



Vermont

State Profile and Underage Drinking Facts

State Population: 625,741
 Population Ages 12–20: 79,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	38.2	30,000
Past-Month Binge Alcohol Use	27.4	21,000
Ages 12–14		
Past-Month Alcohol Use	6.2	1,000
Past-Month Binge Alcohol Use	1.9	1,000
Ages 15–17		
Past-Month Alcohol Use	31.3	8,000
Past-Month Binge Alcohol Use	20.6	5,000
Ages 18–20		
Past-Month Alcohol Use	66.8	21,000
Past-Month Binge Alcohol Use	51.2	16,000
		Number
Alcohol-Attributable Deaths (under 21)		7
Years of Potential Life Lost (under 21)		440

	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	19.0	2

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited—no explicit exceptions noted in the law.

Underage Consumption of Alcohol

Consumption is prohibited—no explicit exceptions noted in the law.

Internal Possession by Minors

Internal possession is not explicitly prohibited.

Note: Although Vermont does not prohibit internal possession, it has a statutory provision that makes it unlawful for a minor to, “consume malt or vinous beverages or spirituous liquors. A violation of this subdivision may be prosecuted in a jurisdiction where the minor has consumed malt or vinous beverages or spirituous liquors, or in a jurisdiction where the indicators of consumption are observed” (Vt. Stat. Ann. tit. 7, § 657). Laws that punish minors for displaying “indicators of consumption” or for “exhibiting the effects” of having consumed alcohol, but do so without reference to a blood, breath, or urine test, are not considered as prohibiting internal possession, for purposes of this report.

Underage Purchase of Alcohol

Purchase is NOT prohibited and there is no specific allowance for youth purchase for law enforcement purposes.

Note: Vermont prohibits minors from procuring alcohol only in connection with a false representation of age (see 2000 Vt. Acts & Resolves 160). This report does not include laws with such limitations in the purchase policy topic.

False Identification for Obtaining Alcohol

Provision(s) Targeting Minors

- Use of a false ID to obtain alcohol is a criminal offense.
- No driver’s license suspension procedure

Provisions Targeting Retailers

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- Specific affirmative defense—the retailer inspected the false ID and came to a reasonable conclusion based on its appearance that it was valid.

Laws Targeting Underage Drinking and Driving

BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)

- BAC limit: 0.02
- BAC level at or above the limit is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)

No use/lose law

Graduated Driver’s License

Learner Stage

- Minimum entry age: 15
- Minimum learner-stage period: 12 months
- Minimum supervised driving requirement: 40 hours—10 of which must be at night

Intermediate Stage

- Minimum age: 16
- Unsupervised night driving
 - Night driving is not restricted.
- Passenger restrictions exist: During first 3 months, restricted to driving alone or with a licensed parent, instructor or person at least 25 years old. During next 3 months, may also transport family members.
 - No primary enforcement of the passenger-restriction rule

License Stage

- Minimum age to lift restrictions: 16 years, 6 months

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors

Furnishing is prohibited—no explicit exceptions noted in the law.

Compliance Check Protocols

Age of Decoy

- Minimum: 18
- Maximum: 20

Note: Director’s permission required for 17-year-olds.

Appearance Requirements

- Exhibit a young adult appearance
- Male: No facial hair
- Female: No excessive makeup

ID Possession

- Required

Verbal Exaggeration of Age

- Prohibited

Decoy Training

- Not specified

Penalty Guidelines for Sales to Minors

- Time period/conditions: Not specified
- First offense: Written warning or fine of \$250
- Second offense: \$300 fine or 3-day license suspension (compliance-check setting only)
- Third offense: \$500 fine or 5-day license suspension (compliance-check setting only)
- Fourth offense: Mandatory hearing to consider license suspension or revocation (compliance-check setting only)

Note: Written warning allowed in compliance-check setting. For noncompliance-check setting: \$500 fine applies to sales to 19-year-olds; \$250 fine applies to sales to 20-year-olds; hearing required for sales to those under 18 years old.

Responsible Beverage Service

Mandatory Beverage Service Training for Licensees, Managers, Servers

- Applies to both on-sale and off-sale establishments
- Applies to both new and existing outlets

Minimum Ages for Off-Premises Sellers

- Beer: 16
- Wine: 16
- Spirits: Not specified

Note: Vermont statutes and regulations are silent regarding the minimum age of seller for distilled spirits sold for off-premises consumption, which occur only in State-controlled outlets. Vermont's Liquor Control Board establishes minimum age of seller in its outlets as a matter of internal board policy.

Minimum Ages for On-Premises Sellers

- Beer: 18 for both servers and bartenders
- Wine: 18 for both servers and bartenders
- Spirits: 18 for both servers and bartenders

Dram Shop Liability

Statutory liability exists.

Note: Vt. Stat. Ann. tit. 7, § 501 includes a responsible beverage service defense.

Social Host Liability Laws

Statutory liability exists.

Host Party Laws

No State-imposed liability for hosting underage drinking parties

Direct Sales/Shipments of Alcohol by Producers

Direct sales/shipments from producers to consumers are permitted for wine with the following restrictions:

Age Verification Requirements

- Common carrier must verify age of recipient.

State Approval/Permit Requirements

- Producer/shipper must obtain State permit.
- State must approve common carrier.

Reporting Requirements

- Producer must record/report purchaser's name.

Shipping Label Statement Requirements

- Contains alcohol
- Recipient must be 21

Keg Registration

- Keg definition: At least 5 gallons
- Prohibited:
 - Destroying the label on a keg—maximum fine/jail: \$1,000/2 years
- Purchaser information collected:
 - Purchaser's name and address
 - Verified by a government-issued ID
- Warning information to purchaser: active—purchaser action required (e.g., signature)
- Deposit required: \$25
- Provisions do not specifically address disposable kegs.

Note: Although Vermont does not require a retailer to record the number of a keg purchaser's ID, it does require that the purchaser's name, address, and date of birth be recorded as they appear on the purchaser's identification.

Alcohol Pricing Policies

Home Delivery

- Beer: No law
- Wine: No law
- Spirits: No law

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$0.27 per gallon
- Ad valorem excise tax (on-premises sales): 10 percent

General sales tax rate of 6 percent does not apply to onsite sales. The onsite ad valorem retail tax is 10 percent. The “sales tax adjusted” onsite retail ad valorem rate is therefore 4 percent.

Wine (12 percent alcohol)

- Specific excise tax: \$0.55 per gallon
- Ad valorem excise tax (on-premises sales): 10 percent

General sales tax rate of 6 percent does not apply to onsite sales. The onsite ad valorem retail tax is 10 percent. The “sales tax adjusted” onsite retail ad valorem rate is therefore 4 percent.

Spirits (40 percent alcohol)

- Control State

Drink Specials

- Free beverages: Prohibited
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Not prohibited
- Reduced price at specified day or time: Prohibited
- Unlimited beverages: Not prohibited
- Increased volume: Not prohibited

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Volume discounts: Banned
- Price posting requirements: Post and hold—14 days minimum hold. Each licensee in wholesale dealer’s territory must receive at least one opportunity to buy at changed price.
- Retailer credit: Not permitted

Wine (12 percent alcohol)

- Retailer credit: Not permitted

Spirits (40 percent alcohol)

- Control State

Vermont State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Vermont Department of Liquor Control	
<i>Methods by which local and State enforcement agencies coordinate their efforts to enforce laws prohibiting underage drinking:</i> Statewide multiagency collaborative effort to conduct underage party patrols and programs to control teenage party dispersals	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	Yes
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary State agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Vermont Department of Liquor Control
Such laws are also enforced by local law enforcement agencies	No
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession by State law enforcement agencies	3,000
Number pertains to the 12 months ending	12/31/2010
Data include arrests/citations issued by local law enforcement agencies	Yes
<i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by State agencies	678
Number of licensees that failed State compliance checks	67
Numbers pertain to the 12 months ending	12/31/2010
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Not applicable
Number of licensees checked for compliance by local agencies	Not applicable
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the State ³	8
Total amount in fines across all licensees	\$2,400
Numbers pertain to the 12 months ending	12/31/2010
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	
Number of suspensions imposed by the State ⁴	17
Total days of suspensions across all licensees	23
Numbers pertain to the 12 months ending	12/31/2010
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	
Number of license revocations imposed ⁵	0
Numbers pertain to the 12 months ending	12/321/2010

Additional Clarification	
No data	

- ¹ Or having consumed or purchased per State statutes
- ² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors
- ³ Does not include fines imposed by local agencies
- ⁴ Does not include suspensions imposed by local agencies
- ⁵ Does not include revocations imposed by local agencies

Underage Drinking Prevention Programs Operated or Funded by the State: Programs SPECIFIC TO Underage Drinking	
ParentUp Media Campaign	
Number of youth served	No data
Number of parents served	13,500
Number of caregivers served	No data
Numbers pertain to the 12 months ending	12/31/2010
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report	Not applicable
URL for more program information	http://www.parentupvt.org
Program description: A coordinated statewide campaign to combat underage drinking. The ParentUp Web site, http://www.ParentUpVT.org , provides tools and resources to help parents have conversations with their kids about the dangers of underage drinking. It also provides information about how to set clear rules and consequences and restrict teens' access to alcohol, while encouraging parents to refuse to host underage drinking parties. <i>Note:</i> Federally funded program.	
We Check ID – 1 866 ITS FAKE	
Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Numbers pertain to the 12 months ending	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	http://liquorcontrol.vermont.gov/education/wecheckkids.html
Program description: Statewide telephone system, computers, staff to answer a telephone line. This line supports stores with identification (ID) verification. We Check ID - 1 866 ITS FAKE is the publicized name of the project aimed at preventing sales to minors. Clerks can call 1 866 ITS FAKE to verify the match between the name on ID (from any State) and the date of birth. <i>Note:</i> Federally funded program.	

Underage Drinking Prevention Programs Operated or Funded by the State: Programs RELATED TO Underage Drinking	
Student Assistance Program	
URL for more program information	http://www.ASAP-vt.org

<p>Program description: Student Assistance Programs (SAPs) provided prevention, intervention, and education services in 93 Vermont schools in 2010. SAP counselors and teams identify students with substance use problems, intervene, and when necessary, refer them to community agencies for more specialized or intensive services. Students may also be referred to counselors by teachers, parents, or peers, or may seek help themselves. The counselors then screen the students and may refer them to local human service agencies for formal assessment and treatment. SAP teams and counselors follow up with students to ensure that they obtain the treatment they need. Target Population – kindergarten through 12th grade. Core program components: prevention, intervention, and education services.</p>	
<p>New Directions Prevention Coalitions URL for more program information http://healthvermont.gov/adap/prevention/new_directions.aspx</p>	
<p>Program description: Grant program funds local coalitions (6) to prevent and reduce substance use among 12- to 17-year-olds by weaving different strategies together. Coalitions educate the community, increase community involvement in local substance abuse prevention initiatives, and implement prevention programs that have been proven effective. Examples of programs supported through New Directions grants include school-based curricula that teach skills for healthy living and counteracting influences to use alcohol, tobacco, and drugs, as well as family education/support programs. Target Population: 12- to 17-year-olds. Core program components: school-based curricula, youth leadership. <i>Note: Federally funded program.</i></p>	
<p>Vermont's Strategic Prevention Framework State Incentive Grant URL for more program information http://healthvermont.gov/adap/prevention/SPF/StrategicPreventionFramework.aspx</p>	
<p>Vermont Teen Leadership Safety Program—Students Against Destructive Decisions URL for more program information http://liquorcontrol.vermont.gov/vtlsp/</p>	
<p>Our Voices Exposed (OVX) URL for more program information http://www.OVX.org</p>	
<p>Vermont Kids Against Tobacco (VKAT) URL for more program information http://www.goVKAT.org</p>	
<p>Vermont Department of Education Tobacco Prevention Program URL for more program information http://education.vermont.gov/new/html/pgm_substance/tobacco_prevention.html</p>	

Additional Information Related to Underage Drinking Prevention Programs	
<p><i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i> Program description: Not applicable</p>	No
<p><i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i> Program description: Not applicable</p>	No
<p><i>State has adopted or developed best practice standards for underage drinking prevention programs</i> Best practice standards description: Best practice standards are based on the SAMHSA Guidance Document. For Vermont standards, go to http://healthvermont.gov/adap/prevention/SPF/documents/FinalDraftGuidanceNov2008.pdf.</p>	Yes
Additional Clarification	
<p>With the exception of SAP, all programs related to underage drinking prevention (section B) are federally funded.</p>	

State Interagency Collaboration	
<i>A State-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<i>Committee contact information:</i>	
Name: David O'Brien	
Email: dobrien@ucsvt.org	
Address: PO Box 588, Bennington, VT 05201	
Phone: 802-442-5491	
<i>Agencies/organizations represented on the committee:</i>	
Barbara Cimaglio, Vermont Department of Health	
Lt. John Flannigan, Vermont State Police	
Michael Hogan, Vermont Department of Liquor Control	
Chauncey Liese, Vermont Department of Motor Vehicles	
Andy Snyder, Vermont Department of Education	
Lisa Anne Atwood, School Administrator	
Sarah Scrodin, Teacher	
Patrick Martin, Wits End Group	
Mark Ames, Recovery Center Network	
Chrissy Anderson, Young Adult Advisory Team	
Mitch Barron, Vermont Association of Alcohol Treatment Providers	
Willa Farrell, Vermont Association of Court Diversion Programs	
Marc Goudreau, Vermont National Guard	
Debby Haskins, Association of Student Assistance Professionals of Vermont	
Rita Johnson, Friends of Recovery and Vermont College Alcohol Network	
Patty McCarthy, Friends of Recovery	
Joy Mitchell, Vermont Council on Problem Gambling	
Christine Peterson, New Directions for Barre	
Richard Powell, Department of Corrections	
Stuart Schurr, Traffic Safety Resource Prosecutor	
Steve Waldo, Vermont Department of Liquor Control	
<i>A Web site or other public source exists to describe committee activities</i>	No
URL or other means of access	Not applicable
Underage Drinking Reports	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by	Vermont Department of Health and the Vermont Strategic Prevention Framework Advisory Council
Plan can be accessed via	http://healthvermont.gov/adap/prevention/SPF/documents/SPF-ExSumm0110.pdf
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by	Vermont's Epidemiological Workgroup
Report can be accessed via	http://www.healthvermont.gov/adap/clearinghouse/publications.aspx#Epi
Additional Clarification	
No data	
State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks/decoy operations in retail outlets:</i>	
Estimate of State funds expended	\$0
Estimate based on the 12 months ending	12/31/2010
<i>Checkpoints and saturation patrols:</i>	
Estimate of State funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable

<i>Community-based programs to prevent underage drinking:</i>	
Estimate of State funds expended	\$0
Estimate based on the 12 months ending	12/31/2010
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of State funds expended	\$1,600,000
Estimate based on the 12 months ending	06/30/2011
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of State funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of State funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Programs that target youth in the child welfare system:</i>	
Estimate of State funds expended	Data unavailable
Estimate based on the 12 months ending	Data unavailable
<i>Other programs:</i>	
Programs or strategies included	No data
Estimate of State funds expended	No data
Estimate based on the 12 months ending	No data

Funds Dedicated to Underage Drinking	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	Yes
Fines	No data
Fees	Yes
Other	No data
<i>Description of funding streams and how they are used: Youth who violate Vermont's underage possession and consumption of alcohol laws (7 VSA §656) may opt to participate in the Teen Alcohol Safety Program (TASP) or face a fine and driver's license suspension. Participants' fees and State General Fund dollars support TASP, which is run by the Court Diversion program in each county. Participants meet with a licensed or certified substance abuse counselor for a screening or assessment (and must follow the recommendations of the counselor), and may participate in an educational program and perform community service. TASP case managers support youth to complete the program. Assessment and treatment are not covered through TASP funding.</i>	
Additional Clarification	
No data	