

Ohio Drinking Laws for Parents, Students 18 years and older, and Juveniles

PARENTS:

The Ohio State Supreme Court has ruled that parents who authorize a party at which minors engage in underage drinking are liable for injuries resulting from accidents in which the minors are involved.

This ruling stems from a New Year's Eve party at the Cordell home given by the minor children of Harry Cordell, Sr. and Linda Cordell. The parents knew that the children "probably would have some beer". For this reason, the parents apparently instructed their children to invite their friends to spend the night. The parents were out of town at the time of the party.

A group of teens left the party drunk. An accident occurred and one of the teens was injured. His parents sued the Cordell parents, alleging that they negligently sponsored a party at which minors were allowed to consume alcohol and the Cordell parents should be held liable.

The Cordell parents argued that they should not be held liable because they did not furnish the beer consumed by the minors. On July 11, 1990, the Court rejected their argument.

"A PARENT WILL ALSO BE HELD RESPONSIBLE FOR FAILURE TO EXERCISE REASONABLE CONTROL OVER THE CHILD WHEN THE PARENT KNOWS, OR SHOULD KNOW, THAT INJURY TO ANOTHER IS A PROBABLE CONSEQUENCE."

"...WHEN PARENTS KNOW OF THE CHILD'S WRONGDOING AND CONSENT TO IT, DIRECT IT, OR SANCTION IT, THEY MAY BE HELD LIABLE."

It appears that the Court's language would include such other parental conduct as participating in, or acquiescing in, the rental of a hotel suite for a similar party.

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ADULT PENALTIES FOR DRIVING UNDER THE INFLUENCE

The laws of the State of Ohio require that the Courts punish all first time offenders with blood alcohol concentration of .08 % with confinement for a minimum period of 72 consecutive hours and a \$300 fine. This alcohol level, for most people, will be exceeded by the consumption of two drinks. The confinement is accompanied by a minimum license suspension of six (6) months.

If you are an adult, but under the age of 21, there is a criminal penalty provided even if your blood alcohol is below .08% as long as it is at least .02% (less than one drink). In such cases, you are subject to a maximum of 30 days confinement, a \$250 fine, and a license suspension of 60 days to 2 years.

JUVENILE PENALTIES FOR DRIVING UNDER THE INFLUENCE

It is the policy of the Juvenile Court of Summit County to impose the following minimum penalty for first time offenders with a blood alcohol concentration of .02%:

- A. A drug and alcohol evaluation assessment, and treatment if indicated;
- B. An 8-hour Defensive Driving Course;
- C. A license suspension of 3 – 6 months, the first of which excludes driving for ANY purpose;
- D. A requirement that you attend Juvenile Court to view a movie concerning the dangers of drunk driving;
- E. \$100 in fines and costs;
- F. 3 days confinement, suspended on the condition that you successfully complete A through E.

ADULT AND JUVENILE PENALTIES

Once a license has been suspended by the court system, adult or juvenile, the State's administrative agency will also suspend your driving privileges until reinstatement fees of \$500 are paid.

In addition to the above penalties, your parents' automobile insurance coverage is in jeopardy of cancellation or serious rate increase.

It is easy to perceive, from the State's adoption of this extremely low blood alcohol level, that it is the legislative intent to make any alcohol consumption, accompanied by driving, an unlawful activity for people of all ages.

Ohio Drinking Laws and Penalties

from The Ohio Department of Commerce Division of Liquor Control

<p>1. Possession or Consumption are prohibited WITH THE FOLLOWING EXCEPTION(S):</p> <ul style="list-style-type: none"> • Parent/guardian presence and consent • OR legal-age spouse • One or more specified religious, educational, or medical purposes 	<p>PENALTIES for offenders under 18 include \$250 maximum fine and/or up to 30 days imprisonment. Offenders under 21 may be fined up to \$1,000 and/or no more than 180 days imprisonment. Offenders may enter into a Diversion program on a first offense. Additional penalties including license suspension, if violation occurred in a motor vehicle, are possible.</p>
<p>2. Purchase is prohibited WITH THE FOLLOWING EXCEPTION(S):</p> <ul style="list-style-type: none"> • For law enforcement purposes 	<p>PENALTIES for offenders under 18 include \$250 maximum fine and/or up to 30 days imprisonment. Offenders under 21 may be fined up to \$1,000 and/or no more than 180 days imprisonment. Offenders may enter into a Diversion program on a first offense. Additional penalties including license suspension, if violation occurred in a motor vehicle, are possible.</p>
<p>3. Furnishing or Providing alcohol to minors under 21 is prohibited WITH THE FOLLOWING EXCEPTION(S):</p> <ul style="list-style-type: none"> • Parent/guardian, OR legal-age spouse • One or more specified religious, educational, or medical purposes 	<p>PENALTIES for offenders under 18 include \$250 maximum fine and/or up to 30 days imprisonment. Offenders over 18 are fined \$500 to \$1,000 and possibly up to 6 months imprisonment.</p>
<p>4. Use of a false ID to obtain alcohol is a criminal offense. It is a criminal offense to for suppliers to:</p> <ul style="list-style-type: none"> • lend, transfer, sell, manufacture or distribute a false ID 	<p>PENALTIES for offenders under 18 include \$250 maximum fine and/or up to 30 days imprisonment. Offenders under 21 are fined between \$250 and \$1000 and possibly up to 6 months imprisonment. Penalties increase with multiple offenses.</p>
<p>5. Blood Alcohol Concentration (BAC) Limit for Minors (Underage operation of motor vehicle)</p> <ul style="list-style-type: none"> • Limit: .02 BAC 	<p>PENALTIES for offenders under 21 include \$250 minimum fine and/or up to 30 days imprisonment with penalties for additional penalties corresponding violations. A license suspension of at least 90 days is mandatory and additional fees are likely. Penalties increase with subsequent offenses.</p>
<p>6. Hosting Underage Drinking Parties (from "Parents Who Host Lose the Most" materials):</p> <ul style="list-style-type: none"> • As a parent, you cannot give alcohol to your teen's friends under the age of 21, under any circumstance, even in your own home, even with their parent's permission. • You cannot knowingly allow a person under 21, other than your own child, to remain in your home or on your property while consuming or possessing alcohol. 	<p>PENALTIES:</p> <ul style="list-style-type: none"> • \$1000 fine and/or up to 6 months imprisonment. • Others can sue you if you give alcohol to anyone under 21 and they, in turn, hurt someone, hurt themselves or damage property. • Officers can take any alcohol, money or property used in committing the offense.
<p>7. Minimum Ages for On-Premise Servers and Bartenders (e.g. hotel, restaurant, club, night club, or resort)</p> <ul style="list-style-type: none"> • Beer - server and bartender minimum of 19 years old • Wine & Spirits-server minimum of 19 years old and bartender minimum of 21 years old 	
<p>8. Minimum Ages for Off-Premises Sellers (e.g. grocery stores, convenience stores)</p> <ul style="list-style-type: none"> • Beer, Wine & Spirits- minimum age to sell is 18 years old 	



OHIO DEPARTMENT
OF PUBLIC SAFETY
REGISTRATION AND VEHICLE PROTECTION

OHIO BUREAU OF MOTOR VEHICLES

HENRY GUZMAN, DIRECTOR



MIKE RANKIN, REGISTRAR

TED STRICKLAND, GOVERNOR

Teen Driving Law Changes - House Bill 343 Summary

Signed into law Jan. 4, this legislation places certain restrictions on the operation of motor vehicles by probationary license holders and temporary instruction permit holders who are less than 18 years of age. **The law goes into effect Friday, April 6, 2007.**

Changes include the following:

- Probationary driver license holders under the age of 17 will not be permitted to operate a motor vehicle with more than one person who is not a family member in the vehicle, unless accompanied by the license holder's parent, guardian, or legal custodian. Studies conducted by the Insurance Institute for Highway Safety have shown that one passenger doubles the risk of a crash among teen drivers, two passengers triple the risk, and three or more passengers increase the risk by more than six.
- Probationary driver license holders between 17 and 18 years of age will be restricted from driving between the hours of 1 a.m. and 5 a.m. unless the holder is accompanied by a parent or guardian, with the following exceptions: an emergency situation, driving to or from a school activity, or driving to or from work. Travel to or from work is permitted provided the teen has written documentation from the employer.
- Probationary license holders under the age of 17 are prohibited from driving between midnight and 6 a.m. unless accompanied by a parent or guardian with the same exceptions as above. This is a change to the previous restriction of 1 a.m. to 5 a.m.
- Permit holders under the age of 18 will be prohibited from driving between the hours of midnight and 6 a.m., unless accompanied by a parent, guardian or legal custodian who holds a valid license. This is a change to the previous restriction of 1a.m. to 5 a.m.
- If a probationary driver license holder under the age of 17 is convicted of having committed one moving violation during the first six months of having a driver's license, the person must be accompanied by a parent or guardian whenever operating a motor vehicle during the six-month period commencing on the date on which the person is convicted of or pleads guilty to the moving violation or until the person turns 17.