If a store allows a suspended employee to sell or supervise the sale of beer during the suspension period, local authorities may immediately suspend the store's beer license.

Right to an Administrative Hearing

Any store or employee is entitled to a hearing upon request on any alleged violation by the local licensing authority.

Tracking Administrative Violations

- Local authorities maintain a record of any adjudicated violation until the record is expunged.[8]
- Local authorities notify the Highway Safety Office of any violation within 30 days of its adjudication.
- Highway Safety Office analyzes, maintains (until record is expunged), and tracks violation history information.
- Highway Safety Office makes violation history information available to:
  1. local government authorities to assist them in assessing future administrative penalties against individuals; and
  2. retail grocery and convenience stores to inform them of individuals with a violation history.
- Highway Safety Office provides the Utah Substance Abuse and Anti-Violence Coordinating Council (USAAV) a report by October 1st of each year of statistical data on violation histories.

Footnotes

1 *National Research Council Institute of Medicine, REDUCING UNDERAGE DRINKING, p.459*

2 *American Medical Association Fact Sheet, 2003*

3 *Grant, BF and Dawson, DA. JOURNAL OF SUBSTANCE ABUSE 9:103-110. 1997*

4 *Utah 2005 SHARP Survey*

5 *If employed before September 1, 2006, training must be completed by October 1, 2006. If employed after September 1, 2006, training must be completed within 30 days of the date of employment.*

6 *Badge must be worn on the front of the employee's clothing, visible above the waist, bearing the employee's first or last name, initials, or unique identification in letters or numbers that must be sufficiently large to be clearly visible and identifiable.*

7 *Record must include the employee's full name, address, and driver license or similar identification number.*

8 *EXPUNGEMENT: The administrative violation history of an individual and a store is expunged if no further violation occurs within 36 months of the date of the last adjudicated violation.*

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For Retail Outlets

E.A.S.Y.

Eliminate Alcohol Sales to Youth

Effective July 1, 2006

State of Utah

Department Of Public Safety

Why E.A.S.Y.?

The Underage Drinking Problem:

Youth primarily obtain alcohol from adults and friends, and commercial outlets such as convenience and grocery stores.[1] The latest research shows that alcohol affects a teen brain differently than a mature adult brain. Yet few parents or youth realize that alcohol can damage and interfere with critical brain development during the teen years—development that is important to youth becoming mature, thoughtful, responsible adults. The American Medical Association advises that *"damage from alcohol at this time can be long term and irreversible."*[2]

Research also shows that 40% of those who start drinking before the age of 15 will become alcohol dependent.[3] The average age a person takes their first drink in Utah is 12.3 years old, with many starting younger.[4] Binge drinking (4-5 drinks within a single sitting) starts in middle school and increases through the high school years, increasing the risk of addiction.

The E.A.S.Y. Law:

- Limits youth access to alcohol in grocery and convenience stores; and
- Funds a statewide media and education campaign to alert youth, parents, and communities of the dangers of alcohol to the developing teen brain and increased addiction from early use.
- The E.A.S.Y. Law (S.B. 58) was passed by the 2006 Legislature and may be viewed in its entirety at the Legislature's website: **www.le.state.ut.us**.

Summary for Grocery & Convenience Stores

Mandatory and Standardized Training

- Required for all grocery and convenience store employees who sell beer or directly supervise the sale of beer.[5]
- Conducted by private companies whose instructors and curriculum have been approved by the Utah Division of Substance Abuse and Mental Health (DSAMH).
- Focuses on checking for ID, new research on alcohol and the developing teen brain, underage drinking laws, "zero tolerance", penalties for violations, etc.
- Modest training fees paid by employee or store.
- Training certification good for five (5) years (training status will be posted on DSAMH's website).
- Immediate license suspension imposed against store for allowing untrained employees to sell or supervise the sale of beer.

Identification Badges

- Each store required to issue a unique identification badge to any employee who sells or directly supervises the sale of beer.[6]
- Store must maintain a record available for immediate inspection of all currently assigned badges.[7]

Random Compliance Checks

- Studies have shown that the most effective way to reduce sales to minors at retail outlets is to increase the frequency of random compliance checks.
- Law enforcement authorized to conduct **up to four (4) random alcohol sales compliance checks a year** for each retail store location using underage youth to attempt to purchase alcohol.
- Compliance checks tracked by the Department of Public Safety, Highway Safety Office.

Statewide Uniform Administrative Penalties for Unlawful Sales to Minors

Administrative penalties are:

- in addition to criminal penalties.
- assessed against both the employee and the store.
- set by state statute but adjudicated by local government authorites as follows:

1. PENALTIES FOR STORE EMPLOYEES:

   1ST OFFENSE—written warning and retake the state alcohol training;

   2ND OFFENSE—90 day suspension from selling or supervising the sale of beer and retake the state alcohol training and any additional training a local authority may require;

   3RD OR SUBSEQUENT OFFENSE—one year suspension and retake the state alcohol training and any additional training a local authority may require.

2. PENALTIES FOR STORES:

   1ST OFFENSE—written warning;

   2ND OFFENSE—$250 civil fine;

   3RD OFFENSE—$500 civil fine;

   4TH OR SUBSEQUENT OFFENSE—$500 civil fine + 30 day suspension of beer sales + one year probation.

   If a violation occurs during the period of probation—revocation of license to sell beer (cannot reapply for license for at least six months).

   Failure to pay any fine within 30 days—immediate suspension of beer license until payment made, and revocation if payment not made within 30 days of suspension order.