



State Profile

Providing Alcohol to Persons Under 21

In every state and the District of Columbia, it is illegal for a person to provide alcohol to anyone under 21 years of age. In Colorado, exceptions are allowed for medical or religious purposes; as part of a curriculum at a college or university; or with the consent of and in the presence of a parent or guardian on private property. A violation of this law is a class 2 misdemeanor punishable by:

- A fine of \$250-\$1,000 and/or 3-12 months imprisonment.

Allowing Alcohol Possession or Consumption by Persons Under 21 at Private Premises

There is no specific law in place prohibiting an adult from allowing alcohol possession or consumption by individuals under the age of 21 on a premise under his/her control in Colorado. Currently, 15 states have such a law in place.

Possession of Alcohol by Persons Under 21

In every state and the District of Columbia, it is illegal for anyone under the age of 21 to possess alcohol. In Colorado, exceptions allow possession of alcohol with the consent of and in the presence of a parent or guardian on private property; for religious purposes; as part of a curriculum at a college or university; or handling as part of employment. A violation of this law anywhere in the State is punishable by up to \$100 fine and possibly up to 24 hours community service (court may order alcohol evaluation, education program and/or treatment program). Possession in any store, public place, public roads or alleys, property owned by the State of Colorado, or in a vehicle while upon public roads is a class 2 misdemeanor punishable by \$250 to \$1,000 fine and/or 3 to 12 months imprisonment. There is no indication in the law that a diversion program is available for offenders.

Purchase and Attempt to Purchase Alcohol by Persons Under 21

Currently, 44 states and the District of Columbia have specific laws in place prohibiting an individual under the age of 21 from purchasing alcohol; and 35 states and the District of Columbia prohibit attempts to purchase alcohol. In Colorado, purchase or attempt to purchase is a class 2 misdemeanor punishable by a fine of \$250 to \$1,000 and/or 3 to 12 months imprisonment. There are no graduated penalties for repeat offenses. There is no indication in the law that a diversion program is available for offenders.

Consumption of Alcohol by Persons Under 21

Currently, 36 states and the District of Columbia have specific laws in place prohibiting alcohol consumption by individuals under the age of 21. In Colorado, exceptions allow consumption of alcohol with the consent of and in the presence of a parent or guardian on private property; for religious purposes; or as part of a curriculum at a college or university. A violation of this law is a strict liability offense punishable by up to \$100 fine and possibly up to 24 hours community service (court may order alcohol evaluation, education program and/or treatment program). There is no indication in the law that a diversion program is available for offenders.

Misrepresentation of Age

In 39 states and the District of Columbia, it is illegal for anyone under the age of 21 to misrepresent his/her age to obtain alcohol. In Colorado, a violation of this law is a class 2 misdemeanor punishable by a \$250 to \$1,000 fine and/or 3 to 12 months imprisonment. There is no indication in the law that a diversion program is available for offenders. The retailer may detain the offender until law enforcement officials arrive. Currently, 5 states allow retailers to detain offenders to turn them over to authorities.

Use of False Identification

In every state and the District of Columbia, the use of false identification by a person under the age of 21 is illegal. In Colorado, a violation of this law is a class 2 misdemeanor punishable by \$250 to \$1,000 fine and/or 3 to 12 months imprisonment. There is no indication in the law that a diversion program is available for offenders. The retailer may confiscate the false identification and detain the offender to turn them over to the proper authorities. Currently, 6 states allow retailers to confiscate false identification and 5 states allow retailers to detain offenders to turn them over to the proper authorities.

Transfer of Identification

In 47 states, the transfer of identification to a person under the age of 21 is illegal. In Colorado, a violation of this law is a class 2 misdemeanor punishable by \$250 to \$1,000 fine and/or 3 to 12 months imprisonment. The retailer may confiscate the identification and detain the offender to turn them over to the proper authorities. Currently, 6 states allow retailers to confiscate false identification and 5 states allow retailers to detain offenders to turn them over to the proper authorities.

Graduated Licensing

Colorado has a graduated licensing law.

- **Instruction permit:** In order to obtain an instruction permit, a person must be at least 16 or at least 15 years and 6 months old and completed a 4 hour prequalification driver awareness program, or at least 15 and enrolled in an approved driver education class, have the consent of a parent or guardian, and must pass a written test. People with an instruction permit cannot drive unsupervised.
- **Minor driver's license:** A minor driver's license may be obtained after reaching the age of 16, holding an instruction permit for at least 12 months with 50 hours (10 of them at night) of supervised driving experience and passing a driving test.
 - **Passenger Restrictions:** Drivers with a minor driver's license may not drive unsupervised between midnight and 5 a.m.
- **Full licensure:** Driving restrictions end at the age of 17. Crashes or violations may delay the process.

Zero Tolerance Law

In every state it is illegal for people under the age of 21 to drive with any measurable level of alcohol in their systems. In Colorado, the penalty for violating the zero tolerance law is a driver's license suspension of 3 months. For a second violation, the penalty is a driver's license suspension of 6 months. For a third and subsequent violation the penalty is a driver's license suspension of 1 year.