



The
UNIVERSITY
of VERMONT

Vermont Legislative Research Shop

Lowering the Drinking Age

The minimum legal drinking age fluctuated throughout the second half of the 20th century, yielding mixed results. After prohibition was repealed in 1933, almost every state set the minimum legal drinking age (MLDA) at 21 years.¹ In 1970 Congress lowered the voting age to 18, which began a movement to lower the drinking age, as well. During the Vietnam era, many people were outraged that 18 year-olds were fighting overseas yet could not have a drink. In the period between 1970 and 1975, 29 states lowered their MLDA to 18, 19 or 20. A study by Alexander Wagenaar revealed that in states that had lowered their minimum age there was a 15 to 20% increase in teen automobile accidents.² This information influenced 16 states to raise their MLDA to 21 between 1976 and 1983.

Pressure from groups such as Mothers Against Drunk Driving (MADD) led to the signing of the Uniform Drinking Age Act by President Ronald Reagan on July 17, 1984.³ This act mandated a significant decrease in federal transportation funding for states that did not raise their MLDA to 21.

Worldwide, the United States has the highest MLDA, with others ranging from birth to age 20.⁴ The majority of countries have a MLDA of 18. In most of these countries, however, the family teaches responsible drinking from a very young age.

Since 1960, over one hundred studies have been conducted to analyze the effects of raising the MLDA. This research was examined by Alexander Wagenaar to determine the trends that appeared in the conclusions.⁵ Some of these studies provided evidence supporting a MLDA of 21, while most others found no conclusive results. Only 1% of the studies had results suggesting a positive correlation between MLDA and alcohol-related incidents. Forty-eight studies have been conducted on the effect of the drinking age on alcohol consumption; 45% found that a higher drinking age is associated with reduced rates of

¹ Wagenaar, Alexander, "Effects of Minimum Drinking Age Laws: Review and Analyses of the Literature from 1960 to 2000," *Journal of Studies on Alcohol*, 2005, <http://www.collegedrinkingprevention.gov/SupportingResearch/Journal/wagenaar.aspx> accessed 04/23/09.

² MADD website. <http://www.madd.org/> Accessed 4/13/06

³ MADD website. <http://www.madd.org/> Accessed 4/13/06

⁴ Alcohol Problems & Solutions Legal Drinking Age website, <http://www2.potsdam.edu/hansondj/LegalDrinkingAge.html> , accessed May 1, 2006.

⁵ Wagenaar, Alexander. "Effects of Minimum Drinking Age Laws: Review and Analyses of the Literature from 1960 to 2000."

consumption. The other 55% found either a higher rate of consumption or no significant change. Of the 102 analyses conducted on the effect of the drinking age on alcohol-related traffic accidents, over half found that a higher MLDA is correlated with lower levels of traffic accidents.⁶

Vermont Bill H.712

During the 2006 session, Richard Marron, David Deen, Brian Dunsmore, and Judith Livingston sponsored H.712 which would have lowered the drinking age in Vermont under certain circumstances. ⁷ Eighteen- to 20-year-old Vermont residents or full-time postsecondary educational students would be permitted to obtain a license to purchase and consume alcohol after attending classes on alcohol education, and would be allowed to consume alcoholic beverages in the presence of a parent or legal guardian. This license could be revoked at the discretion of the state, without affecting the individual's right to consume alcohol after his/her 21st birthday.

The bill was met with controversy, and did not pass. At the time, Governor Jim Douglas stated that he "might see some logic in the proposal if the federal highway money was not involved."⁸ Other supporters of the bill included Ronald D. Liebowitz, President of Middlebury College, and Alex Koroknay-Palicz, the executive director of National Youth Rights Association of Washington D.C. who noted about underage drinking "[i]nstead of doing it in a controlled situation, going to a bar with a drink limit, they're doing it at keg parties in places that are harder to control."⁹ Barbara Cimalglio, the Deputy Commissioner for the alcohol and drug abuse programs in Vermont, however, opposed H.712, asserting that, "brain research showed that 18-year-olds were not as responsible as 21-year-olds, and that lowering the age would make alcohol more available to 15-, 16- and 17-year-olds."¹⁰ A special committee has now been created by the state to study the issue.¹¹

Other Movements to Lower the Drinking Age

In recent years, Kentucky, South Carolina, Wisconsin, and New Hampshire have debated bills that would have allowed military service personnel over the age of 18 to drink alcohol in limited circumstances. In Minnesota, the Legislature considered a bill to permit individuals over the age of 18 to consume alcohol only in restaurants and bars. None of

⁶ Wagenaar, Alexander. "Effects of Minimum Drinking Age Laws: Review and Analyses of the Literature from 1960 to 2000."

⁷ Act relating to the use of Alcoholic beverages by individuals who are the age of majority, legislature website. <http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2006/bills/intro/H-712.HTM> , accessed April 23, 2009

⁸ Pam Belluck, "Vermont Considers Lowering Drinking Age to 18," *The New York Times*, April 13, 2005, http://www.nytimes.com/2005/04/13/national/13drink.html?_r=1&scp=1&sq=Vermont%20Considers%20Lowering%20Drinking%20Age%20to%2018&st=cse accessed April 23, 2009.

⁹ National Youth Rights Association Website, <http://vt.youthrights.org/main/news-events.htm> , Accessed 4/18/06

¹⁰ Pam Belluck, "Vermont Considers Lowering Drinking Age to 18."

¹¹ National Conference of State Legislatures, http://www.ncsl.org/programs/pubs/summaries/09lbian_age-sum.htm , Accessed 04/23/09.

these bills were passed.¹² The Montana Democratic Party also added lowering the drinking age to its platform in 2008.¹³

New Hampshire

In January 2006, New Hampshire State Representative Jim Splaine proposed a bill to lower the MLDA for active military service members, provided the state receives federal approval or is granted the opportunity to participate in a pilot program.¹⁴ Splaine, who also sponsored the 1983 bill that raised New Hampshire's drinking age to 21, emphasized that the bill was created to show military members the respect they deserve. If passed, the bill would have lowered the MLDA for military service members on active duty in New Hampshire to 18. Because New Hampshire lacks motorcycle helmet and seatbelt laws for adults, many federal highway funds are already withheld, and the state is less dependent on the funds controlled in the Uniform Drinking Age Act.¹⁵

Wisconsin

In 2005, a Wisconsin House Committee approved a similar bill on a conditional basis by a 7-2 vote.¹⁶ If approved by the US Department of Transportation for a pilot program, the bill would have created an exemption for 18 to 20 year old military service members from Wisconsin to purchase or consume alcohol in taverns with a military ID. In addition, the fine for underage drinking would be reduced from \$500 to \$10 for military service members. Wisconsin Governor Jim Doyle is in support of the program provided federal highway funds are not affected; however, the federal government has informed the Wisconsin Legislature that there is no process in place to obtain a waiver for the minimum drinking age requirement, and it would likely take an act of Congress to create such a process.¹⁷

The Marine Corps

On April 19, 2007, the Marine Corps drinking age was lowered to 18 for active duty personnel during overseas port calls, based on the local drinking age, and during official on-base command functions.¹⁸ The Air Force, Army and Navy allow off-duty personnel to consume alcohol when overseas; however, the policy change departs other military guidelines by permitting underage drinking on-base in limited circumstances.

New Zealand

¹² National Conference of State Legislatures.

¹³ Charles S. Johnson, "Nonbinding Resolution Supports Right to Drink for 18-year-olds," *Missoulian*, July 27, 2007. <http://www.missoulian.com/articles/2008/07/27/news/local/news05.txt> Accessed 04/21/09.

¹⁴ Sea Coast News Online, <http://www.seacoastonline.com/news/01262006/news/84629.htm> , Accessed 4/23/09.

¹⁵ Today in the Military News Online, <http://www.military.com/features/0,15240,81552,00.html> , Accessed 4/23/09

¹⁶ Wisconsin State Legislature <http://www.legis.state.wi.us/2005/data/AB-141.pdf> Accessed 4/18/06

¹⁷ MSNBC News, <http://www.msnbc.msn.com/id/8058374/> , Accessed 4/18/06

¹⁸ John Hoellwarth, "Corps lowers drinking age to 18 in some cases," *The Marine Corps Times*, May 15, 2007. http://www.marinecorpstimes.com/news/2007/05/marine_alcohol_070511/ Accessed 4/23/09.

In 1999, New Zealand voted to lower the MLDA from 20 to 18. The Ministry of Justice released a report in 2002, three years after the change.¹⁹ For individuals between 14 and 17, although the prevalence of drinking had not changed significantly, the frequency and amount of alcohol consumed had risen dramatically. For 18 to 19 year olds, the prevalence of drinking rose slightly, and the increase was particularly significant in women. A rise in alcohol-related injuries in the years following the change led New Zealand to consider a bill to return the drinking age to 20 in 2006.²⁰ Despite the reported problems, the New Zealand Medical Association opposed returning the drinking age to 20, citing the lack of clinical evidence that alcohol does more harm to an 18 year old than to a 20 year old. The new bill did not pass, and the drinking age remained 18.²¹

Advocacy Groups

As the controversy regarding the MLDA has become a more public concern, several advocacy groups have developed on both sides of the issue. Some of the more prominent include the National Youth Rights Association (NYRA), Mothers Against Drunk Driving (MADD), and ChooseResponsibility.org.

National Youth Rights Association

The NYRA is a youth-led non-profit organization that protects young people's rights through cooperation with public officials and by educating the public about age discrimination.²² According to the NYRA, lowering the MLDA is not just about access to alcohol, but is also about equality, respect and freedom from discrimination. Aware of the argument that individuals under the age of 21 are neither physically nor mentally mature enough to legally drink alcohol, the NYRA responds that individuals who are old enough to vote and go to war should be considered mature enough to make decisions regarding alcohol. However, the NYRA does not trivialize the misuse or abuse of alcohol, as abuse can occur at any age. To prevent problem drinking in the United States, the NYRA promotes the teaching of responsible drinking in a family environment from a younger age, much like the culture promoted in Europe.

Mothers Against Drunk Driving

MADD is a non-profit organization devoted to reducing and preventing drunk driving, as well as supporting the victims of drunk driving.²³ They are also strongly opposed to lowering the drinking age, including the recent proposals to allow military personnel between the ages of 18 and 21 to drink under some circumstances. When dealing with underage drinking, MADD believes a zero tolerance rule should be enforced. They advocate

¹⁹ Young People And Alcohol: Some Statistics To 2002 On Possible Effects Of Lowering The Drinking Age <http://www.justice.govt.nz/pubs/reports/2004/youth-alcohol/index.html> accessed 4/18/06

²⁰ "Regarding New Zealand Medical Association's position on the minimum purchase age for alcohol," *Journal of the New Zealand Medical Association*, May 19, 2006. <http://www.nzma.org.nz/journal/119-1234/1994/> Accessed April 23, 2009.

²¹ Colin Espiner, "New Approach as Bill Fails," *The Press*, November 9, 2006.

²² National Youth Rights Association, <http://www.youthrights.org/> Accessed April 23, 2009.

²³ MADD website. <http://www.madd.org/> Accessed 4/13/06

for alcohol education classes as early as the 4th grade, before peer pressure begins, and outline their recommended comprehensive guidelines for colleges and universities for handling underage alcohol use or drinking and driving.

ChooseResponsibility.org

President Emeritus John McCardell of Middlebury College created the non-profit organization Choose Responsibility in 2007.²⁴ Choose Responsibility views current MLDA policy as patronizing to 18 to 20 year old adult. It supports a change in policy to allow 18 to 20 year old adults to purchase and consume alcohol through a program that combines incentives for responsible behavior with appropriate sanctions for abusive or illegal behavior. On its website, ChooseResponsibility.org, the group also provides factual information and arguments from both sides of the issue, as well as links to outside sources including journal and newspaper articles, other websites, videos, and more.

The Amethyst Initiative

President Emeritus John McCardell and several Annapolis Group Presidents created the Amethyst Initiative, a statement that, without prescribing any particular policy, expresses the signatories' belief that the current MLDA is not working at colleges and universities.²⁵ Instead, it is having many unintended consequences. Signatories are presidents or chancellors from an American institution of higher education. At present, there are 135 signatures.

Conclusions

Both the review of alcohol-related studies performed by Alexander Wagenaar and the anecdotal and statistical evidence provided following the change in the MLDA in New Zealand suggest that a lower drinking age increases the number of alcohol-related problems; however, many college and university presidents believe that the MLDA should be lowered to 18 years to reduce problem drinking. In addition, many state legislatures have considered lowering the MLDA to 18 years, at least under limited circumstances. The topic remains among the most controversial in public debate.

Original report prepared by Emily Kueffner, David McCabe, and Geoffrey Frazier under the supervision of Professor Anthony Gierzynski on May 1, 2006. Revisions made by Timothy Douglas, Lindsay Cyr and Mikaela Frissell under the supervision of Professor Anthony Gierzynski on April 26, 2009.

Disclaimer: This report has been compiled by undergraduate students at the University of Vermont under the supervision of Professor Anthony Gierzynski. The material contained in the report does not reflect the official policy of the University of Vermont.

²⁴ Choose Responsibility, <http://www.chooseresponsibility.org/proposal/> Accessed April 21, 2009.

²⁵ Amethyst Initiative, <http://www.amethystinitiative.org/about/> Accessed April 23, 2009