

NC Alcohol Laws

| Offense | Penalty | North Carolina Statute |
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| Sale, purchase for, or giving of alcohol to an underage person | Class 1 misdemeanor 1st offense: \$250.00 and 25 hours of community service 2nd offense: \$500.00 and 150 hours of community service; Possible jail time | N.C. Gen. Stat. § 18B-302(a)-(a1); § 18B-302.1. |
| A person under 21 to purchase, attempt to purchase, possess, or consume alcohol | Class 2 misdemeanor if under 19 Class 3 misdemeanor if 19-20 years old; punishment corresponds with the class misdemeanor, priors, and age of perpetrator*; Possible jail time | N.C. Gen. Stat. § 18B-302(b); § 18B-302(j) |
| Aiding or Abetting by an underage person to purchase or obtain alcohol. | Any person who is under the lawful age to purchase and who aids or abets another in violation the above statutes is guilty of a Class 2 misdemeanor; Possible jail time | N.C. Gen. Stat. § 18-302(c)(1) |
| Aiding or Abetting by a person over the lawful drinking age to purchase or otherwise aid an underage person in obtaining alcohol | Any person who is over the lawful age to purchase and who aids or abets another in violation the above statutes is guilty of a Class 1 misdemeanor; 1st offense: \$500.00 and 25 hours of community service 2nd offense: \$1,000 and 150 hours of community service; Possible jail time | N.C. Gen. Stat. § 18-302(c)(2); § 18B-302.1. |
| Operating a motor vehicle upon any highway, any street, or any public vehicular area within this State: while under the influence of an impairing substance; after having consumed sufficient alcohol that he has, at any relevant time after the driving, an alcohol concentration of 0.08 or more; or with any amount of a Schedule I controlled substance. | <p>Level 5 Punishment (Lowest): 24 hours community service or 24 hours to 60 days in jail; Fine up to \$200; License Suspension – one (1) year; Possible probation.</p> <p>Level 4 Punishment: 48 hours community service or 48 hours to 120 days in jail; Fine up to \$500; License Suspension – one (1) year; Possible probation.</p> <p>Level 3 Punishment: 72 hours community service or between 72 hours to six (6) months in jail; Fine up to \$1,000; License Suspension – one (1) year; Possible probation.</p> <p>Level 2 Punishment: Mandatory jail, seven (7) days to one (1) year (exception for inpatient treatment or continuous alcohol monitoring); Fine up to \$2,000; License Suspension; Possible probation.</p> <p>Level 1 Punishment: Mandatory jail, 30 days to two (2) years (exceptions for inpatient treatment and continuous alcohol monitoring); Fine up to</p> | N.C. Gen. Stat. § 20-138.1; § 20-179. |

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| | <p>\$4,000; License Suspension; Possible probation.</p> <p>Level 1A Punishment (highest): Mandatory jail 120 days to three (3) years (exceptions for inpatient treatment); Fine up to \$10,000; Possible probation with continuous alcohol monitoring; License suspension.</p> | |
| <p>Operating a motor vehicle on a highway or public vehicular area by a person less than 21 years old while consuming alcohol or at any time while he has remaining in his body any alcohol or controlled substance previously consumed.</p> | <p>Class 2 Misdemeanor Punishment: Maximum of 60 days in jail and a fine.</p> <p>*If also convicted of driving while impaired then the punishments listed above from G.S. § 20-179 apply.</p> | <p>N.C. Gen. Stat. § 20-138.3</p> |
| <p>Possessing an alcoholic beverage other than in the unopened manufacturer's original container, or consuming an alcoholic beverage in the passenger area of a motor vehicle while the motor vehicle is on a highway or the right-of-way of a highway.</p> | <p>Maximum Penalty: Imprisonment for a term up to 60 days and/or community service and fines up to \$1,000 (Class 2 or 3 misdemeanor based on number of offenses).</p> | <p>N.C. Gen. Stat. § 18B-301; § 18B-401; § 20-138.7.</p> |