



State:

Vermont

Statute/Law:

23 Section 1201: *Operating vehicle under the influence of intoxicating liquor or other substance.*

Per Se Law?:

No

Statute/Law Language:

(a) A person shall not operate, attempt to operate, or be in actual physical control of any vehicle on a highway:

(1) when the person's alcohol concentration is 0.08 or more, or 0.02 or more if the person is operating a school bus as defined in subdivision 4(34) of this title; or

(2) when the person is under the influence of intoxicating liquor; or

(3) when the person is under the influence of any other drug or under the combined influence of alcohol and any other drug; or

(4) when the person's alcohol concentration is 0.04 or more if the person is operating a commercial motor vehicle as defined in subdivision 4103(4) of this title.

Penalties Following Conviction:

(b) First offense. A person who violates section 1201 of this title may be fined not more than \$750.00, or imprisoned for not more than two years, or both.

(c) Second offense. A person convicted of violating section 1201 of this title who has been convicted of another violation of that section shall be fined not more than \$1,500.00 or imprisoned not more than two years, or both. At least 200 hours of community service shall be performed.

(d) Third offense. A person convicted of violating section 1201 of this title who has previously been convicted two times of a violation of that section shall be fined not more than \$2,500.00 or imprisoned not more than five years, or both.

e) Fourth or subsequent offense. A person convicted of violating section 1201 of this title who has previously been convicted three or more times of a violation of that section shall be fined not more than \$5,000.00 or imprisoned not more than ten years, or both.





Discretionary Court-Ordered Penalties:

The court may order community service, alcohol or drug education/treatment program, restitution to a victim, and must assess various surcharges and special assessments.

For more information:

<http://legislature.vermont.gov/statutes/section/23/013/01201>

Current as of August 2016