

*maine law***FOR TEENS****Illegal Possession**

It is a civil violation* for any person under the age of 21 to possess liquor or imitation liquor except if it is within the scope of their employment or in their home in the presence of their parent. Fines for illegal possession are as follows:

- **1st Offense** \$100 to \$300;
- **2nd Offense** \$200 to \$500; and
- **3rd or Subsequent Offenses** \$500.

* Youths 17 years or younger are charged with the juvenile crime of illegal possession.

Illegal Transportation of Liquor

No person under the age of 21 shall transport alcoholic beverages in a motor vehicle except in the scope of their employment or at the request of their parent. The penalties for illegal transportation are:

- **1st Offense** 30 day license suspension and a fine of no more than \$500;
- **2nd Offense** 90 day license suspension and a fine of not less than \$200; and
- **3rd Offense** One year license suspension and a fine of not less than \$400.

FOR PARENTS**Furnishing Liquor or Imitation Liquor to a Minor**

It is a criminal offense for any person, adult or minor, to furnish liquor or imitation liquor to a minor, or allow a minor under that person's control, or in any place under that person's control, to possess or consume liquor or imitation liquor. This offense may result in fines from \$500 to \$2,000 and/or a jail sentence from 6-12 months. If an injury or death occurs, the person responsible for furnishing the alcohol may be charged with a felony.

Maine Liquor Liability Act

The Maine Liquor Liability Act was established to form a legal basis for obtaining compensation for damages as a result of intoxication and related incidents. A non-licensed, social host (any person who does not hold a Maine Liquor License) can be sued for negligent or reckless conduct under this law.

By definition, negligent conduct is the serving of liquor to a minor intoxicated person, if the defendant knows or a reasonable and prudent person should have known the person being served is a minor or is visibly intoxicated.

Reckless conduct is the intentional serving of liquor to a person when the server knows the person being served is a minor, or visibly intoxicated, and the defendant consciously disregards an obvious and substantial risk that serving liquor to that person will cause physical harm to the drinker or to others.

FOR TEENS

The Teen OUI Law (Zero Tolerance)

Any motor vehicle operator under 21 who operates or attempts to operate a motor vehicle with any alcohol in their blood* shall have their license suspended by the Secretary of State for one year. If they have a passenger under 21, an additional 180-day suspension will be imposed. Refusal to be tested will result in suspension of their operator's license for at least 18 months.

* Minors who test .08 percent or more will be prosecuted for the criminal offense of Operating Under the Influence, which results in even greater consequences.

FOR PARENTS

Financial Implications

Damages may be awarded for property damage, bodily injury, or death caused by the consumption of liquor served by the defendant. The limit on awards is \$250,000 plus medical expenses. (no limit)

Because providing alcohol to a minor or to a visibly intoxicated person is a violation of law, your homeowner's insurance will not protect you in the case of such a lawsuit.

Adapted from the pamphlet *A Guide to Understanding Maine Liquor and Liability Laws* (a cooperative effort between the Bureau of Highway Safety and the Bureau of Liquor Enforcement)

Allowing **minors** other than your own children to drink alcohol in your home (even if you do not supply the alcohol) is a criminal **OFFENSE**, which may result in fines or even jail sentencing.

Want more help?

CALL 1-800-499-0027 (In-State Only) **or 207-287-8900**

TTY: 1-800-215-7604 (In-State Only) **or 207-287-4475** (Special Equipment Needed)

OSA MAINE OFFICE OF SUBSTANCE ABUSE www.maineparents.net