

ASSESSMENT OF THE IMPACT OF ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION

1

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As required by [Act 67](#), Department of Liquor and Lottery (DLL) assessed the impact of beverages for off-premise consumption on public safety.

The goal of this report is to:

1. Assess the impact of alcoholic beverages for off-premise consumption on public safety.
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CONTENTS

Executive Summary Page 3

Data Collection Methods / Findings..... Page 4

Summary Page 5

EXECUTIVE SUMMARY

Introduction

As required by Act 67, the Department of Liquor and Lottery (DLL) assessed the public safety impacts of off-premise consumption and curbside pick-up of alcoholic beverages to licensees. [7 V.S.A. § 230](#) defines “to-go alcoholic beverages” and “curbside pick-up” as follows:

To-Go Alcoholic Beverages

“...malt beverages, vinous beverages, and spirits-based prepared drinks for off-premises consumption [that] must be accompanied by a food order...”

Beverages for Curbside Pick-Up

“...unopened containers of the alcoholic beverages that the licensee is permitted to sell...”

Abstract

Passed in 2021, Act 70 permitted the sale of alcoholic beverages for off-premise consumption by first and third-class licensees. First (malt and vinous beverages) and third-class (distilled spirits) licenses permit an establishment to sell liquor for on-premise consumption. The law requires first- or third-class licensees to provide to-go alcoholic beverages in a container: (1) with a securely affixed tamper-evident seal; (2) bearing a label that: (A) states that the beverage contains alcohol; and (B) lists the ingredients and serving size. All sales of alcoholic beverages for off-premises consumption must be accompanied by a food order.

Act 70 also permitted second-class (retail stores) and fourth-class (manufacturer tasting rooms) licensees to provide curbside pickup of unopened containers of the alcoholic beverages.

This law is set to be repealed on 7/1/2025 via a “sunset” clause.

DATA COLLECTION METHODS

Data Collection

DLL Office of Compliance and Enforcement (OCE) conducts routine inspections and compliance checks on all active licensees throughout the year. Public safety and compliance data contained within this report is a result of DLL investigative work and data regularly collected by OCE to regulate the alcohol beverage industry.

FINDINGS

Compliance and Public Safety

Between July 1, 2021, and November 20, 2024, OCE conducted 7,268 routine compliance inspections. During these inspections, investigators recorded a “Yes” designation if any violations were related to to-go alcohol sales at licensed establishments. Out of the 7,268 inspections conducted, only 20 violations were associated with to-go alcohol sales. These violations were minor in nature and not directly related to public safety concerns (e.g., issues with markings or tamper-evident seals).

During the same period, OCE issued 312 monetary fines to licensed establishments. Of these, only one violation involved to-go alcoholic beverages, with no violations linked to curbside pick-up. The single to-go violation was issued to a fourth-class licensee for failure to provide food with to-go alcoholic beverages, as required by law.

Additionally, none of the "Place of Last Drink" (POLD) cases investigated by OCE during this timeframe involved to-go alcoholic beverages or curbside pick-up alcohol sales. POLD cases

typically stem from DUIs involving a licensed establishment and are characterized by incidents such as crashes, a blood alcohol concentration (BAC) above 0.18%, or cases involving minors.

SUMMARY

OCE has conducted a comprehensive assessment of the provisions under 7 V.S.A. § 230, which allow for off-premise consumption and curbside pick-up of alcoholic beverages. Our findings indicate there have been no public safety or compliance issues associated with these provisions since their implementation.

The current law includes a sunset provision set to expire on July 1, 2025. Considering the finding of our OCE team, DLL recommends that the General Assembly remove the sunset provision and enact the law permanently. This recommendation reflects the absence of negative impacts and supports the continued availability of these services to licensees and consumers alike.