



MARYLAND

State Profile and Underage Drinking Facts⁵³

State Population		5,633,597	
Population-Ages 12-20		711,000	
	Percentage		Number
Ages 12-20			
Past-Month Alcohol Use		27.3	194,000
Past-Month Binge Alcohol Use		17.0	121,000
Ages 12-14			
Past-Month Alcohol Use		6.0	15,000
Past-Month Binge Alcohol Use		2.9	7,000
Ages 15-17			
Past-Month Alcohol Use		23.6	54,000
Past-Month Binge Alcohol Use		15.5	36,000
Ages 18-20			
Past-Month Alcohol Use		53.7	125,000
Past-Month Binge Alcohol Use		33.6	78,000

⁵³ Overall population information is taken from 2008 population estimates based on 2000 Census data. Data about the portion of each State's population comprised of 12- to 20-year-olds is averaged from 2005, 2006, 2007, and 2008 NSDUHs (SAMHSA, CBHSQ, NSDUH, special data analysis, 2009), as are facts about past-month alcohol use and binge use. Additional references for data in this section can be found in Appendix C.

Alcohol-Attributable Deaths (under 21)		99
Years of Potential Life Lost (under 21)		5,869
Traffic Fatalities, 15- to 20-Year-Old Drivers With BAC >.01	15.0	16

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited WITH THE FOLLOWING EXCEPTION(S):

- Parent/guardian consent

Underage Consumption of Alcohol

Consumption is not explicitly prohibited.

Internal Possession by Minors

Internal possession is not explicitly prohibited.

Underage Purchase of Alcohol

Purchase is prohibited and youth cannot 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

Provisions targeting retailers

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older
- Specific affirmative defense: the retailer inspected the false ID and came to a reasonable conclusion based on its appearance that it was valid

Notes: In Maryland, a licensee or employee of the licensee may not be found guilty of underage furnishing if the person establishes to the satisfaction of the jury or the court sitting as a jury that the person used due caution to establish that the person under 21 years of age was not, in fact, a person under 21 years of age if a nonresident of the State. This constitutes a general affirmative. In contrast, if the person is a resident of the State of Maryland, the licensee or employee of the licensee may accept, as proof of a person's age, the person's driver's license or identification card as provided for in the Maryland Vehicle Law. In addition, beginning October 1, 2006, the licensee or employee of the licensee may accept, as proof of a person's age, a United States military identification card. See Md. Ann. Code, Art. 2B, § 12-108(a)(3)(ii)-(iii).

Laws Targeting Underage Drinking and Driving

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

- BAC limit: 0.00
 - Any detectable alcohol in the blood 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 18.

Type(s) of violation leading to driver’s license suspension, revocation, or denial

- Underage possession

Authority to impose driver’s license sanction

- Discretionary

Length of suspension/revocation

- Minimum: 30 days
- Maximum: 90 days

Graduated Driver’s License

Learner stage

- Minimum entry age: 15 years, 9 months
- Minimum learner stage period: 6 months
- Minimum supervised driving requirement: 60 hours—10 of which must be at night

Intermediate stage

- Minimum age: 16 years, 3 months
- Unsupervised night driving:
 - Prohibited after 12 a.m.
 - Primary enforcement of the night driving rule
- Passenger restrictions exist:
 - No passengers under 18, except relatives
 - There is no primary enforcement of the passenger restriction rule

License stage

- Minimum age to lift restrictions: 17 years, 9 months
- Passenger restrictions expire 151 days after issuance of intermediate license
- Unsupervised night driving restrictions remain until age 17 years and 9 months if full licensure is obtained

Laws Targeting Alcohol Suppliers

Furnishing of Alcohol to Minors

Furnishing is prohibited WITH THE FOLLOWING EXCEPTION(S):

- Private residence AND EITHER
- Parent/guardian OR
- Spouse

Notes: Maryland’s exception allows furnishing of alcohol to minors by members of their “immediate family” when the alcoholic beverage is furnished and consumed “in a private residence or within the curtilage of the residence.” See Md. Code Ann., Crim. Law § 10-117(c)(1) beginning October 1, 2002, and Md. Ann. Code 1957 art. 27, § 401A(c)(1) prior to October 1, 2002.

Responsible Beverage Service

Mandatory beverage service training for licensees, managers:

- Applies to both on-sale and off-sale establishments
- Applies to both new and existing outlets

Minimum Ages for Off-Premises Sellers

- Beer 18
- Wine 18
- Spirits 21

Notes: Maryland statutes allow for exceptions by specific localities within Maryland that may have more or less restrictive laws on the age to sell or serve alcoholic beverages.

Minimum Ages for On-Premises Sellers

- Beer 18 for both servers and bartenders
- Wine 18 for both servers and bartenders
- Spirits 18 for servers and 21 for bartenders

Notes: Maryland statutes allow for exceptions by specific localities within Maryland that may have more or less restrictive laws on the age to sell or serve alcoholic beverages.

Dram Shop Liability

There is no dram shop liability.

Social Host Liability

There is no social host liability.

Host Party Laws

Social host law is not specifically limited to underage drinking parties:

- Action by underage guest that triggers violation: possession, consumption
- Property type(s) covered by liability law: residence, outdoor, other
- Standard for hosts' knowledge or action regarding the party: KNOWLEDGE—host must have actual knowledge of the occurrence
- Exception(s): family

Direct Sales/Shipments From Producers to Consumers

Direct sales/shipments from producers to consumers are not permitted.

Keg Registration

Keg definition: at least 4 gallons.

Prohibited:

- Possessing an unregistered, unlabeled keg—max. fine/jail: \$500 (\$1000 if repeat violation)
- Destroying the label on a keg—max. fine/jail: \$500 (\$1000 if repeat violation)

Purchaser information collected:

- Purchaser's name and address: verified by a government-issued ID
- Warning information to purchaser: not required
- Deposit: not required
- Provisions specifically address disposable kegs

Notes: Although Maryland does not require a retailer to record the number of a keg purchaser's ID, it does require that the purchaser's name and address be recorded as they appear on the purchaser's identification. Effective July 1, 2008, retailers in Prince George's County must also record the purchaser's identification number.