

Metropolitan Police Department □ Washington, D.C.



SPECIAL ORDER



Subject:

**Underage Drinking Emergency
Amendment Act of 1994**

Series 94	Number 15	Distribution A
Effective Date June 10, 1994		
Expiration Date *		

The purpose of this Special Order is to apprise member of the department of the policy and procedures to be utilized when addressing concerns of the "Underage Drinking Emergency Amendment Act of 1994."

General Guidelines and Prohibitions.

The new law makes it illegal for persons under 21 years of age to purchase, attempt to purchase, possess or drink any alcoholic beverage in the District of Columbia. The law also makes it illegal for any person to purchase for the purpose of delivering, giving, offering, or providing the alcoholic beverage to persons under 21 years of age.

However, a person under 21 years of age may temporarily possess an alcoholic beverage if the temporary possession is necessary to perform lawful employment responsibilities (e.g. a persons employed in a restaurant that offer alcoholic beverages).

No person shall falsely represent themselves, or possess or present as proof of age an identification document which is in any way fraudulent, for the purpose of procuring alcoholic beverages. Misrepresentation of ones age by a minor is prohibited. The penalty for the above mentioned offense is outlined in the DCMR 25-132(a) which states..... upon conviction thereof, shall be fined not more than \$1,000 or imprisoned for not more than 1 year or both.

Driving Penalties

It is also unlawful for any person under the age of 21 to operate or be in physical control of a motor vehicle in the District of Columbia if their blood, breath, or urine contains any measurable amount of alcohol.

The law has established stricter penalties, including suspension of driver's licenses for up to one year, for violations of the underage drinking provisions.

Any person who violates any provision of this act shall be subject to the following civil penalties:

1. Upon the first violation, their driving privileges in D.C. shall be suspended for a period of 90 consecutive days;

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2. Upon the second violation, their driving privileges in D.C. shall be suspended for a period of 180 consecutive days; and
3. Upon the third violation and each subsequent violation thereafter, their persons driving privileges shall be suspended in D.C. for a period of one year.

Additionally, any person found guilty of operating a motor vehicle in the District during the period for which the person's license is suspended, shall for each offense be fined not more than one thousand dollars (\$1,000), imprisoned for not more than 180 days, or both.

Alcohol Beverage Control (ABC) Establishments.

A licensee (ABC Establishment) shall refuse to sell, serve, or deliver an alcoholic beverage to any person who, upon request of the licensee, fails to produce a valid identification document displaying proof of legal drinking age. A valid identification document means an official identification issued by an agency of government (local, state, federal, or foreign), containing the individuals name, date of birth, signature and photograph.

The provisions of this act states that all ABC establishments shall request proof of age when the individual purchasing the alcoholic beverage appears to be under 21 years of age.

Members of the department shall file a report with the ABC Board whenever a licensed establishment violates any provisions of this act. When filing such reports members shall adhere to the provisions outlined in General Order 401.4 (Reporting Violations of the A.B.C. Regulations and the "General License Law").

As a result of the enactment of the Underage Drinking Emergency Amendment Act of 1994, the following regulations have been amended: The D.C. Traffic Act, The Motor Vehicle Safety Responsibility Act, and The District of Columbia Municipal Regulations (DCMR) Title 18 and Title 23.

Special Order 94.12 (Underage Drinking Emergency Amendment Act of 1994), Dated May 17, 1994 is hereby rescinded.

*This special order shall remain in effect until revised or rescinded.

Fred Thomas
Chief of Police

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