



Minimum Legal Drinking Age Laws

Responsibility.org Position:

Responsibility.org supports the minimum legal drinking age law of 21 years of age as well as laws that enforce it, including penalties (e.g., mandatory fines, community service, license suspension) for illegal possession, illegal attempts to purchase, underage purchase, and underage consumption. Responsibility.org encourages the use of mandatory mental health screening and assessment among underage drinking offenders to determine whether they would benefit from treatment interventions.

This paper includes the most current and relevant data for this position as of January 9, 2025.

Overview:

Minimum legal drinking age (MLDA) laws specify an age below which the purchase, possession, and/or consumption of alcoholic beverages is illegal. The restriction of access to alcohol is designed to curb underage drinking and subsequently reduce drinking and driving among those under 21 years of age. Additionally, such restriction seeks to mitigate other alcohol-related harms. Adolescence is a critical period of neurodevelopment, and underage drinking has been shown to negatively affect cognition, brain structure, and function (Lees et. al, 2020).

In 1984, the U.S. Federal government enacted the [National Minimum Drinking Age Act](#) [23 U.S.C. § 158], thereby reducing Federal transportation funds for states that failed to prohibit persons under 21 years of age from purchasing or publicly possessing alcohol. By 1988, all states had complied. In addition to lowering the MLDA, states have enacted a variety of other statutes to limit access to alcohol and prevent underage consumption to include legal consequences for the following:

- Possessing or consuming alcohol or being under the influence of alcohol under the legal drinking age.
- Adults providing alcohol to minors for underage drinking events on property they own, lease, or otherwise control.
- Purchasing or attempting to purchase alcohol by a minor under the legal drinking age.
- Using false or fake identification for the purpose of obtaining alcohol.

The penalties for violating the MLDA vary by state. Common sanctions include fines, community service, driver's license suspension, and assessment/treatment.

For those who violate and receive a citation, detention, and/or arrest for underage drinking, that triggers the process of [screening and assessment](#) to determine whether there are risk factors that should be addressed further. **Failure to identify substance abuse or other pertinent indicators in a young person's life can lead to future alcohol-related offenses and further contact with the criminal justice system.**

Moreover, there is a significant body of research that indicates that early age of first drink is consistently associated with elevated rates of alcohol dependence later in life (DeWitt et al., 2000; Grant & Dawson, 1997; Hingson et al. 2006; McGue et al., 2001). Therefore, early intervention is important not only to address potential escalation in criminal behavior but also to address potential substance use issues that manifest later in life.

Over the years there have been various attempts to repeal the minimum legal drinking age in several states. As the effectiveness of the 21 MLDA is supported by numerous studies, bills proposing lowering the legal age to 18 have been met with wide opposition and subsequent defeat.

Research Highlights:

- The National Highway Traffic Safety Administration (NHTSA) estimates approximately 800 to 900 lives are saved every year as a result of MLDA laws – more than 28,000 lives since 1988 (NHTSA, 2005).
- Voas et al. (2003) conducted an analysis of data on all drivers younger than 21 who were involved in fatal crashes in the U.S. from 1982 to 1997. The researchers found that raising the MLDA to 21 years of age and establishing a zero tolerance BAC law for young drivers resulted in substantial reductions in alcohol-positive involvement in fatal crashes.
- Hedlund et al. (2001) found that between 1982 and 1998, MLDA laws were a key factor in a 59% reduction in the rate of young alcohol-impaired drivers involved in fatal crashes, along with demographic shifts, .02 BAC laws for drivers under 21, and other general anti-drunk driving efforts. The researchers posited that MLDA laws have been effective because they reduced underage alcohol consumption and encouraged youth to separate drinking and driving.
- The Centers for Disease Control (CDC) estimates about 4,000 people under the age of 21 in the U.S. die every year – directly or indirectly – from excessive drinking, including alcohol-related motor vehicle crashes.
- In 2022, 30% of drivers between 15 and 20 who were killed in crashes had blood alcohol concentrations (BACs) of .01 or greater and among these drivers 84% had a BAC of .08 or higher (NHTSA, 2024).
- In their review of the MLDA and public health effects, Carpenter and Dobkin (2011) concluded that an MLDA of 21 resulted in less alcohol consumption and alcohol-related harms compared to a MLDA at lower ages.

- A meta-analysis of MDLA literature published between 1960 and 2000 identified 33 studies on MLDA and alcohol consumption and 79 studies on MLDA and traffic crashes that met their criteria for quality of methodology. Of the studies that dealt with the relationship between MLDA and alcohol consumption, 33% found a reduction in youth alcohol consumption associated with a higher MLDA. Similarly, 58% of the studies found a decrease in traffic crashes associated with a higher MLDA. This suggests that there is an inverse relationship between MLDA laws and youth alcohol consumption and youth traffic crashes. (Wagenaar and Toomey, 2002).
- In their review of the literature, Shults et al. (2001) found that modifying MLDA laws resulted in changes of roughly 10-16% in alcohol-related crashes. When the MLDA is increased, crashes decrease, and the inverse is true when the MLDA is decreased. McCartt et al. (2010) reported similar findings.

Prevalence:

As of 1988, all fifty states enacted the minimum legal drinking age of 21.

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