

Policy Summary

Home Delivery

This policy summary is excerpted from:

The December 2015 Report to Congress on the Prevention and Reduction of Underage Drinking

Home Delivery

Policy Description

Home delivery restrictions prohibit or limit the ability of alcohol retailers to deliver alcoholic beverages to customers who are not present at their retail outlet. The University of Minnesota Alcohol Epidemiology Program notes that home delivery of alcohol may increase alcohol availability to youth by increasing opportunities for underage persons to subvert minimum age purchase requirements. Ordering by phone, fax, or e-mail may facilitate deception. Delivery persons may have less incentive to check purchasers' age identification when they are away from the licensed establishment and cannot be watched by a surveillance camera, the liquor store's management, or other customers.

Research on home delivery of alcohol is limited. One study examined the use of home delivery by adult men. The authors report that regular drinkers without a history of alcohol problems were significantly less likely to have had alcohol delivered than problem drinkers. Another study found similar results for underage drinkers. Ten percent of 12th graders and 7 percent of 18- to 20-year-olds in 15 Midwestern communities reported they obtained alcohol through delivery services in the last year. Use of delivery services was more prevalent among young men and among more frequent, heavier drinkers.

A state home delivery law may:

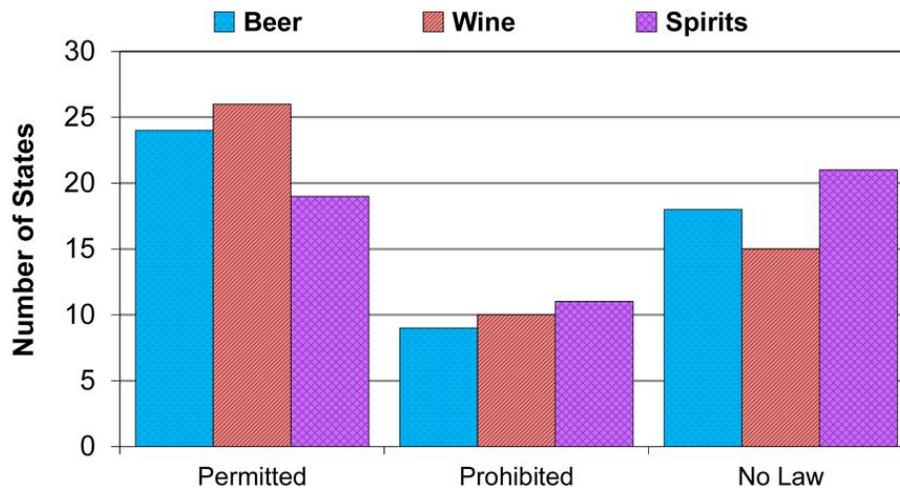
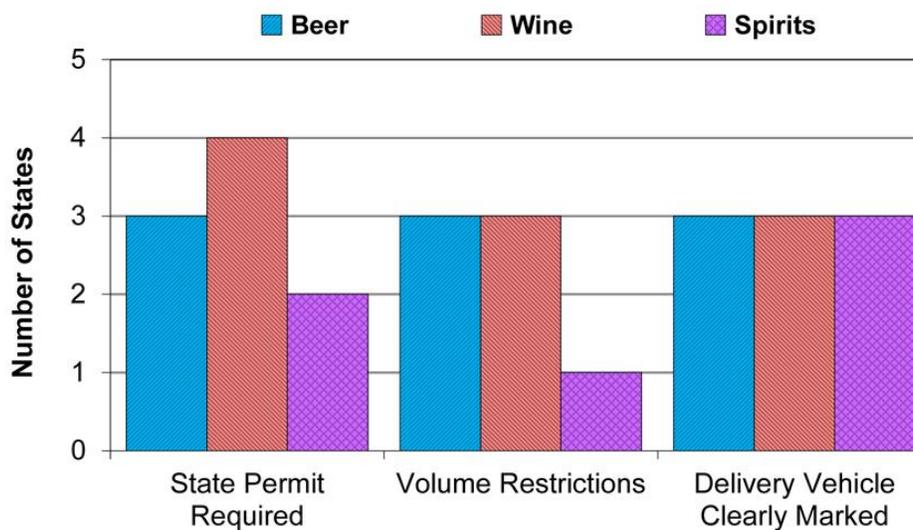
- Specifically prohibit or permit the delivery of beer, wine, or spirits to residential addresses, hotel rooms, conference centers, etc.
- Permit home delivery, but with restrictions, including:
 - Limits on the quantity that may be delivered.
 - Limits on the time of day or days of the week when deliveries may occur.
 - A requirement that the retail merchant obtain a special license or permit.

In some states that allow home delivery, local ordinances may restrict or ban home delivery in specific sub-state jurisdictions.

Status of Home Delivery Policies

Exhibit 4.3.38 shows the number of states that permit, prohibit, or have no law regarding home delivery of beer, wine, and spirits. As the exhibit shows, 19 states permit home delivery of all three beverages, 9 prohibit delivery of all three, and 15 have no law for any beverage. Nine states have different laws for different beverages: Four states (New Hampshire, North Carolina, Oregon and Virginia.) permit delivery of beer and wine but have no law regarding spirits. Michigan permits beer and wine delivery but prohibits spirits, and Kentucky prohibits delivery of wine and spirits but has no law regarding beer. Louisiana and West Virginia permit home delivery of wine but have no law regarding beer and spirits.

Of the 24 states that permit home delivery of *beer and wine*, 11 place at least one restriction on retailers. Of the 19 states that permit home delivery of *spirits*, 9 place at least one restriction on retailers. Of the two states that permit delivery of wine only, both impose retailer restrictions. Exhibit 4.3.39 shows the distribution of those restrictions imposed by two or more states on home delivery laws: (a) a state permit is required (Colorado, Texas, Virginia, and West

Exhibit 4.3.38: Home Delivery of Beer, Wine, and Spirits**Exhibit 4.3.39: Restrictions Imposed by Two or More States on Delivery of Beer, Wine, and Spirits**

Virginia); (b) the volume that can be delivered is restricted (Indiana, Louisiana, New York, Virginia, and West Virginia); and (c) the delivery vehicle must be clearly marked (New Jersey, New York, and Texas). Three additional states that permit delivery of beer, wine, and spirits place a single, unique restriction on retailers: (a) orders must be in writing (Alaska); (b) written information on fetal alcohol syndrome must accompany the delivered product (Alaska); and (c) a local permit is required to deliver to the retailer's county or city (Maryland). One state (Washington) that permits delivery of beer and wine requires a special license only for Internet orders. Massachusetts requires that each vehicle used for transportation and delivery have a state-issued permit. Oregon requires "for hire" carriers to be approved by the state. Exhibits 4.3.40 through 4.3.42 summarize the status of home delivery for beer, wine, and spirits as of January 1, 2014.

Exhibit 4.3.40: Beer

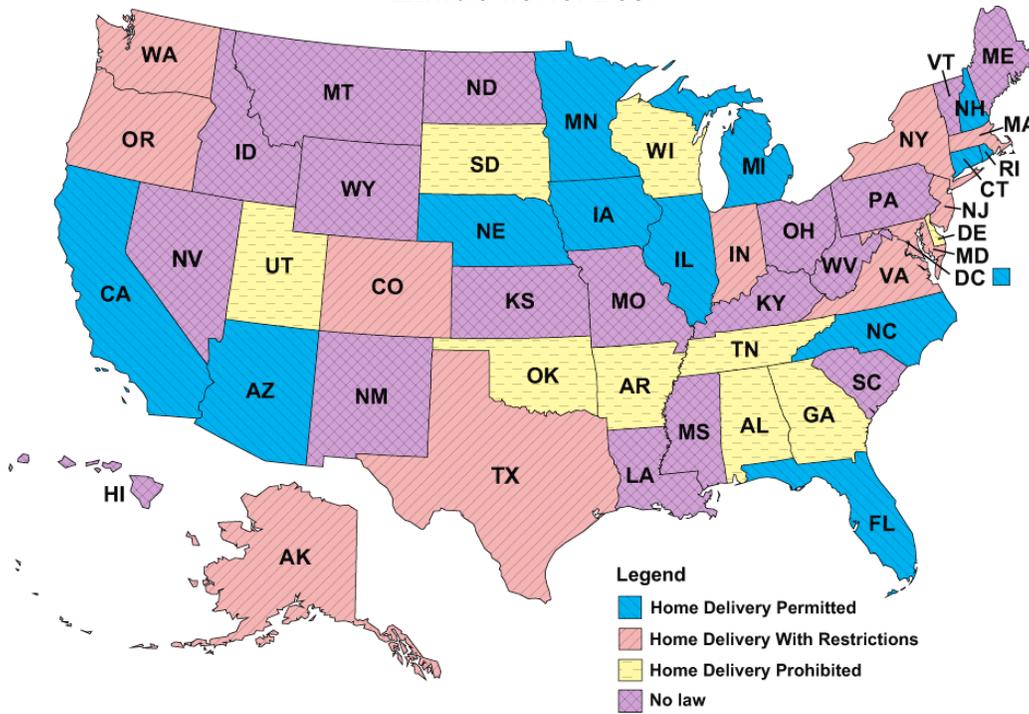


Exhibit 4.3.41: Wine

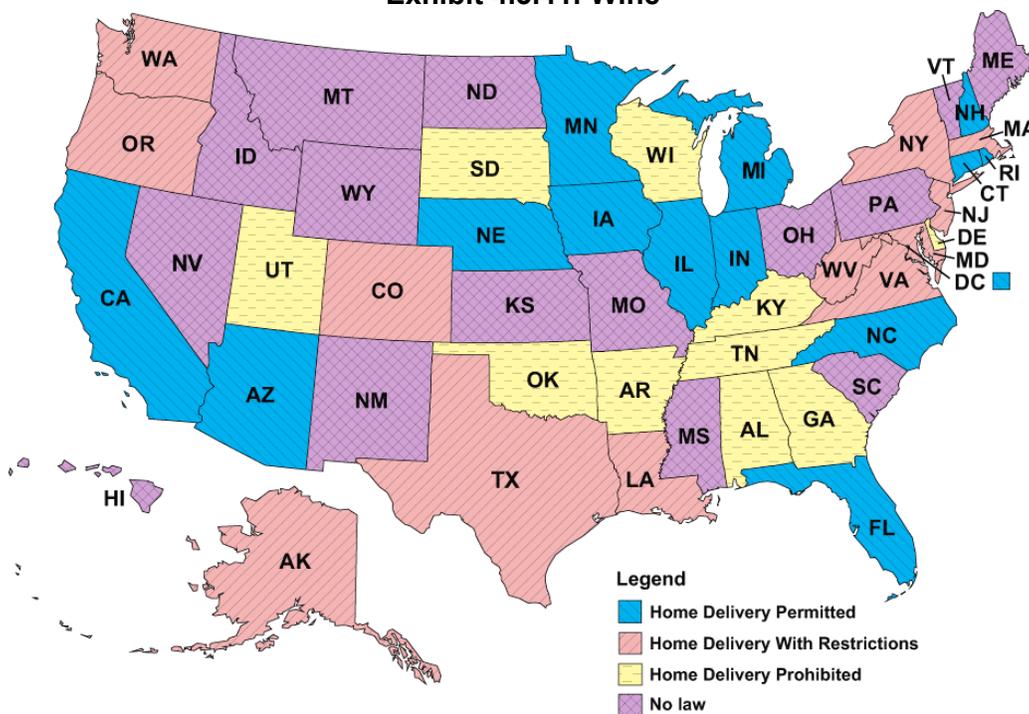
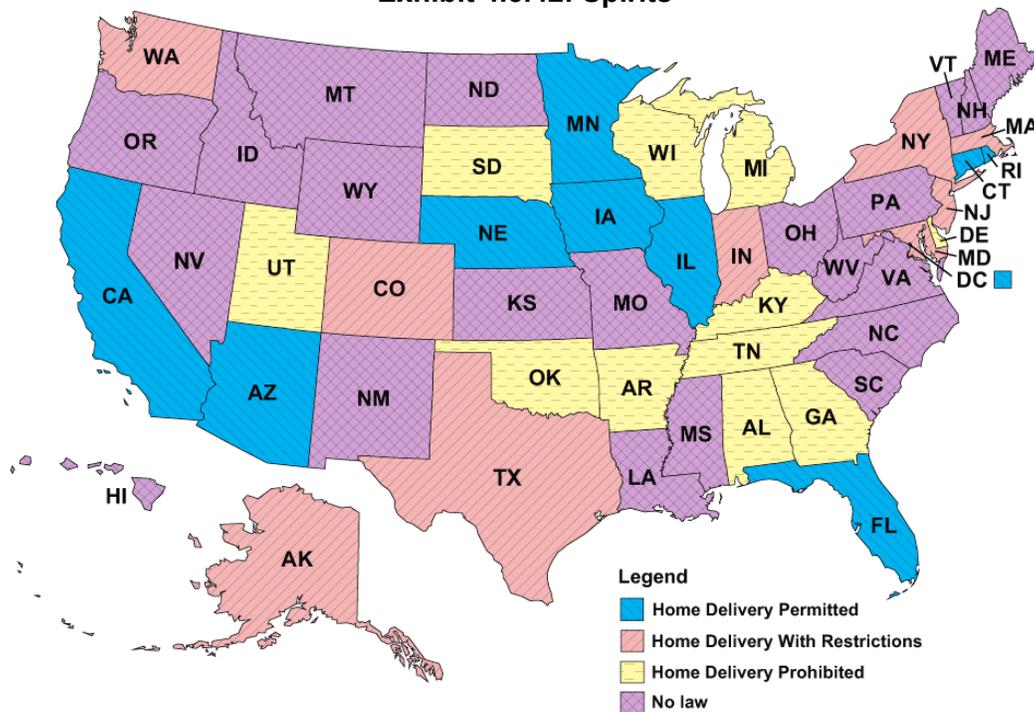


Exhibit 4.3.42: Spirits



Trends in Home Delivery Policies

Between 2010 and 2014, Louisiana changed its home delivery policies by permitting wine retailers to deliver to consumers in 2011. Washington changed its home delivery policies by permitting spirit retailers to deliver to consumers in 2012.

References and Further Information

Legal research and data collection for this topic are planned and managed by SAMHSA and conducted under contract by The CDM Group, Inc. To see definitions of the variables for this policy, go to Appendix B. For further information and background, see <http://www.aep.umn.edu/index.php/aep-tools/underage-access>.

- Fletcher, L. A., Nugent, S. M., Ahern, S. M., & Willenbring, M. L. (1996). Brief report. The use of alcohol home delivery services by male problem drinkers: A preliminary report. *Journal of Substance Abuse, 8*(2), 251–261.
- Fletcher, L. A., Toomey, T. L., Wagenaar, A. C., Short, B., & Willenbring, M. L. (2000). Alcohol home delivery services: A source of alcohol for underage drinkers. *Journal of Studies on Alcohol, 61*, 81–84.