



# Total Abstinence Program (TAP)

The **TAP** is designed for people who have received a life suspension after multiple DUI convictions (3 or more). Acceptance into the program allows them to no longer operate with an interlock device in their vehicle, and they receive a conditional reinstatement of their driving privileges.

To qualify for TAP:

1. Have at least 3 years of being abstinent from all alcoholic beverages, illegal drugs, or misuse of prescription-regulated drugs. Even some beers and wine labeled “non-alcoholic” contain alcohol and may not be consumed under Total Abstinence.
2. Applicants must have installed and utilized an ignition interlock system in their vehicle for 3 full years prior to application to TAP.
3. Complete an Impaired Driver Rehabilitation Program (IDRP) intake at one of the IDRP sites to discuss their intentions to prove Total Abstinence with the IDRP Evaluator.
4. Successfully complete treatment consisting of a minimum of 20 hours over a minimum of 24 weeks with a Licensed Alcohol and Drug Counselor (LADC). The counselor, IDRP Evaluator, and a representative from IDRP will determine when you have successfully completed treatment.





## TAP - Overview

- Currently there are a little over 1,000 people reinstated through this program.
- Applications for admittance into the program are received by Enforcement & Safety. A review of the application packet determines all necessary documents are present so it can be assigned to an Inspector/Field Inspector in the Investigations Division.
- Inspector reviews the application packet & interlock records prior to conducting a home visit.
- An unannounced home visit occurs, and a review of their declaration is completed during their interview. Applicable medical releases are obtained; a cursory search of the residence is completed & a urine sample is obtained for analysis.
- Health care providers are served with the appropriate releases, and a thorough review of all medical records is completed; to include the urinalysis.
- Follow-up interviews with Health care providers, personal references, and local stores in the area can be conducted to further substantiate abstinence.
- Inspector completes their written report that recommends reinstatement based on the investigation supporting a 3-year history of total abstinence and a level of confidence that the applicant can maintain abstinence indefinitely.
- Inspector's Investigative report is forwarded to the AOT Hearing's Unit in which an AOT Hearing Officer makes the final determination of reinstatement based upon the background investigation conducted.



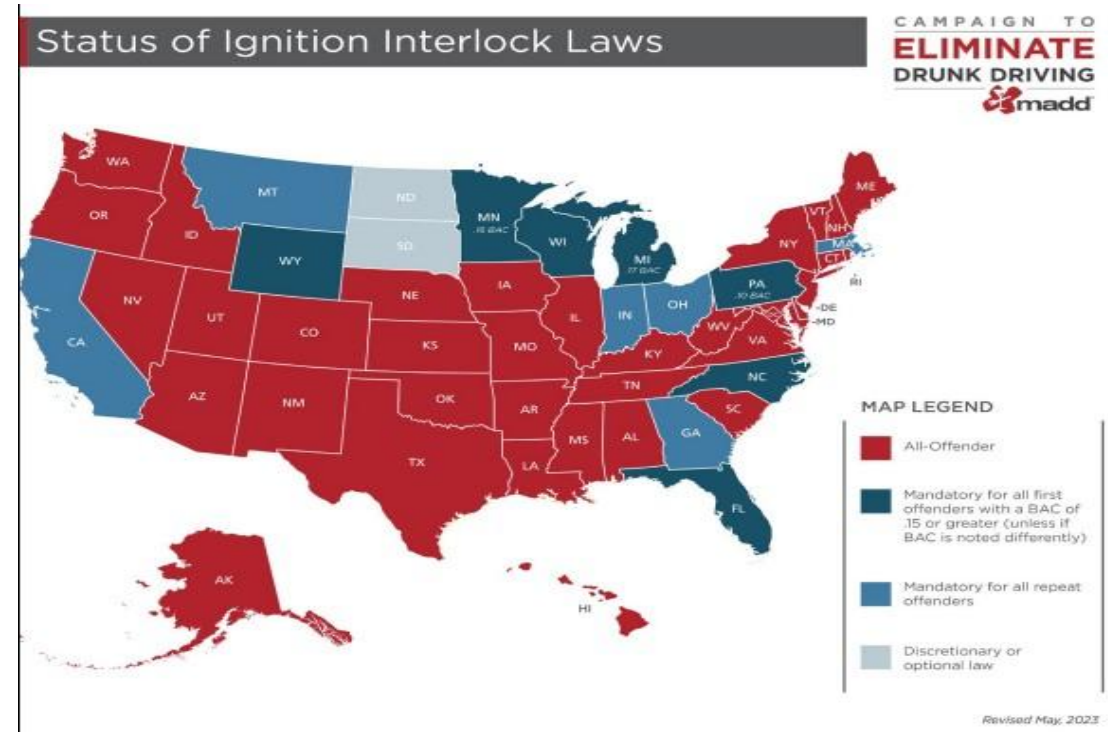
# TAP - Overview

- In the AOT hearing, the applicant testifies on record, to their appreciation and understanding of the total abstinence for life requirement. Finally, the findings of the hearing decision are sent to the applicant supporting their reinstatement and contain the abstinence for life requirement. The applicants are informed through these processes that should they return to the consumption/use of alcohol, illegal drugs, or the consumption/use of a regulated prescribed drug inconsistent with the prescribing label, it will result in their life suspension being reinstated in full force and they will not have a second opportunity to apply to TAP.
- All names of TAP participants are entered into a subscription database through the Dept. of Public Safety. If the TAP participant is entered into a police CAD/RMS database from a police/fire-EMS contact, an automated email communication is forwarded to DMV E & S. The email notifications result in a review of the police/fire-EMS involvement to determine if a violation of the program may exist.
- Sworn law-enforcement Investigators with DMV E & S will conduct an unannounced visit with the participant to follow up on any possible violations of the program. Based on observations and interview the Investigator can ask for consent to search their residence, obtain a breath sample and request a urinalysis. Currently there is not a requirement for the participant to cooperate relating to a violation of program requirements.
- If it is determined the TAP participant has violated terms of the total abstinence for life requirement an investigative report is completed documenting the violation(s). The lifetime suspension is reimposed by DMV Driver Control, or it can be held in abeyance if the participant requests an AOT hearing to contest the finding.

# TAP - Overview

The **TAP** is a unique program that is specific to Vermont. The ignition interlock program is a recognized program throughout the U.S. and this is why AAMVA adopted the “T” restriction code, which serves as an indicator of the MVR for the ignition interlock restriction. This restriction code is shared by various systems used by MVA’s and law enforcement nationwide. In addition to this code, jurisdictions may have an additional icon or indicator displayed on the credential. For instance, Utah has a restriction on the credential in red “NO ALCOHOL SALE” for “Extreme DUI’s” or repeat offenders.

Once in TAP the “T” restriction is removed from their VT MVR and they are assigned an “F” restriction with a designation of: NO CONSUMPTION OF ALCOHOL OR DRUGS. If the subject moves out of state and obtains a license in a different State the “F” restriction is not recognized by that state, as this restriction is unique to Vermont only. Therefore, the TAP participant can obtain a credential in a different state without any restrictions, while still being in TAP.



# Enforcement: TAP data

<u>Year</u>	<u>Approvals</u>	<u>Denials</u>	<u>Revocations</u>
2020 =	9	9	7
2021 =	3	5	10
2022 =	18	14	1
2023 =	15	5	2
2024 =	13	4	9
2025 =	4	6	15

\* Denial numbers include those who were found to have consumed alcohol / drugs during the investigation. They can re-apply after new 3-year period of claimed abstinence.

\* Revocations do not include when a participant is arrested and charged for DUI because the civil suspension submitted to DMV will reinstate the lifetime suspension with Driver Control. Follow up is still completed w LEO to ensure they submitted paperwork.



# TAP – Proposed language changes

- Statute: 23 V.S.A. §1209a
- Rationale:
- (b)(3) – individuals have submitted proof of ignition interlock use for three years not immediately preceding application, which provides no evidence of how the individual is doing with the IID and whether they have had any issues within the last three years.
- (b)(4) – Allows for sample if an officer has reasonable grounds to believe the person is in violation of TAP.
- (b)(6) – An applicant for TAP certifies that they have not consumed alcohol or drugs not in accordance with a valid prescription in the immediate three years as part of the application.

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