

Vermont Dram Shop Law

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The dram shop law imposes liability for selling alcohol to a minor or a person apparently under the influence, among others.

Revised in 2023, the latest version of 7 Vermont Statutes Section 501 provides that an injured person will have a right of action against any liquor licensee who caused the intoxication of an intoxicated person by selling or furnishing alcohol to a minor or to a person after legal serving hours. The statute further provides that an injured person may bring an action against a licensee who negligently furnishes alcohol to a person who is apparently under the influence of alcohol, or who it would be reasonable to expect would be under the influence considering the amount of alcohol served by the licensee. Negligence means that the licensee knows (or a reasonable and prudent person in similar circumstances would know) that the person being served is intoxicated. “Apparently under the influence” means a state of intoxication accompanied by a perceptible act or series of actions that present signs of intoxication.

The statute also imposes liability on a social host who knowingly furnishes alcohol to a minor if the social host knew (or a reasonable person in the same circumstances would have known) that the person receiving the alcohol was a minor. A “social host” is defined to include anyone who is not the holder of a liquor license or permit and is not required to hold a license or permit.

A two-year statute of limitations applies to any of these claims. Evidence of responsible actions taken or not taken is admissible. The statute provides examples of these actions.