

April 18, 2011

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APR 27 2011

alPHa

Ms. Linda Stewart
 Association of Local Public Health Agencies
 2 Carlton St., Suite 1306
 Toronto, Ontario
 M5B 1J3

Dear Ms. Stewart:

Re: Request for the alPHa Endorsement regarding the Addition of a Visual Age Prompt to Ontario Driver's License

Kingston, Frontenac, and Lennox & Addington Public Health (KFL&A) is dedicated to eliminating the supply of alcohol and tobacco products to underage youth in an effort to reduce the harm associated with the consumption of these products. Often the illegal sale of these age-restricted products takes place even though the Ontario driver's license has been produced as identification and apparently closely examined. In this agency's work a common excuse given by employees after selling alcohol or tobacco products to customers who were less than 19 years old is that they calculated the date of birth incorrectly, and thinking the shopper was 19 years or older, completed the transaction.

To reduce the number of incidents where alcohol and tobacco sales are being made as a result of miscalculated birth dates, on March 23, 2011, the KFL&A Board of Health endorsed a request to the Ministry of Transportation to begin discussions that would have the Ontario driver's license amended to include a visual age prompt. The addition of a visual age prompt indicating that the holder of the license is under 19 years of age would assist operators and their employees of retail stores, licensed bars, and casinos, as well as law enforcement to quickly and accurately determine whether the holder of the license is over or under the age of 19, and therefore eligible to purchase restricted products such as alcohol and tobacco. Something as simple as the addition of a coloured bar beside the license holder's picture with the text "not 19 until <date>" would greatly assist in identifying those customers to whom restricted products must not be sold. Please see an example from New Brunswick at the bottom of this letter. **Currently Ontario and Quebec are the only provinces in Canada that do not have a visual age indicator on their driver's licenses and in the United States, every state has adopted some form of visual age verification.**

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KINGSTON, FRONTENAC AND LENNOX & ADDINGTON PUBLIC HEALTH

Main Office

221 Portsmouth Avenue, Kingston, Ontario K7M 1V5
 Tel: 613-549-1232 1-800-267-7875
 Fax: 613-549-7896 www.kflapublichealth.ca

**Branch Offices**

Cloyne	Tel: 613-336-8989	Fax: 613-336-0522
Sharbot Lake	Tel: 613-279-2151	Fax: 613-279-3997
Napanee	Tel: 613-354-3357	Fax: 613-354-6267

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Potential advantages of including a visual prompt on the Ontario driver's license would be:

1. Many retail outlets are owned by, and employ persons who have a limited command of the English language and may not possess the mathematical skills necessary to conduct simple mathematical calculations. A visual prompt would be a great advantage to them.
2. The birth date on the current Ontario driver's license is very difficult to see due to the small font size. Low light, stressful situations and poor visual acuity all increase the likelihood that an error will be made in the calculation of the license holder's age.
3. The addition of a visual prompt would make it harder for persons to alter the date of birth and further increase the security of the driver's license. The graduated license system results in discarded licenses getting into the hands of persons not yet 19 years of age who use them as false identification. The presence of a visual age prompt on a discarded G1 or G2 license would cause them to be examined more closely when being used as a form of identification and thus reduce the likelihood that the document would be used for fraudulent purposes.
4. Currently many retailers are using the scanning capability of Lotto terminals belonging to the Ontario Alcohol and Gaming Commission to determine the age of individuals requesting tobacco products. Should the Ministry of Transportation replace the magnetic strip with a new type of security feature this method of age verification may no longer be available. The addition of a visual prompt will improve retailer's ability to determine age in the absence of the scanning feature now available to them by way of the Lotto terminal. The addition of a visual prompt may also preclude the Alcohol and Gaming Commission from having to develop new scanning devices to work with the new security technology (bar code or chip) or at least will help until new scanning technology is developed and distributed to retailers.
5. Upon reaching the age of 19 a license holder may have the visual prompt removed immediately by applying for a reissuance of their driver's license at their expense. Otherwise, the visual prompt will disappear from their license the first time it is reissued after the holder exceeds 19 years of age.
6. The addition of a visual prompt which immediately identifies the holder of the license as being a person under 19 years of age would be welcomed and widely accepted by businesses dealing in the sale of restricted products.
7. Financial considerations related to the implementation of this request would be minimal as the Ministry of Transportation is currently considering an amendment of the Ontario driver's license.

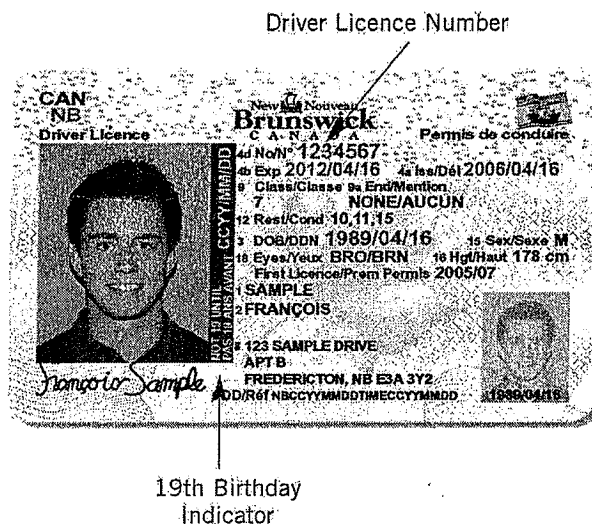
Most importantly, the sale of alcohol and tobacco to persons under 19 years of age and the number of retailers in non-compliance with legislation will decrease with the addition of a visual prompt. With fewer alcohol and tobacco products ending up in the wrong hands and fewer charges being made should result in healthier youth and happier retailers.

This agency has requested that the Ministry of Transportation support our request that a visual age prompt be added to the Ontario driver's license and that the Ministry of Transportation enter into discussions with other Ontario ministries as soon as possible to explore this possibility **The fact that the Ministry of Transportation is currently planning to make changes to the existing license presents us with a unique opportunity to accomplish our goal simultaneously and at limited additional cost to the Province.**

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We are requesting that ALPHA also endorse our request through a policy review process, and, if supported, to encourage all local Public health Agencies in Ontario to do the same. To assist in your assessment, we are including a short report done by KFL&A staff on this issue for your use. If we can be of further assistance on this request, KFL&A Public Health would welcome the opportunity to work further on this initiative.

Under the Age of 19 Driver Licence



Yours truly,

Beth Pater

Beth Pater, Chair
KFL&A Board of Health

Enclosure

Copy to: Board of Health members

MEMORANDUM

TO: Board of Health Members, Dr. Ian Gemmill, MOH

FROM: Darlene Mecredy, Director, CDIP
Dave McWilliam, Manager; CDIP
Sandy Fraser, TEO, School Health & Tobacco
Tanya Beattie, PHP, Adult Health
Cathy Edwards, PHN. Adult Health

DATE: March 23, 2011

SUBJECT: Changes to the Ontario Driver's License – Visual Age Prompt

Issue:

The sale of alcohol and tobacco products to persons who are less than 19 years of age as a result of the miscalculation of customer's ages is contributing to the harm associated with the consumption of these products. An amendment to the Ontario driver's license format that would include the addition of a visual age prompt would reduce the number of tobacco sales that are made as a result of age calculation errors, and enable businesses to operate within compliance of the applicable legislation more easily.

Background:

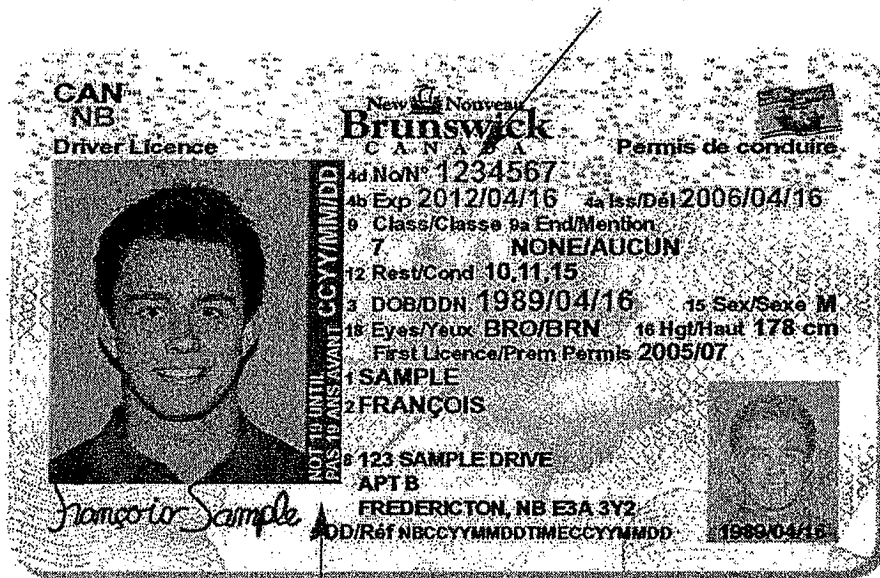
Kingston, Frontenac, and Lennox & Addington Public Health (KFL&A PH) is dedicated to eliminating the supply of alcohol and tobacco products to underage youth in an effort to reduce the harm associated with the consumption of these products. The illegal sale of these age restricted products is taking place even though the Ontario driver's license has been produced as identification and apparently closely examined. The most common excuse given by employees after selling alcohol or tobacco products to customers who were less than 19 years old is that they calculated the date of birth incorrectly and, thinking the shopper was 19 years or older, completed the transaction. The latest round of tobacco enforcement checks in July and August of 2010 conducted by KFL&A PH Tobacco Enforcement Officers showed illegal tobacco sales occurring 19 times out of 138 checks conducted. Only one of these sales involved an employee's failure to ask for appropriate identification. In the other 18 instances, identification was asked for but the date of birth was calculated incorrectly resulting in the sale being completed and charges being laid against the employee.

Persons employed in the alcohol service industry also report that errors in age calculation occur and are frequently caused by circumstances such as low light conditions complicated by the small font size currently used to indicate the date of birth on the Ontario driver's license. Although it cannot be confirmed, it is believed that in many instances the failure to calculate the date of birth accurately may be honest mistakes, and that there may not have been any intent on the part of the employee to sell the alcohol or tobacco product illegally. In either case, the result is that alcohol and tobacco products are still getting into the hands of Ontario youth.

To reduce the number of incidents in which alcohol and tobacco sales are being made as a result of miscalculated birth dates, this agency is suggesting that the Ontario driver's license be amended to include a visual age prompt. It is suggested that something as simple as the addition of a coloured bar (red or yellow in most provinces) beside the license holder's picture with the text "not 19 until yyyy/mm/dd" would greatly assist clerks in identifying those customers to whom they must not sell restricted products.

Under the Age of 19 Driver Licence

Driver Licence Number



19th Birthday
Indicator

Currently, every state in the U.S. and eight out of 10 provinces in Canada have some form of visual age prompt incorporated into their driver's license format. The addition of a visual prompt indicating that the holder of the license is under 19 years of age would assist employees of stores, bars, casinos, and law enforcement to determine quickly and accurately whether the holder of the license is over the age of 19, and therefore eligible to purchase or possess restricted products such as tobacco and alcohol.

Current Status:

Various provincial and federal health agencies have been contacted in an effort to determine how the addition of a visual age prompt has affected their Tobacco Enforcement Program. Some provinces such as Alberta and Saskatchewan utilize Health Canada personnel to conduct their enforcement checks and some provinces utilize provincial health resources.

Under Smoke-Free Ontario Act legislation every local public health agency in Ontario is required to conduct annual compliance checks of each tobacco vendor in their area. To enforce the laws pertaining to the sale of tobacco products, local public health agencies hire youth test shoppers under the *Student Shopper Program* who enter the premises of tobacco vendors and attempt to purchase tobacco products. Student shoppers carry their Ontario driver's license and when asked, produce it as identification. Regular inspections are also conducted and education provided to ensure that store owners and employees understand their responsibilities when handling and selling tobacco products and that they are asking to see identification from anyone who appears to be under 25 years of age. Over the past several years, compliance with the *Student Shopper Program* has remained relatively constant at around 86%. What has also remained constant is that 95% of those persons charged have asked for identification but sold tobacco to student shoppers because they miscalculated the student's age from date of birth from the student's driver's license. There are very few instances in which store owners or their employees sell tobacco to student shoppers without first asking for and examining identification.

Liquor inspectors of the Alcohol & Gaming Commission conduct similar inspections by entering the premises where alcohol is sold and physically checking customers' identification to determine whether they are 19 years of age.

Most provinces contacted (Alberta, Saskatchewan, Manitoba, New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland) advised that they do not have their student shoppers carry identification owing to security concerns, so they cannot say whether the addition of the visual prompt has increased their compliance rate. They do report that when the visual age prompt was added to their licenses, it was well received by retailers. Without exception, the introduction of the visual prompt into the license format was done at a time when it was undergoing other changes such as the introduction of photo ID.

The Director, Program Development & Evaluations Branch, Ontario Ministry of Transportation, Paul Harbottle has confirmed that that ministry will be replacing the magnetic strip on the driver's license and that new licenses will be reissued as a result. He believed that the request to include a visual age prompt has been made in the past, that he didn't know why the request did not receive favorable consideration.

Summary

Incorrect age calculation is not just a regional issue particular to the Kingston, Frontenac, and Lennox & Addington area. It is a province-wide issue and therefore requires a solution at the provincial level. In an effort to further reduce the incidence of illegal alcohol and tobacco sales occurring as a result of incorrect date of birth calculation it is suggested that the Ontario driver's license be amended to include a visual prompt that would make it easier for personnel who sell tobacco and alcohol to conduct age verification more accurately and quickly at the time of sale.

This agency is unaware of any reason why the Ontario Ministry of Transportation (MTO) should not view this request as a positive advancement to the security and usefulness of the Ontario driver's license.

Some of the perceived advantages of including a visual prompt on the Ontario driver's license are as follows:

- Financial considerations related to the implementation of this request would be minimal, owing to the fact that the Ministry of Transportation is already considering an amendment of the Ontario driver's license.
- The addition of a visual prompt would make it harder for persons to alter the date of birth fraudulently and further increase the security of the driver's license. The graduated license system results in discarded licenses getting into the hands of persons not yet 19 years of age who use them as false identification. The presence of a visual age prompt on a discarded G1 or G2 license would cause them to be examined more closely when being used as a form of identification and thus reduce the likelihood that the document would be used for fraudulent purposes.
- Area liquor enforcement officers of the Alcohol and Gaming Commission support the introduction of a visual prompt on the Ontario driver's license as they face many of the same issues pertaining to the sale of alcohol.
- The addition of a visual prompt, which immediately identifies the holder of the license as being a person under 19 years of age, would be welcomed and widely accepted by businesses dealing in the sale of restricted products.
- The birth date on the current Ontario driver's license is very difficult to see owing to the small font size. Low light, stressful situations and poor visual acuity all increase the likelihood that an error will be made in the calculation of the license holder's age. A highly visible age prompt on the Ontario Driver's license will decrease the number of miscalculations that are currently being made by retailers.
- Many retail outlets are owned by, and employ persons for whom English may be a second or third language for them or may not possess the mathematical skills necessary to conduct simple mathematical calculations. A visual prompt would be a great advantage to them.
- Currently many retailers are using the scanning capability of Lotto terminals belonging to the Ontario Alcohol and Gaming Commission to determine the age of individuals requesting tobacco products. If the Ministry of Transportation replaces the magnetic strip with a new type of security feature, this method of age verification may no longer be available. The addition of a visual prompt will improve retailer's ability to determine age in the absence of the scanning feature now available to them by way of the Lotto terminal, or privately purchased scanners.
- The addition of a visual prompt may preclude the Alcohol and Gaming Commission from having to develop new scanning devices to work with the new security technology (bar code or chip) or at least will help until new scanning technology is developed and distributed to retailers.
- Upon reaching the age of 19, a license holder may have the visual prompt removed immediately by applying for a reissuance of their driver's license at their expense. Otherwise, the visual prompt will disappear from their license the first time it is reissued after the holder exceeds 19 years of age.
- Most important of all, the sale of alcohol and tobacco to persons under 19 years of age and the number of retailers charged with alcohol and tobacco related offences will decrease with the addition of a visual prompt. Fewer alcohol and tobacco products will

end up in the wrong hands; fewer charges will be necessary, which will result in healthier youth and happier retailers.

Rationale: It is requested that the KFL&A Board of Health recommend that the Ontario Ministry of Transport include a visual age prompt on the Ontario driver's license and that this request be implemented by the Ministry of Transport as soon as possible.

Recommendation:

THAT the KFL&A Board of Health urge the Ontario Ministry of Transportation to amend the Ontario driver's license format to include a visual age prompt, to reduce the number of miscalculations which currently result in illegal sales of alcohol and tobacco in the KFL&A Public Health area; and

THAT the Board provide their assistance in elevating this request to an appropriate decision-making level in government where meaningful dialogue can take place by endorsing this request and sending correspondence to the:

**Minister of Transportation, The Hon. Kathleen Wynne, copying
Minister of the Attorney General, The Hon. Chris Bentley, and
Minister of Health Promotion and Sport, The Honourable Margaret Best.**