



# Bismarck Burleigh Public Health

Prepared by the Bismarck Burleigh Tobacco  
Prevention and Control Program



# TRAINING GOALS

This training will help you learn about:

- Bismarck tobacco ordinances that restrict sales to minors.
- How to comply with the ordinance
- How to avoid penalties
- Available resources and information



# Disclaimer

- This training is for informational and educational purposes only.
- It is your responsibility to know and comply with North Dakota law and Bismarck tobacco ordinances.
- Viewing this training session and adopting the recommended policies does not constitute compliance with the laws and ordinances.



# Presentation Roadmap

- Section 1: Youth tobacco use and purchasing practices
- Section 2: Bismarck tobacco ordinances and enforcement
- Section 3: Strategies for owners and managers to avoid tobacco sales to minors in your store
- Section 4: Guide for clerks on how to comply with tobacco sales laws



# Section 1

Youth tobacco use and  
purchasing practices





# Facts about Youth Tobacco Use

- More than 874 North Dakotans die every year from tobacco use\*
- Nearly 90% of adult smokers started smoking before they were 18 years old\*\*
- The younger a person is when they start to smoke, the harder it is for him or her to quit\*\*\*

\*Source: SAMMEC, 2001

\*\*Source: SAMHSA, HHS, Calculated based on data in 2006 National Household Survey on Drug Use and Health, <http://www.oas.samhsa.gov/nsduh.htm>.

\*\*\*Source: U.S. Department of Health and Human Services. *Preventing Tobacco Use Among Young People: A Report of the Surgeon General*. Atlanta, Georgia: U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 1994.



## Tobacco Sales to Teens

- 70.5% of North Dakota current smokers under the age of 18 were not refused sale of cigarettes when buying them at a store \*



\* Source: ND Youth Tobacco Survey 2007, Grades 9-12



# Where Teens Get Tobacco

According to the ND Youth Tobacco Survey 2007, High school smokers say they usually get their cigarettes from:

- Someone who buys cigarettes for them (e.g., shoulder tapping)
- Someone who gives cigarettes to them (e.g., family and friends)
- A retailer who sells cigarettes to them

Source: ND Youth Tobacco Survey 2007, Grades 9-12





# Where Teens Buy Tobacco

Teen smokers say they buy cigarettes at: \*

- Gas Stations (55.3%)
- Convenience stores (17.3%)
- Grocery stores (4.2%)



\* Source: ND Youth Tobacco Survey 2007, Grades 9-12



# How Teens Manage to Buy Cigarettes

Teens said the easiest way to buy cigarettes was to go to a clerk they knew. \*

They also:

- Buy in their neighborhood stores
- Lie about their age
- Buy non-tobacco items at the same time
- Say the cigarettes are for an adult
- Use a fake ID

\* Source: Klonoff, EA & Landrine H. "The Role of Youth Versus Store-clerk Behavior and Issues of Ecological Validity." *Health Psychology*, September 2004, 23(5): 517-524.



# Section 2

## Bismarck Tobacco Ordinances and Enforcement





# Bismarck Tobacco Ordinances

- Purpose – intended to reduce the illegal purchases of tobacco products by minors and the easy access of tobacco products to minors



# Bismarck Tobacco Ordinances

- Prohibit illegal sales of tobacco products by minors at stores through compliance checks

## Consequences

- Clerks – finned up to \$1000.
- Stores – fined up to \$1000 and/or tobacco license suspension or revocation.



# Bismarck Tobacco Ordinances (Cont.)

- Tobacco vending machines prohibited (exempted on license alcohol premises )
- No Self-service of tobacco products (exempted on license alcohol premises)



# State Laws and Tobacco Sales

- Sale of single cigarettes prohibited
- Sale of bidis prohibited.
- Licensing Requirements



# State Laws and Tobacco Sales (cont)

- Internet Sales
- Tobacco Excise Taxes
- Other Tobacco Products
- Youth Access
- Restriction on Distribution of Tobacco Product Samples or Sales of Single Cigarettes Samples

Source: North Dakota Department of Health: Tobacco Prevention and Control, Laws and Ordinances. [www.ndhealth.gov/tobacco/Laws.htm](http://www.ndhealth.gov/tobacco/Laws.htm)





## Section 3

Strategies for owners and  
managers to avoid tobacco sales  
to minors in your store



# How to Comply With the Laws

- Educate yourself about the laws and penalties
- Develop and follow store policies
- Train and monitor your clerks
- Put up reminders
- Obtain and display your tobacco license



**TOBACCO COMPLIANCE  
CHECKS  
ARE HAPPENING  
OVER 18  
UNDER 18?**

*Stopping tobacco sales to minors depends on  
commitment and action by you and your employees.*



# Develop Store Policies

- Require your employees to ask for valid government-issued photo ID and to check the age
- Develop a written company policy that employees must read and sign
- Train your employees regularly and review the laws





# Follow Store Policies

- Emphasize to employees that checking IDs is important – no matter how many people are in line
- Remind your employees that state and local enforcement agencies conduct tobacco compliance checks
- Caution employees that store owners and clerks may be cited, which may result in a fine and criminal record



# Train Your Clerks

- To ask for ID from anyone
- To accept only valid government-issued IDs
- To CHECK the age on the ID and confirm the customer is over age 18
- How to refuse a sale

***IMPORTANT:*** Include time for clerks to practice calculating the age and ways to refuse a sale.



# Use Reminders and Other Aids

- Place calendars and other age-of-sale reminders by all registers. Many types of calendars are available. Including decals, daily paper, and electronic calendars.
- Use register screen pop-ups as reminders to check age.
- Install electronic scanning devices or other age verification devices, and teach employees how to use them and **NOT** to override them!

**You must have been born by  
today's date in:  
1990 to buy TOBACCO!**



# Monitor Your Clerks

- Observe your clerks and give prompt feedback on what they are doing right and what they are doing wrong
- Conduct periodic secret shopper programs to check on your store's compliance
- Follow through with rewards and consequences



# Points to Remember

- You are responsible for knowing and making sure your employees follow the laws
- Tobacco laws for minors are being enforced
- Make sure your employees are trained and monitored to help avoid illegal sales and fines

*Thank you for doing your part!*





# Where to Get Signs and Tobacco Retail Information

- City of Bismarck
- Bismarck-Burleigh Public Health
- ND State Health Dept.- Tobacco Prevention Control Division
- Bismarck Law Enforcement
- [www.Bismarcktobaccofree.com](http://www.Bismarcktobaccofree.com)
- <http://www.wecard.org/>



# Section 4

Guide for clerks on how to comply with tobacco sales laws





# Guide For Clerks

Always follow these steps before selling tobacco products:

- Ask for ID from anyone
- Accept only valid government-issued IDs
- CHECK the age on the ID to confirm the customer is over age 18



# Acceptable Identification

- **Drivers License from one of the 50 states**
  - With security features that can be confirmed
- **Valid State ID with security features**
- **US Military ID**
- **US Passport**
- **Tribal ID**



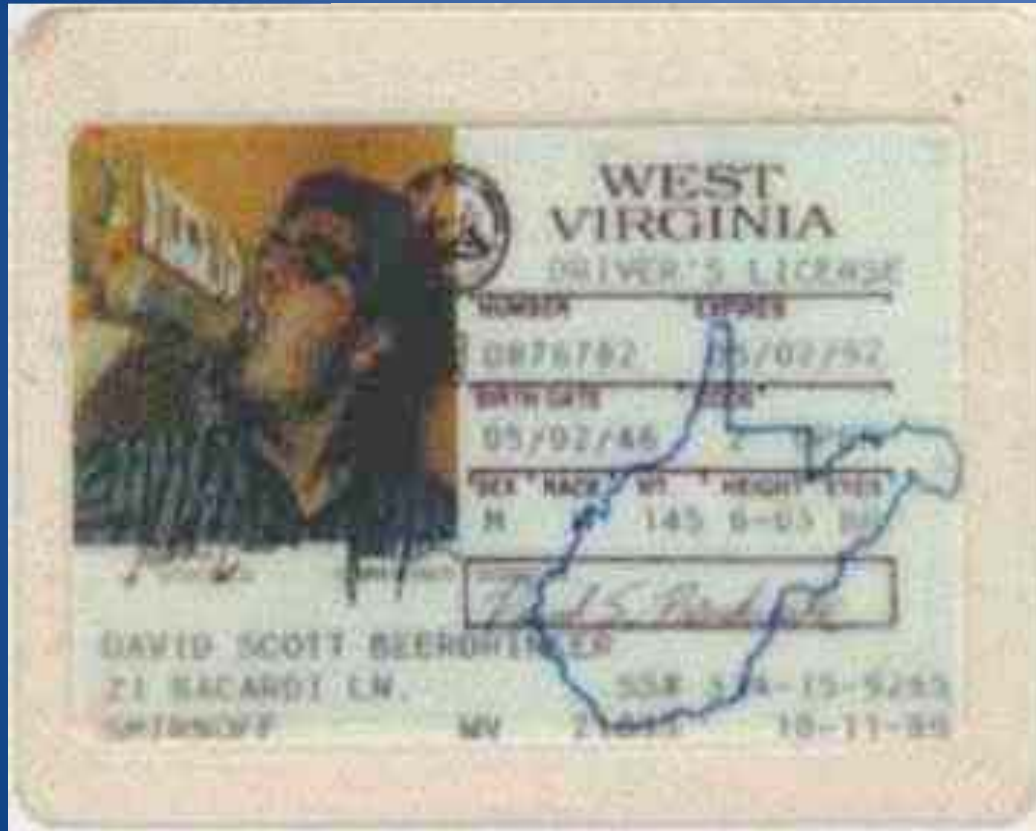


# Unacceptable Identification

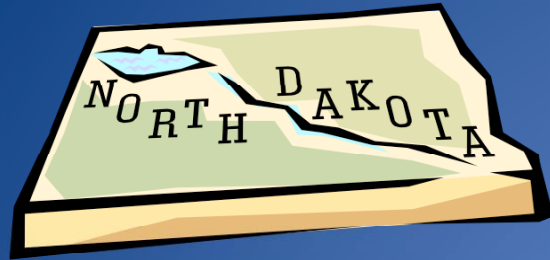
- Expired ID or 'clipped' ID cards
- College ID Cards
- Library Card, etc...



# Make sure the ID matches the person!



Look to make sure the photo has NOT been replaced



# North Dakota Driver Licenses Older Version



# ND Security Features: Hologram

- The Buffalo hologram is transparent when viewed directly
- Moving the license up and down six inches will cause the security feature to change colors between orange and green
- If it doesn't do this – it isn't authentic







# ND Drivers License: Under 18

Border around photo is **YELLOW**

Photo on LEFT side

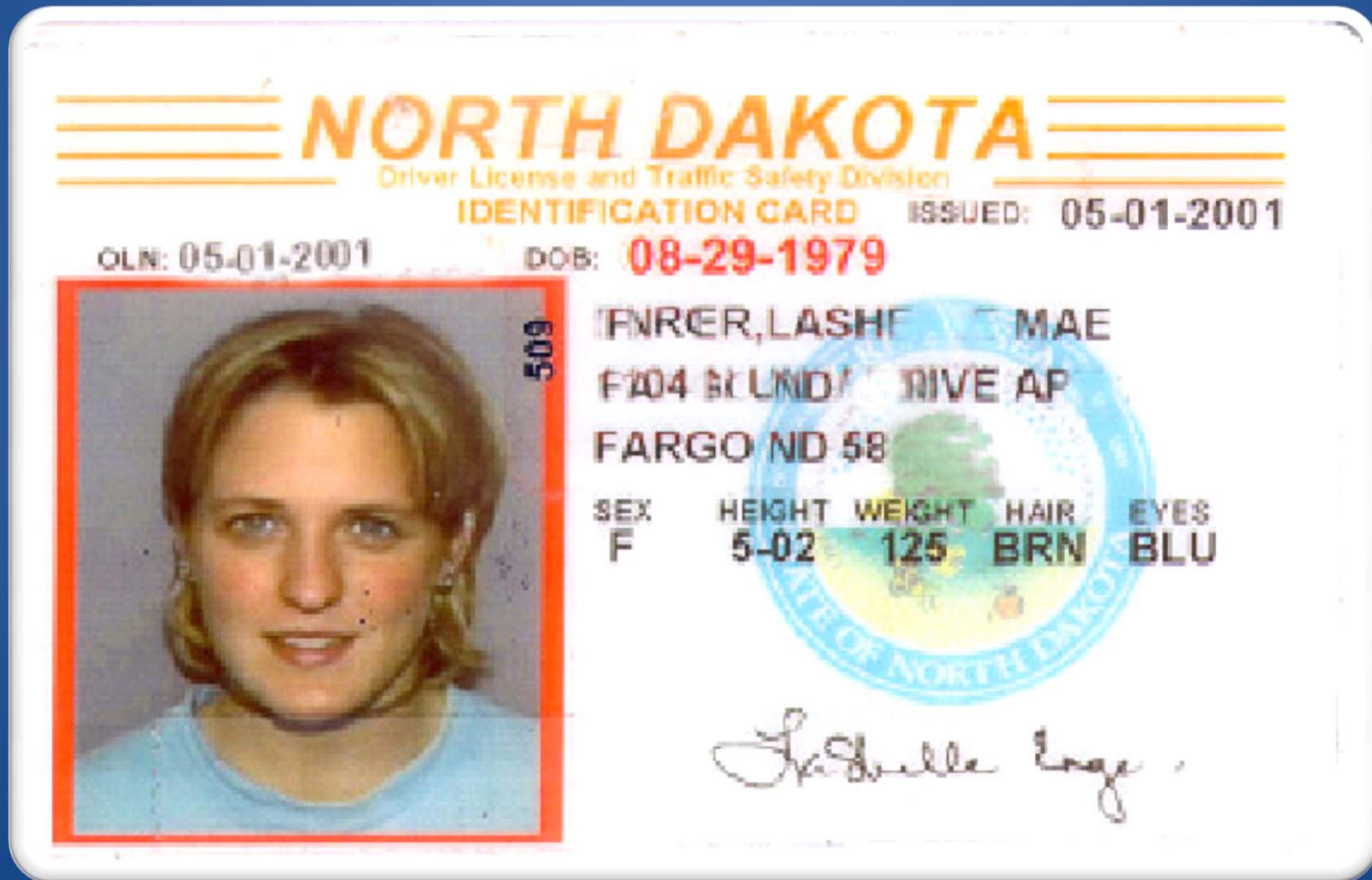
DOB is in **RED**

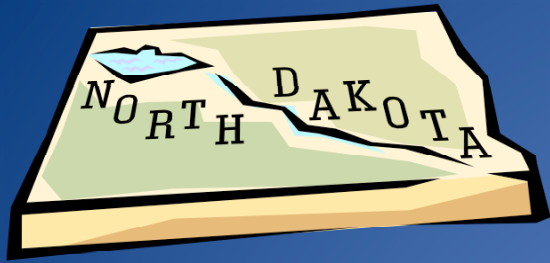
DOB year is listed three times





# North Dakota Identification Card





North Dakota Drivers  
License  
New Version  
New Look!



## Beginning Spring (MAY) of 2006

- Beginning Spring of 2006, the North Dakota Drivers License and Traffic Safety Division began issuing a newly-designed driver license and identification card. The new cards will be phased in over a four year period, so you will continue to see old style licenses and ID's until they reach their normal expiration dates. The new cards comply with the American Association of Motor Vehicle Administrators (AAMVA) specifications.



# Exciting Innovations

- With the new design, cards issued to persons

under the age of 21 will be printed in a vertical format.

Next to the portrait, a red bar states "Turns 21 on.."

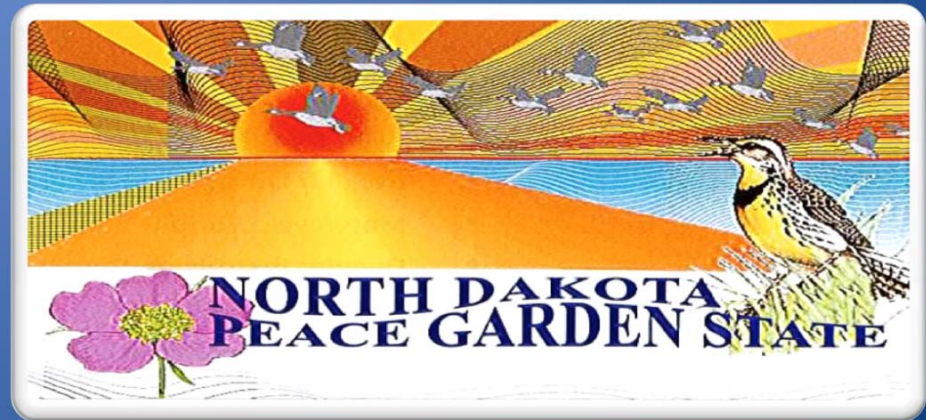


For persons under 18, a yellow bar is added that states "Turns 18 on.."



# Security Laminate

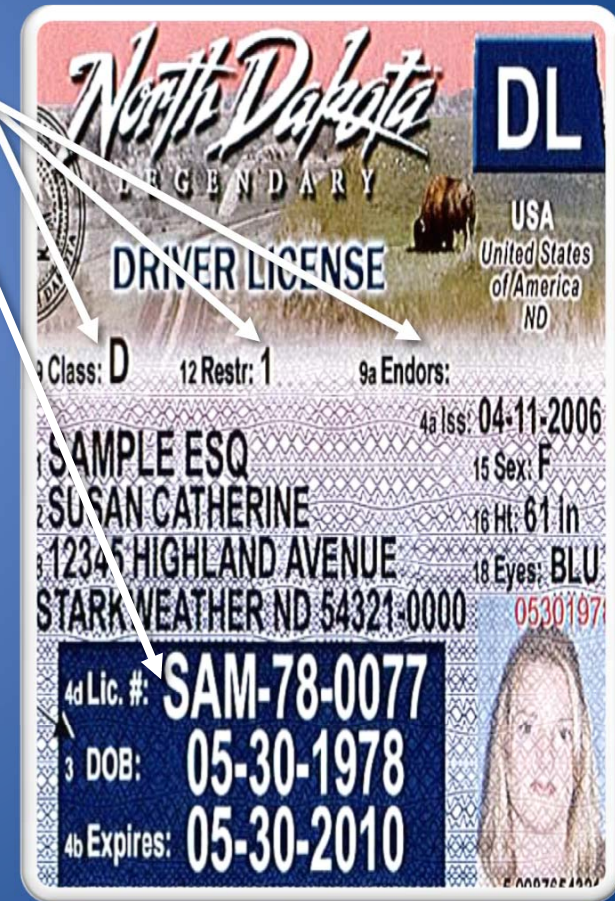
- A transparent hologram following the custom-designed pattern displayed above discreetly overlays the front of every card.
- Alternating images appear when the card is viewed from various angles.
- The appearance of this Optically Variable Device enhances the authenticity of this card.



# Class, Restrictions and Endorsements

- Class, Restrictions & Endorsements
- License/Identification Number
- Date of Birth
- Expiration Date

Are clustered together and printed clearly in the large color-coded box on the bottom of the card.





# How to Calculate the Age

Use your Store's Policy

**You must have been born by  
today's date in:  
1990 to buy TOBACCO!**





# Common Mistakes

- Not asking for an ID
- Asking for ID and then not checking the age

Don't make a sale UNTIL you ask for and check the ID of anyone, even if it is a friend or regular customer!



# Common Mistakes

- Accepting ID that is not a valid government-issued photo ID
- Overriding the computerized system for anyone

Follow the rules and the store policy. Only accept a valid ID. **NEVER** override the computerized system for anyone.



# Refusing a Sale: What to Say

- “I’m sorry. It’s against the law.”
- “I’m sorry. I can’t sell tobacco without a picture ID.”
- “I’m sorry. It’s store policy to check ID’s.”
- “I could be fined if I break the law.”





# Refusing a Sale to a Friend Under 18

- It's especially hard to tell a friend who is under 18 that you aren't able to sell tobacco to them, but it's important
- Here is what to do:  
Using a friendly tone, tell your friend, "I'm sorry. It's against the law. I could be fined and even lose my job if I sell to you."



# Refusing a Sale: What to Do

- After politely refusing the sale, remain calm.
- If a customer insists or becomes argumentative, contact your supervisor.



# Role Playing Scenario

It's important to practice refusing a sale.

Practice with another clerk or the manager.

Here are two scenarios:

- Anyone attempts to buy cigarettes. You ask for ID, and then person becomes upset.

What do you do and say?

- An underage friend asks you for cigarettes.

How do you refuse the sale?





# Do Your Part!

Stopping tobacco sales to minors depends on commitment and action by employers and employees.

**By working together, you can avoid illegal tobacco sale to minors in your store.**