

LAWS

# Parent Resource Guide

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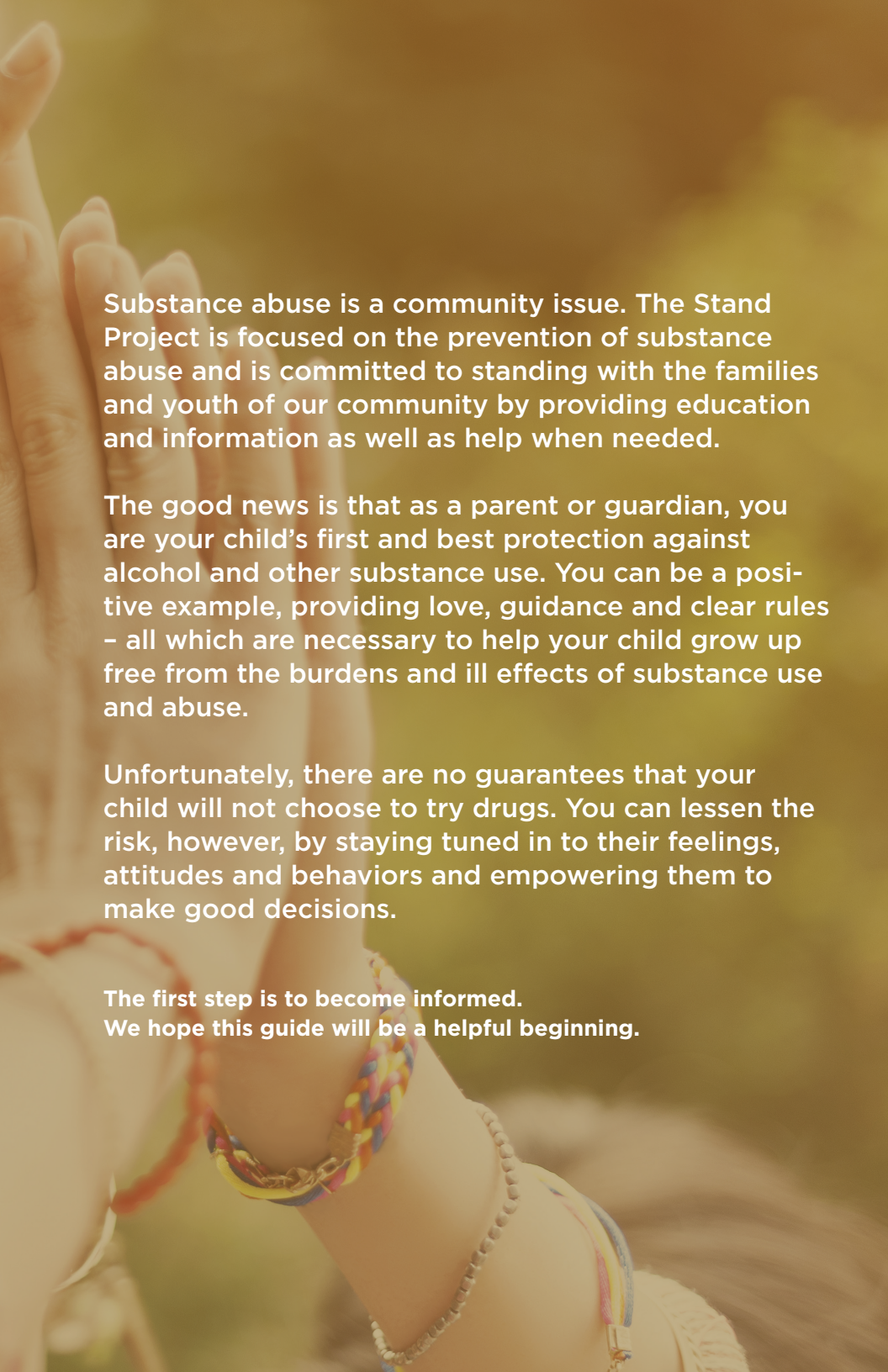
Understanding young people  
and substance use and abuse.

**LEARN MORE. START TALKING.**

THE  
*Stand*  
PROJECT



**We are  
all in this  
together.**



Substance abuse is a community issue. The Stand Project is focused on the prevention of substance abuse and is committed to standing with the families and youth of our community by providing education and information as well as help when needed.

The good news is that as a parent or guardian, you are your child's first and best protection against alcohol and other substance use. You can be a positive example, providing love, guidance and clear rules – all which are necessary to help your child grow up free from the burdens and ill effects of substance use and abuse.

Unfortunately, there are no guarantees that your child will not choose to try drugs. You can lessen the risk, however, by staying tuned in to their feelings, attitudes and behaviors and empowering them to make good decisions.

**The first step is to become informed.**  
We hope this guide will be a helpful beginning.

# THE LAW



## Laws Relating to Youth In Ohio

- **A person under the age of 21 may not share the cost of, purchase or consume alcohol. A person under the age of 21, may not order or purchase beer or liquor in any public or private place.**
- **A person under the age of 21 may not use false identification in purchase of beer or liquor.**
- **A person may not sell or furnish any alcoholic beverage to someone under the age of 21.** A person who sells or furnishes an alcoholic beverage to a person under 21 years of age is guilty of a first-degree misdemeanor, making the person subject to a fine of up to \$1,000 and/or imprisonment for up to six months, unless given by a physician for medical reasons, given for established religious purposes, or by the minor's parents, guardian, or spouse who is over 21. This means that a parent can legally give alcohol to his or her child in their home if the parent is present at the time the alcohol is consumed, BUT not to any other minors or it would be a first-degree misdemeanor.
- **A property owner may not allow minors to possess or consume alcohol on his property.**
- **A person may not allow the consumption of illegal drugs (including alcohol) by minors in her/his home.** A person who knowingly permits illegal drug use on her/his premises could be sentenced to 6 months in jail and fined \$1,000.
- **A person may not possess** or use any prescription drug that has not been prescribed to them, and no person may possess or use illicit drugs (LSD, ecstasy, heroin, and other Schedule I drugs) under any circumstance.
- **A person may not have an open container of alcohol in his automobile or in a public place** (such as a street or sidewalk).



## Laws Relating to Youth In Upper Arlington

### Alcoholic beverages

- **No person shall sell intoxicating liquor or beer to a person under twenty-one (21) years of age**, or buy intoxicating liquor or beer for, or furnish it to an underage person.
- **No person being the owner or occupant of any public or private place** located within the City shall knowingly allow any person under twenty-one (21) years of age to remain in or on the place while in the possession of intoxicating liquor or beer or while consuming intoxicating liquor or beer.
- **No person under twenty-one (21) years of age shall knowingly possess, control or consume** any intoxicating liquor or beer in any public or private place.

**Exception to the above rules:** *unless given by a physician in the regular line of his practice, or given for established religious purposes, or unless the underage person is accompanied by a parent/spouse who is not an underage person, or legal guardian.*

### OPEN CONTAINER

**No person shall have in the person's possession an opened container of beer or intoxicating liquor in any of the following circumstances:** while operating or being a passenger in or on a motor vehicle on any street, highway, or other.

**Note:** *Driving a vehicle with a friend who has an open container can result in both the driver and the passenger(s) being charged for open container.*

**Exceptions** *relating to chauffeured limousines, resealed bottles of wine from restaurants, or pedal taverns.*

**Possession under 2925.01 is defined as:** *"Possess" or "possession" means having control over a thing or substance, but may not be inferred solely from mere access to the thing or substance through ownership or occupation of the premises upon which the thing or substance is found.*

## Intoxication, reckless driving, speed

- **No person who is under the influence of alcohol, a drug of abuse, or a combination of them shall operate any vehicle.**

*Note: This means, you do not have to test at or above the legal limit to break the law. If you are impaired — you have broken the law.*

- **No person shall operate any vehicle when:**

The person has a concentration of eight-hundredths (.08) of one per cent (1%) or more but less than seventeen-hundredths (.17) of one per cent (1%) by weight per unit volume of alcohol in the person's whole blood, OR of one (1) gram by weight of alcohol per two-hundred-ten (210) liters of the person's breath.

*Note: If you test above .17, you are subject to enhanced mandatory minimum penalties.*

- **In addition to the offenses above, no person under twenty-one (21) years of age shall:**

Have a concentration of at least two-hundredths (.02) of one per cent (1%), but less than eight-hundredths (.08) of one per cent (1%) by weight per unit volume of alcohol in the person's whole blood, OR of one (1) gram but less than eight-hundredths (.08) of one (1) gram by weight of alcohol per two-hundred-ten (210) liters of the person's breath.

### OVI PER SE

OVI "per se" levels exist for all of the following drugs: cocaine, heroin, marijuana, LSD, amphetamine, methamphetamine, phencyclidine.

## Tobacco products

### **Upper Arlington City Ordinance No. 531.08-2015.**

Prohibits the distribution or sale of cigarettes, tobacco products (any product that is made from tobacco, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, or snuff), e-cigarettes and liquid nicotine to individuals under the age of 21.

## Teen Driver Passenger Limits

### Ohio Revised Code (ORC) 4507.071

Persons between the ages of 16 and 18 may receive “probationary licenses” from the BMV. These are not full operator’s licenses with all privileges.

For the first 12 months that a person has a probationary license, the person may not operate the motor vehicle with more than one non-family member in the car, unless the probationary license holder is also accompanied by his or her parent or guardian.

An officer may stop a vehicle solely to enforce this restriction (it is a “primary offense”).

*See Probationary license holders curfews in Curfew section*

### Curfew

**Curfew for minors 12 and under: 9pm-5:30am**

**Curfew for minors 13-18: midnight-5:30am**

No minor shall loiter, idle, wander, stroll or play, or be in or on any vehicle, in or upon the public streets, other public places, places of amusement, entertainment or public accommodation, vacant lots or land or, without the consent of the owners or occupants, on private property.

**Provisions** of this section shall not apply to a minor accompanied by the minor’s parent, guardian, or other adult person having the care and custody of the minor, or to a minor who is engaged in an emergency errand or legitimate business directed by the minor’s parent, guardian or other adult person having the care and custody of the minor.

**Probationary license holders** also have specific curfews (*in addition to the general curfew for minors*): no driving without a parent from 12AM-6AM for first 12 months with probationary license; no driving without a parent from 1AM-5AM after first 12 months with probationary license. (This is not a primary offense).

**CREATED IN PARTNERSHIP WITH**

The City of Upper Arlington

The Upper Arlington City Attorney's Office

The Upper Arlington City Schools

The Upper Arlington Police Department

The Upper Arlington Community Foundation

The Upper Arlintgon Public Library

OhioHealth and Syntero



**The Stand Project** is an Upper Arlington community action project focused on the prevention of substance abuse and committed to standing by students and families in finding help.

**To learn more, visit [TheStandProjectUA.org](http://TheStandProjectUA.org)**

**If you would like to donate or discuss how your gift can be used,** please contact The Stand Project at [TheStandProjectUA.org/giv.e](http://TheStandProjectUA.org/giv.e)



*The Stand Project is proud to be affiliated with the Upper Arlington Community Foundation, a 501c3 organization.*

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