2011

### Sanctions

#### State collects data on fines imposed on retail establishments that furnish minors

- Number of fines imposed by the state: 205
- Total amount in fines across all licensees: $160,738
- Numbers pertain to the 12 months ending: 12/31/2011

#### State collects data on license suspensions imposed on retail establishments specifically for furnishing minors

- Number of suspensions imposed by the state: 263
- Total days of suspensions across all licensees: 4,349
- Numbers pertain to the 12 months ending: 12/31/2011
State collects data on license revocations imposed on retail establishments specifically for furnishing minors

<table>
<thead>
<tr>
<th>Number of license revocations imposed(^5)</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Numbers pertain to the 12 months ending</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>12/31/2011</td>
</tr>
</tbody>
</table>

**Additional Clarification**

None given

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 Does not include fines imposed by local agencies.
4 Does not include suspensions imposed by local agencies.
5 Does not include revocations imposed by local agencies.

### Underage Drinking Prevention Programs Operated or Funded by the State:

#### Programs SPECIFIC TO Underage Drinking

**Persistent Drunk Driver**

| Number of youth served | 225,435 |
| Number of parents served | No data |
| Number of caregivers served | No data |
| Numbers pertain to the 12 months ending | 06/30/2011 |
| Program has been evaluated | Yes |
| Evaluation report is available | No |
| URL for evaluation report | Not applicable |

URL for more program information:

http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheadename1=Content-Disposition&blobheadename2=Content-Type&blobheadervalue1=inline%3B+filename%3D%22Prevention+Program+Profile.pdf%22&blobheadervalue2=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1251694238324&ssbinary=true

**Program description:** Pursuant to legislation passed in 1998, penalties were increased for high blood alcohol concentration (BAC) and repeat driving under the influence (DUI) offenders. Referred to as the Persistent Drunk Driver (PDD) Act of 1998, this legislation defined the PDD program and created the PDD Cash Fund, which is funded by a surcharge imposed on convicted driving while alcohol impaired (DWAI)/DUI offenders. Monies in the PDD fund are subject to annual appropriation by the general assembly, with the scope of their use stipulated by statute. Overall, the primary purpose of the fund is to support programs intended to prevent persistent drunk driving or intended to educate the public, with particular emphasis on the education of young drivers, regarding the dangers of persistent drunk driving.

Authorizing legislation/grant: C.R.S 42-3-303, et seq. (House Bill 98-1334) sponsors Hopper/Hagedorn.

**Population served:** Programs, practices, and approaches cover a wide range of prevention activities including collaboration with local organizations; conducting educational programs for young people, parents, enforcement officials, community and business leaders, healthcare providers, school personnel, and others; promoting governmental and voluntary policies to promote alcohol-free activities for citizens; and restricted access to alcoholic beverages.
### Underage Drinking Prevention Programs Operated or Funded by the State:
#### Programs RELATED TO Underage Drinking

<table>
<thead>
<tr>
<th><strong>Law Enforcement Assistance Funds</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Program description: The Law Enforcement Assistance Fund (LEAF) increases the capacity for comprehensive impaired driving education and underage drinking prevention at the local level.</td>
</tr>
<tr>
<td>Authorizing legislation/grant: CRS 43-4-401 et seq. allocates a portion of funds to the Colorado Department of Human Services, Division of Behavioral Health. These dollars are used to establish a statewide program for the prevention of driving after drinking, including educating the public about the problems of driving after drinking, preparing and disseminating educational materials dealing with the effects of alcohol and drugs on driving behavior, and preparing and disseminating educational curriculum materials for use at all levels of school.</td>
</tr>
<tr>
<td>Population served: Across Colorado, individuals, organizations, and community coalitions are actively engaged in broad-based and coordinated activities designed to reduce underage access to alcohol and to prevent impaired driving. These programs, practices, and approaches cover a wide range of prevention activities including collaboration with local organizations; conducting educational programs for young people, parents, enforcement officials, community and business leaders, healthcare providers, school personnel, and others; and promoting governmental and voluntary policies to promote alcohol-free activities for citizens and to restrict access to alcoholic beverages for underage persons.</td>
</tr>
</tbody>
</table>

### Additional Information Related to Underage Drinking Prevention Programs

<table>
<thead>
<tr>
<th>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of collaboration: Ignacio, CO, a multiethnic community with a Native American presence, has undertaken a 5-year approach affirming a course correction in its prevention strategy. With the Boys and Girls Club (BGC) of the Southern Ute Indian Tribe and the Ignacio School District, Southern Ute Community Action Programs (SUCAP) conducts evidence-based programming covering a younger age group. The BGC Stay Smart program targets youth ages 9 to 11, with a Native Hip Hop adaptation of the Smart Leaders program creating a role for youth ages 12 and older. SUCAP operates Project Venture, an afterschool activity combining classroom concept-building with challenging outdoor activities developed for Native communities. Outreach is based on relationship building with youth in the schools and the Ignacio Teen Center to create a continuum of contacts and dosage along with process and outcome evaluation.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program description: Corona Insights, on behalf of Peter Webb Public Relations, conducted the following research to aid the development of a social norming campaign for Western State College as part of the PDD program. This research, conducted during the beginning of the fall semester in 2010, worked to identify the current state of student perceptions regarding alcohol use and driving while impaired, actual behavior related to driving under the influence, and awareness of drinking and driving media messages. This survey’s goal was to establish a baseline for the 2010–2011 campaign, as well as to continue informing future campaigns.</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>State has adopted or developed best practice standards for underage drinking prevention programs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Best practice standards description: Each funded agency is required to present and follow programs that are evidence based and data driven. They are allowed to choose from many different evidence-based curriculums with the intention of reducing the percentage of underage drinking in their</td>
</tr>
</tbody>
</table>

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Report to Congress on the Prevention and Reduction of Underage Drinking
particular community. Data are collected from each provider every month. At the end of the fiscal year, evaluation reports with aggregate data will be collected to determine the overall effectiveness of each individual program as well as the underage drinking prevention program as a whole.

### Additional Clarification

None given

### State Interagency Collaboration

**A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities**

Yes

**Committee contact information:**

- **Name:** Lisa Finch
- **E-mail:** cheryl.finch@state.co.us
- **Address:** 3824 W. Princeton Circle, Denver, CO 80236
- **Phone:** 303-866-7488

**Agencies/organizations represented on the committee:**

- Colorado Department of Revenue/Division of Motor Vehicles
- Colorado Department of Transportation/Office of Transportation Safety
- Colorado Judicial Department/Division of Probation Services
- Colorado Department of Human Services/Division of Behavioral Health

**A website or other public source exists to describe committee activities**

Yes

URL or other means of access: [http://www.noduicolorado.org](http://www.noduicolorado.org)

### Underage Drinking Reports

**State has prepared a plan for preventing underage drinking in the last 3 years**

Yes

Prepared by: Prevention Staff

Plan can be accessed via: No data

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

Yes

Prepared by: Colorado Department of Human Services/Division of Behavioral Health Plan


### State Expenditures for the Prevention of Underage Drinking

**Compliance checks/decoy operations in retail outlets:**

- **Estimate of state funds expended:** Data unavailable
- **Estimate based on the 12 months ending:** Data unavailable

**Checkpoints and saturation patrols:**

- **Estimate of state funds expended:** Data unavailable
- **Estimate based on the 12 months ending:** Data unavailable

**Community-based programs to prevent underage drinking:**

- **Estimate of state funds expended:** $5,574,504
- **Estimate based on the 12 months ending:** 06/30/2011

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

- **Estimate of state funds expended:** $2,300,000
- **Estimate based on the 12 months ending:** 06/30/2011

**Programs targeted to institutes of higher learning:**

- **Estimate of state funds expended:** $237,000
- **Estimate based on the 12 months ending:** 06/30/2011
Programs that target youth in the juvenile justice system:

<table>
<thead>
<tr>
<th>Estimate of state funds expended</th>
<th>Data unavailable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimate based on the 12 months ending</td>
<td>Data unavailable</td>
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</table>

Programs that target youth in the child welfare system:

<table>
<thead>
<tr>
<th>Estimate of state funds expended</th>
<th>Data unavailable</th>
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<tbody>
<tr>
<td>Estimate based on the 12 months ending</td>
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</table>

Other programs:

<table>
<thead>
<tr>
<th>Programs or strategies included</th>
<th>Not applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimate of state funds expended</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Estimate based on the 12 months ending</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

Funds Dedicated to Underage Drinking

<table>
<thead>
<tr>
<th>State derives funds dedicated to underage drinking from the following revenue streams:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxes</td>
</tr>
<tr>
<td>Fines</td>
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<tr>
<td>Fees</td>
</tr>
<tr>
<td>Other</td>
</tr>
</tbody>
</table>

Description of funding streams and how they are used:

The Persistent Drunk Driver Funds are cash funds derived from DUI offenders of all ages. These funds must specifically be used, under legislative mandate, to educate young drivers on the dangers of persistent drunk driving.

Additional Clarification

The prevention programs funded through this agency incorporate some element of underage drinking and or drug use. Many of the programs target specific underage populations. It is required for each agency to demonstrate evidence-based outcomes related to underage drinking and all other programs implemented with funds received from Colorado.