

Kallie Reed

TWC 531

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Dear Professor Olsen:

I have completed a full copy and comprehensive edit on the Utah Alcohol, Tobacco, and Other Drug Laws document. My revised document is intended to be used as a reference guide for average Utah citizens. I chose a color scheme that is bright enough to catch the eye, but is still calming and non-intrusive. The organization of my revision is intended to be easy to navigate and scan for relevant information without having to read the whole document.

There were a number of issues in the original document that stood out to me. Perhaps the biggest issue was the lack of effective organization. The original document had very little organization, and the organization that was present consisted of vaguely grouping related topics together. All of the text was formatted into sentences, and there were no different structure styles to break up the monotony. I used four strategies to break up the text and alleviate tedium:

- Tables
- Bulleted lists
- Callouts
- Headings

Both tables and bulleted lists break up large blocks of text and make the information easier to read and comprehend. Tables and lists allow readers to skim for important information without having to read the entire text body, which is an important feature in usability and user experience.

I used callouts to add appealing visual aids and draw attention to important information. Callouts add emphasis to a piece of text that is intended to stick with readers. I used callouts throughout the revised document to call attention to important pieces of information or to emphasize information that didn't seem to fit in anywhere else. By using this strategy, information that, while still valuable to the reader, did not flow with the main text is emphasized while the body text continues uninterrupted.

Headings are a simple organizational tool that were left out of the original document. By adding a few headings, I was able to categorize and organize the information into intuitive groups. Headings, much like tables and lists, allow readers to scan the document for relevant information without reading the entire thing.

To improve readers' understanding of the document, I added a callout containing the definitions of both misdemeanor and felony. These were left out of the original document. I feel this is important information for citizens to understand, and the distinction between the two needs to be clear.

Thank you for your time and dedication,

Kallie Reed

UTAH ALCOHOL, TOBACCO, AND DRUG LAWS

Utah's drug and alcohol policies can be confusing and difficult to understand. We hope this comprehensive list will serve as a quick-reference guide to help citizens better understand Utah's laws and the consequences of breaking those laws.

Drugs and Illicit Substances

Note that confiscation of property used in connection with controlled substances is possible with any drug-related offense.

Any prohibited acts occurring in public or private school-related sites or with minors will result in a punishment of one offense degree greater than the regular maximum penalty.

Table 1: Drug Offenses, Penalties, and Charges

<i>Offense</i>	<i>Maximum Penalty</i>	<i>Charge</i>
Obtaining or distributing illicit substances under false pretenses	5 years imprisonment and/or \$5,000 fine	Third-degree felony
Possession or sale of drug-related paraphernalia	5 years imprisonment and/or \$5,000 fine	Third-degree felony ¹
Sale or use of inhalants to get high	6 months imprisonment and/or \$1,000 fine	Misdemeanor ¹
Manufacture or sale of imitation controlled substances	1 year imprisonment and/or \$2,500 fine	Class C misdemeanor ¹
Possession or use of imitation controlled substances	90 days imprisonment and/or \$750 fine	Misdemeanor ¹

DEFINITIONS OF CHARGES

Misdemeanor: A crime less severe than a felony punishable by up to one year in jail.

Felony: A major crime punishable by incarceration and/or fine.

Tobacco

The legal age to use, buy, or possess any tobacco product in Utah is 19. It is **illegal** to sell or furnish any tobacco product to any person under age 19. Any person caught selling or furnishing tobacco products to individuals under the age of 19 will face a maximum penalty of up to a \$750 fine.

Alcohol

Minors

The legal drinking age in Utah is 21. The following offenses apply to individuals under 21.

Minor in possession: It is unlawful for any person under the age of 21 years to purchase, attempt to purchase, solicit another person to purchase, possess, or consume any alcoholic beverage or product. Offenders could face a maximum penalty of:

- 6 months imprisonment
- \$1,000 fine
- Suspension of driver's license up to one year
- Class B misdemeanor¹

Not-a-drop-law: It is illegal for anyone under 21 years of age to operate a vehicle while there is any measurable alcohol (less than .08) in his or her body.

- First offense: Suspension of license for 90 days
- Second offense: Suspension of license for 1 year (if within 3 years of first offense)

Adults

The following offenses apply to individuals under the influence of alcohol.

Intoxication: It is illegal to sell or supply to intoxicated persons or to purchase alcohol if intoxicated. Offenders could face a maximum penalty of:

- 6 months imprisonment
- \$1,000 fine
- Class B misdemeanor

REMEMBER

It is illegal to sell or supply alcohol to a minor. Offenders face a maximum penalty of:

- 1 year imprisonment
- \$2,500 fine
- Class A misdemeanor

It is illegal to give or use another's identification card to:

- Procure alcoholic beverages.
- Gain admittance where alcohol is sold or consumed.
- Obtain employment that requires employees to handle alcoholic products.

Offenders face a maximum penalty of:

- 6 months imprisonment
- \$1,000 fine
- Class B misdemeanor

Public Consumption/Intoxication: It is illegal to drink in a public building, park, or stadium, or to be so intoxicated that you disturb others or injure yourself or others. Offenders could face a maximum penalty of:

- 90 days imprisonment
- \$750 fine
- Class C misdemeanor

*DID YOU KNOW: **Dram Shop liability** refers to any person who provides alcoholic beverages illegally to underage persons or who provides alcohol to someone who is apparently intoxicated or may be under the influence of alcohol or other drugs.*

If an intoxicated person causes injury to persons or property, the person who furnished the alcohol may be liable for injuries, property, or support to any third person or their spouse, child, or parent.

Motor Vehicle Operation

It is illegal to drink any alcoholic beverage while operating or riding as a passenger in a motorized vehicle, whether that vehicle is moving, stopped, or parked on any highway, street, or area of traffic.

Once a container has been opened in a vehicle, one can be arrested for possession. Violating an open-container law is a Class B misdemeanor, which carries a maximum penalty of 6 months imprisonment and/or \$1,000 fine².

It is illegal to drive or be in physical control of a vehicle or motorboat, even when parked, while under the influence of alcohol, any drug, or the combined influence of alcohol and any drug if impaired.

Driving Under the Influence

Police officers can stop any driver they have reasonable cause to believe is under the influence of alcohol or another drug. Operating a vehicle in Utah means consenting to a blood alcohol content (BAC) test. If the blood alcohol level of the driver is .08 or greater, or if an officer determines impairment, the driver's license will be confiscated and a Driving Under the Influence (DUI) charge will be issued. If the BAC test is refused, the driver's license will be revoked for one year, and a \$50–200 reinstatement fee will be assessed. The driver will be issued an alcohol restricted driver license if convicted. It is illegal to operate or control a vehicle with any measurable amount of alcohol in the body for an alcohol restricted driver.

Anyone convicted of DUI, other alcohol and/or drug related driving incidents, or anyone who refuses to submit to a BAC test will be issued an alcohol restricted driver license for 5 to 10 years. This is a Class B misdemeanor.

See Table 2 for more information on DUI offenses.

Table 2: Levels of DUI Offenses

<i>Offense</i>	<i>Charge</i>	<i>Sentence</i>	<i>Fine</i>	<i>Repercussions</i>
First offense, no injuries	Class B misdemeanor	60 days–6 months imprisonment	\$1,000	<ul style="list-style-type: none"> – 48–240 hours in “drunk tank” or 24–50 hours of community service – Mandatory assessment and participation in educational programs at a licensed alcohol rehabilitation facility. – Suspension of driver’s license for 90 days or more. – Payment of \$100 to victim restitution fund.
First offense with minor in vehicle	Class A misdemeanor	60 days–6 months imprisonment	\$1,000	<ul style="list-style-type: none"> – 48–240 hours in “drunk tank” or 24–50 hours of community service – Mandatory assessment and participation in educational programs at a licensed alcohol rehabilitation facility. – Suspension of driver’s license for 2 years. – Payment of \$100 to victim restitution fund. – Alcohol Restricted Driver license issued for 5–10 years.
Fist offense resulting in injury	Class A misdemeanor	1 year imprisonment	\$2,500 (separate from lawsuits filed by injured party)	<ul style="list-style-type: none"> – 48–240 hours in “drunk tank” or 24–50 hours of community service – Mandatory assessment and participation in educational programs at a licensed alcohol rehabilitation facility. – Suspension of driver’s license for 2 years. – Payment of \$100 to victim restitution fund. – Alcohol Restricted Driver license issued for 5–10 years.
First offense resulting in death (automobile homicide)	Third-degree felony	6 years imprisonment	\$5,000	<ul style="list-style-type: none"> – 48–240 hours in “drunk tank” or 24–50 hours of community service – Mandatory assessment and participation in educational programs at a licensed alcohol rehabilitation facility. – License automatically revoked for 1 year. – Payment of \$100 to victim restitution fund. – Alcohol Restricted Driver license issued for 5–10 years.

If an individual receives a DUI under the following conditions, a court-ordered, supervised, offender-paid probation is required:

- BAC of .16 or higher
- Prior DUI conviction within last six years and/or
- DUI involving a drug other than alcohol.

A second and third DUI conviction, within six years of the first, results in penalties of increased severity, further alcohol and drug treatment, and driver's license suspension for a longer period of time.³

Expect a first-time DUI conviction to cost at least \$10,000.

It is a criminal offense for a person to surreptitiously or by means of fraud, deception, or misrepresentation cause another person to unknowingly consume or receive the administration of any poisonous, deleterious, or controlled substance or any alcoholic beverage.

Penalties for this offense include:

- Second-degree felony if the substance is a poisonous substance, regardless of whether it is a controlled substance or a prescription drug.
- Third-degree felony if the substance is not within the scope of a second-degree felony and is a controlled substance or a prescription drug.
- Class A misdemeanor if the substance is a deleterious substance or an alcoholic beverage.

¹All penalties enhance one degree if incident occurs within 1000 feet of a school, church, stadium, theatre, sports complex, etc.

² Unless it is completely inaccessible to driver and passengers.

³ Once an offender has been convicted of a felony DUI offense, any subsequent DUI offense would also be a felony; and the window for counting prior DUI offenses is 10 years.

ORIGINAL DOCUMENT

Utah Alcohol, Tobacco, and Other Drug Laws

Obtaining or distributing under false pretenses:

Maximum penalty 5 years imprisonment and/or \$5,000 fine. Third degree felony.

Prohibited acts occurring in public or private school-related sites or with minors:

Punishment one degree greater than regular maximum penalty.

Possible confiscation of property used in connection with controlled substances.

Possession or sale of drug-related paraphernalia:

Maximum penalty: 5 years imprisonment and/or \$5,000 fine; third degree felony.*

Sale or use of inhalants to get high:

Maximum penalty: 6 months imprisonment and/or \$1,000 fine; misdemeanor.*

Manufacture or sale of imitation controlled substances:

Maximum penalty: 1 year imprisonment and/or \$2,500 fine. Class C misdemeanor.*

It is a criminal offense for a person to surreptitiously or by means of fraud, deception, or misrepresentation to cause another person to unknowingly consume or receive the administration of any poisonous, deleterious, or controlled substance or any alcoholic beverage.

Penalties are: (1) a second-degree felony if the substance is a poisonous substance, regardless of whether it is a controlled substance or a prescription drug. (2) a third-degree felony if the substance is not within the scope of (1) and is a controlled substance or a prescription drug; and (3) a class A Misdemeanor if the substance is a deleterious substance or an alcoholic beverage.

Possession or use of imitation controlled substances:

Maximum penalty: 90 days imprisonment and/or \$750 fine; misdemeanor.*

To buy, use, or possess any tobacco product by any person under age 19 is illegal. It is illegal to sell or furnish any tobacco product to any person under age 19.

Maximum penalty: up to \$750 fine.

Minors: It is illegal to sell or supply alcohol to a minor.

Maximum penalty: 1 year imprisonment and/or \$2,500 fine; Class A misdemeanor.

Minor in possession: It is unlawful for any person under the age of 21 years to purchase, attempt to purchase, solicit another person to purchase, possess, or consume any alcoholic beverage or product.

Maximum penalty: 6 months imprisonment and/or \$1,000 fine plus suspension of driver's license up to one year; Class B misdemeanor*.

Not-a-drop-law: It is illegal for anyone under 21 years of age to operate a vehicle while there is any measurable alcohol (less than .08) in his or her body.

Penalty for a first offense is suspension of license for 90 days; second offense (within 3 years), suspension of license for 1 year.

Unlawful transfer or use of identification card: It is illegal to give or use another's identification card to (1) procure alcoholic beverages, (2) gain admittance where alcohol is sold or consumed, (3) obtain employment that requires employees to handle alcoholic products.

Maximum penalty: 6 months imprisonment and/or \$1,000 fine; Class B misdemeanor.

Intoxication: It is illegal to sell or supply to intoxicated persons or to purchase alcohol if intoxicated.

Maximum penalty is 6 months imprisonment and/or \$1,000 fine; Class B misdemeanor.

It is illegal to drink in a public building, park, or stadium, or to be so intoxicated that you disturb others or injure self or others.

Maximum penalty: 90 days imprisonment and/or \$750 fine; Class C misdemeanor.

Dram Shop liability: Refers to any person who provides alcoholic beverages illegally to underage persons or who provides alcohol to someone who is apparently intoxicated or may be under the influence of alcohol or other drugs.

If an intoxicated person causes injury to persons or property, the person who furnished the alcohol may be liable for injuries, property, or support to any third person or their spouse, child, or parent.

It is illegal to drink any alcoholic beverage while operating or riding as a passenger in a motorized vehicle, whether that vehicle is moving, stopped, or parked on any highway, street, or area of traffic.

Once a container has been opened, one can be arrested for possession. Violating an open container law is a Class B misdemeanor, which carries a maximum penalty of 6 months imprisonment and/or \$1,000 fine**.

It is illegal to drive or be in physical control of a vehicle or motorboat, even when parked, while under the influence of alcohol, any drug, or the combined influence of alcohol and any drug if impaired.

Police officers can stop any driver they have reasonable cause to believe is under the influence of alcohol or another drug. Operating a vehicle in Utah means consenting to a blood alcohol content (BAC) test. If blood alcohol level is .08 or greater, or if officer determines impairment, license will be confiscated and a Driving Under the Influence (DUI) charge issued. If BAC test is refused, driver's license will be revoked for one year, and a \$50-200 reinstatement fee will be assessed, and issuance of an alcohol restricted driver license if convicted.

For a first DUI conviction in which no one is injured, the following penalties are imposed:

- 60 days to 6 months imprisonment and/or up to \$1,000; Class B misdemeanor.
- A mandatory sentence of 48 to 240 hours in jail in the drunk tank or 24 to 50 hours of community service.
- Mandatory assessment and participation in educational programs at a licensed alcohol rehabilitation facility.
- Suspension of driver's license for 90 days or more.
- Payment of \$100 to the victim restitution fund.

If DUI, with anyone under 16 years of age in vehicle or if driver is 21 years of age or older and driving with anyone under age 18, charges raise to a Class A Misdemeanor and the possible driver license revocation period is extended to two years. An Alcohol Restricted Driver license will be issued for 5 to 10 years.

If a DUI results in injury, penalties of up to one year imprisonment and a fine up to \$2,500, separate from any lawsuit filed by the injured party, will be imposed. If death occurs, automobile homicide—a third degree felony—is charged against the driver. It carries a sentence of up to 6 years in the state prison and a fine of up to \$5,000. License is automatically revoked for one year.

A DUI with blood alcohol content (BAC) of .16 or higher, prior DUI conviction within last six years, and/or DUI involving a drug other than alcohol requires court-ordered, supervised, offender-paid probation.

A second and third DUI conviction, within six years of first, results in penalties of increased severity, further alcohol and drug treatment, and driver's license suspension for a longer period.***

Expect a first DUI conviction to cost at least \$10,000.

It is illegal to operate or control a vehicle with any measurable amount of alcohol in the body for an Alcohol Restricted Driver

Anyone convicted of DUI, other alcohol and/ or drug related driving incidents, or refusal to submit to a BAC test will be issued an Alcohol Restricted Driver license for 5 to 10 years. Class B Misdemeanor.

* All penalties enhance one degree if incident occurs within 1000 feet of a school, church, stadium, theatre, sports complex, etc.

** Unless it is completely inaccessible to driver and passengers.

*** Once an offender has been convicted of a felony DUI offense, any subsequent DUI offense would also be a felony; and the window for counting prior DUI offenses is 10 years.