Report to
The Vermont Legislature

Report to the Vermont Legislature On Juvenile Civil DUI Violations

In Accordance with 7 V.S.A. § 656 (j)

Submitted to: House and Senate Judiciary Committees

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Introduction

This report has been prepared in accordance with 7 V.S.A § 656 (j) which reads as follows:

> (j) Reporting. Annually, beginning on October 1, 2026, the Office of the Attorney General, and other entities as needed, shall submit a written report to the House and Senate Committees on Judiciary related to impaired driver violations under this section, containing the following, if available:
> (1) the number of persons referred to the Youth Substance Awareness Safety Program;
> (2) the ages of the persons referred to the Program;
> (3) the number of persons who successfully complete the Program;
> (4) the number of persons who fail the Program; and
> (5) the number of persons who serve suspensions imposed by the Judicial Bureau after failing the Program.

YSASP Overview and Act 45 (2025)

It is a civil violation for a youth under age 21 to drive with a blood alcohol concentration (BAC) at or greater than .02%. Act 45 (2025) expanded the Youth Substance Awareness Safety Program (YSASP) to include these violations. Previously, law enforcement would issue a Vermont Civil Violation Complaint (VCVC), commonly referred to as a "ticket," to a youth who was alleged to be in violation, and the Judicial Bureau would adjudicate the violation. Penalties included the court surcharge and an 180-day license suspension.

As of July 1, 2025, under Act 45 an officer gives the youth alleged to have violated the law notice that their driver's license will be suspended for 90 days and refers the individual to YSASP. If the youth completes YSASP, there is no additional suspension or financial penalty. If the youth does not complete YSASP, the VCVC is issued and, if the youth is found in violation, the Judicial Bureau must impose a $300 fine for a first offense, plus the legally required surcharges. The adjudication requires a license suspension of an additional 90 days (for a total pre- and post-adjudication suspension of 180 days). YSASP participants complete a screening and an educational program (and are referred to a clinician as indicated by the screening). The educational program includes examining alcohol's effects on the brain and behavior, reflecting on and reviewing the consequences of driving under the influence, and developing a transportation plan while under suspension, in addition to a plan for driving safely in the future.

Some youth referred to YSASP for a .02 violation also face a delinquency or criminal charge for DUI because their BAC is greater than .08% or the officer observed behavior that indicated the youth was driving under the influence. These youth satisfy the requirements of YSASP by completing the educational and treatment requirements of a DUI conviction, namely completion of the Impaired Driver's Rehabilitation Program (IDRP).

FY 2026 Data Report – YSASP .02

During FY 2026, law enforcement officers wrote 86 VCVCs for .02 violations. Vermont directs officers to send these VCVCs to the Court Diversion's YSASP in the county where the violation occurred and give the underage youth a Notice of Violation, which informs the youth to report to YSASP. When a youth successfully completes YSASP, the VCVC is voided; when a youth fails to complete the program, YSASP staff issue the complaint. A youth may then contest the complaint before the Judicial Bureau. The Judicial Bureau must impose the penalty set by law if it finds the youth in violation. Alternatively, Diversion (by sending a motion for Judicial Bureau consideration) or the State may void or dismiss the violation. There is also an opportunity for the parties to ask the Judicial Bureau to delay scheduling a hearing to enable the youth to engage or re-engage in YSASP.

The table below summarizes the outcome of the 81 VCVCs and is preceded by an explanation of the outcome categories (voided/dismissed; not offered YSASP & adjudicated; and enrolled in YSASP).

Voided/Dismissed:

- Judicial Bureau voids or dismisses a VCVC for various reasons, including when a complaint is incorrectly completed, upon the request of law enforcement, or if an officer does not appear at the hearing on a contested complaint. A review of the Judiciary portal shows that most of the 16 .02-violation VCVCs voided or dismissed during FY 2026 stemmed from a law enforcement officer's request. Staff notes in the AGO case management system indicate that officers filed dismissal or void requests for at least seven complaints that had been issued incorrectly for the same incident as another complaint. At least one complaint was dismissed because the officer did not appear at the hearing.

Not offered YSASP

- Judiciary data include 11 .02-violation VCVCs with an issue date that was the same, or very close to, the incident date. Because the law provides a youth 15 days to enroll in YSASP and only after that deadline do YSASP staff issue tickets, it is assumed that these 11 youth were not offered the option of the Youth Substance Awareness Safety Program. These 11 VCVCs adjudicated through the Judicial Bureau led to a fine and license suspension.

Enrolled in YSASP

- Removing the above two categories leaves 59 .02-violations referred to YSASP. Of these cases, eight remained open as of June 30, 2026. Forty-six closed successfully and four complaints were issued by YSASP staff to the Judicial Bureau, meaning four of the youth did not successfully complete YSASP.

Outcome Category – All VCVCs	Number of VCVCs	Percentage of Total
Voided/Dismissed	16	19%
Not offered YSASP & adjudicated	11	13%
Enrolled in YSASP	59	68%
Total VCVCs	86	

This table shows the outcome of the 59 complaints referred to YSASP as of June 30, 2026.

Enrolled in YSASP Outcomes	Number of VCVCs	Percentage of Closed Cases
Open	10	--
Closed cases	49	--
Successfully completed YSASP	45	92%
Failed to complete YSASP & adjudicated	4	8%

Suspensions Imposed

When the Judicial Bureau disposition is "State as Charged – Default," the penalties imposed for a .02 violation under current law include a $300 penalty, a 90-day driver's license suspension additional to the 90 days already served pre-adjudication for a total of 180 days, and a requirement to complete the Impaired Driver's Rehabilitation Program (IDRP).

The Department of Motor Vehicles confirmed that the 11 .02 violations adjudicated during FY 2026 all led to the suspension of the individual's driver's license. One of these individuals received two suspensions. As of October 1, 2026, none of these individuals has completed IDRP, and all remain under suspension.

Concurrent DUI Charges

A review of the Judiciary portal shows that 23 individuals were also charged with DUI for the same incident as their .02 violation. Of these, 15 individuals received a delinquency petition through Family Court; four were charged as a Youthful Offender, and four were charged in criminal court. Ten of those 23 youth were referred to Court Diversion by a prosecutor; half completed the program successfully and the other five cases remain open in Diversion.

Age of Persons

In total, there were 86 VCVCs issued for .02 violations. Because nine individuals received more than one .02-violation VCVC, these 86 citations involved 77 individuals. As noted in the description of the outcome category "Voided/Dismissed" on page 2, some of these were issued in error. Two of the nine youth received more than one violation for .02 violations occurring on different dates that were not voided or dismissed.

The following table summarizes the non-duplicated number of 77 individuals by age.

Age at Time of Incident	Number of Individuals	Percentage of Total
15	2	3%
16	7	9%
17	12	16%
18	15	19%
19	25	32%
20	16	21%

Consulting Partners & Data Caveats

The information above is based on data entered by YSASP staff into the AGO's statewide case management and screening systems for referrals received between July 1, 2025, and June 30, 2026. In addition, the Vermont Judiciary provided a data report on VCVCs with Offense Dates during the same period for all 7 V.S.A § 656 "Person under 21: Alcohol concentration of 0.02 or more" violations, including all .02 violations with codes 21A (alcohol concentration of .02 or more), 21B (subsequent .02 violations), 21C (refusal to submit breath test), and 21D (subsequent refusal). The Judiciary's public portal was also consulted. The Department of Motor Vehicles provided information on the suspension of adjudicated complaints.

Reconciling records from different databases can be difficult and may have led to small discrepancies in the numbers reported above.