

Acceptable forms of Identification for Purchase of Alcohol in Utah



A man, upset with his waitress called DABC and complained,

"I should be able to use my concealed carry permit to buy alcohol," he fumed, "and yet she unlawfully refused to serve me. My concealed carry permit IS a valid type of identification card."

The man was adamant that he had to go through background checks, prove his birthday, and include his photo on this government issued Identification. He believed that met the definition of a legal identification card in Utah. Actually, No! The concealed carry permit and some other types of identification are not lawful identification *to purchase alcohol*. Here is why. Let's start with the Alcoholic Beverage Control (ABC), acceptable forms of identification to prove "**proof of age**" are in 32b-1-102 (90)(a)(b):

1. AUTHORIZED UTAH IDENTIFICATION CARD

"Identification card" is actually defined for us in the ABC Act as well in 32b-1-102 (52) as an identification card issued under Title 53.

O.K. what is Title 53? Well, Title 53 is the Uniform Driver License Act. So if we go to Title 53-3-802 (2) it defines our "Identification card" as:

- "Identification card" means a card for identification issued under this part.

So simply, an "identification card" is Utah's "Authorized Identification Card" *issued by the Driver License Division*. There is no mention of the Concealed carry permit here, or any other identification types which are NOT issued by the DLD.



2. AUTHORIZED IDENTIFICATION FROM ANOTHER STATE or US TERRITORY

That is:

- (A) is substantially similar to a (Utah) identification card;
- (B) is issued in accordance with the laws of the other state (other than Utah) and
- (C) includes date of birth and
- (D) has a picture affixed;

The man in our scenario holding his concealed carry permit was most insistent at the second definition above, an identification that "is substantially similar to an identification card" should include his concealed carry permit. However, this definition includes all parts (A), (B), (C), and (D), and can't be taken separately. In simple terms, this part of the definition is referring to lawfully issued identification cards of OTHER states. Many Europeans also thought that their 'Euro Card' would fit into this law. However, the wording refers to the laws of other 'United States' and not another country.

3. A VALID DRIVER LICENSE – ISSUED BY ANY STATE IN THE UNITED STATES that:

- (A) Includes a date of birth;
- (B) Has a picture affixed; and
- (C) Is issued:



- (I) under Title 53, Chapter 3, Uniform Driver License Act; or
- (II) in accordance with the laws of the state in which it is issued;

4. A U.S. MILITARY IDENTIFICATION CARD that:

- (A) Includes date of birth; and
- (B) Has a picture affixed



5. A VALID PASSPORT.



Under 32b-1-102 (90)(a)(v) . . . Note that there is no other acceptable identification for those outside of the United States except for the valid passport. (U.S. citizens may use the U.S. Passport card).

ID NOT VALID for Proof of Age

- Driver Privilege Card issued in accordance with Section 53-3-207 is NOT valid for proof of age, as specifically stated under 32b-1-102 (90)(b).
- Concealed Carry Permit
- Euro Card or Driver License from outside of the United States
- Green Card, Consular Card, Non US Passport Card, or any identification card that does not fit the statute specifically.



ONE LAST THING! Another key word in the proof of age laws is the word "VALID". No identification is acceptable that is expired, or unlawfully gained or in any other way questionable. Ask for a second form of I.D.