

State	Statute	Liability	Intoxication	Defendants	Caps	SOL	Other comments
Vermont Current	7 VSA §501 et seq	Strict liability for sales to minors, after hours, to those apparently under the influence and to a person who it would be reasonable to expect would be under the influence as a result of the amount of alcohol served	Apparently under the influence means a state of intoxication accompanied by a perceptible act or series of actions which present signs of intoxication. Also, those it would be reasonable to expect are under the influence based on the amount of liquor served.	Person or persons who have caused, in whole or in part, the intoxication and Landlords who may be joined for activities at their rental properties.	none	2 years	
Vermont Proposed	8 VSA §501 et seq	Strict liability for sales to minors and after hours. Negligence standard for those apparently under the influence and those it would be reasonable to expect would be under the influence as a result of the amount of alcohol served. No proximate cause requirement identified. No definition of damages or apportionment of fault specified.	Apparently under the influence means a state of intoxication accompanied by a perceptible act or series of actions which present signs of intoxication. Also, those it would be reasonable to expect are under the influence based on the amount of liquor served.	Servers who include certain liquor licensees and their employees	none	2 years	Liability insurance mandate to be determined by DFR.
Connecticut	CGS 30-02	As defined by the courts, a form of strict liability for sale of an intoxicating liquid to an intoxicated person who causes injury to another as a result of the intoxication. The law also prohibits any separate negligence cause of action for sales to persons over age 21.	Intoxication is not defined by statute, only by case law. It essentially equates to something similar to the "visible intoxication" standards used in other states.	Must be sales by "person or persons agent".	\$250,000	1 year	
Maine	28-A § 2501 et seq	Negligent/Recklessness to a minor or visibly intoxicated person, based on proximate cause. Several liability/based on % fault	Visibly intoxicated means a state of intoxication accompanied by a perceptible act, a series of acts or the appearance of an individual which clearly demonstrates a state of intoxication. Intoxication means substantial impairment of an individual's mental or physical faculties as a result of drug or liquor use.	Server includes licensee, employee or agent of licensee and nonlicensees in some cases. Licensees, employees and agents of licensees, anyone who should be licensed. Servers are not held responsible for consumption of alcohol or drugs off premises unless a reasonably prudent person would be aware.	\$350,000 cap for non medical expenses	2 year	Based on the model act
Rhode Island	R.I. Gen. Laws §3-14-1, et seq	Negligent or reckless service of liquor to a minor or a visibly intoxicated individual. Proximate cause. Joint and several liability with contribution in negligence or with indemnification or contribution in recklessness.	Visible intoxication standard defined as a "state of intoxication accompanied by a perceptible act or a series of acts presenting an apparent sign or signs of intoxication."	Licenses, employees and agents of licensees, anyone who should be licensed. Servers are not held responsible for consumption of alcohol or drugs off premises if the person misrepresents that consumption.	none	3 years	Based on the model act
New Hampshire	N.H. Rev. Stat. Ann. §507-F:1, et seq	Negligent or reckless service of alcohol to a minor or intoxicated individual. Defendant is liable for resulting damages, with contributory negligence defense.	Intoxication" means an impairment of a person's mental or physical faculties as a result of drug or alcoholic beverage use so as to diminish that person's ability to think and act in a manner in which an ordinary prudent and cautious person, in full possession of his faculties and using reasonable care, would act under like circumstances.	Licenses, employees and agents of licensees, anyone who should be licensed. Servers are not held responsible for consumption of alcohol or drugs off premises if the person misrepresents that consumption.	none	3 years	Based on the model act

New Jersey	N.J.S.A. 2A:22A-1, et seq	Damages can be recovered when a server is negligent, the injury or damages are proximately caused by the negligence and the injury or damage was a foreseeable consequence of the negligence. A server is negligent if they serve a visibly intoxicated person or a minor, if they knew or reasonably should have known it was a minor. Damages are assessed based on the percentage of negligence attributable to the person.	Visibly intoxicated” means a state of intoxication accompanied by a perceptible act or series of acts which present clear signs of intoxication.	Licensed beverage servers	none	2 years	Alcoholic Beverage Servers Liability Act was designed to be exclusive civil remedy for negligent service of alcohol by a licensed server.
Massachusetts	Title 20 Chapter 138 § 69	No specific dram shop law outlining liability. Based on civil negligence. Need to show person was intoxicated and continued to serve. Law reads: Section 69. No alcoholic beverage shall be sold or delivered on any premises licensed under this chapter to an intoxicated person.	not defined in the statute	not defined in the statute. Statute is based on sale or delivery on any premises licensed to sell liquor.	none	3 year	Liquor liability insurance mandate \$250/\$500k in the liquor licensing statutes
New York	General Obligations Laws 11-100 and 11-101 and Alcohol Beverage Control §65	There is liability for sale, delivery, give, or cause or permit or procure to be sold delivered or given away to minors, persons visibly intoxicated or a habitual drunkard known to the person. Case law dictates that a plaintiff must prove that the vendor unlawfully sold or procured alcohol for the intoxicant while the intoxicant was “visibly intoxicated” and that there was a reasonable connection between the intoxication and the injury.	Visible intoxication standard	Law includes those who sell, deliver, give away or cause/permit/procure the sale, delivery or give away.	none	3 years	