



Late

February 11, 2009

TS RESTAURANTS
HAWAII AND CALIFORNIA

Senator J. Kalani English, Chair
Committee on Transportation, International and Intergovernmental Affairs
Hearing: Wednesday February 11, 2009

RE: SB 300--Relating to Intoxicating Liquor

Dear Sirs:

T S Restaurants is in favor of this bill.

The bill provides general civic protection in three different ways when requiring all liquor licensees, except Class 1: Manufactures', Class 3: Wholesale Dealers and possibly Class 10: Special Licenses, to carry liquor liability insurance;

1) The Bill protects the citizen who is involved in an accident with an intoxicated person when there is a connection under Hawaii Dram Shop Law to the establishment that served the individual. The Dram Shop Laws cover joint and several liability for all establishments that fall into a chain of serving and responsibility. This Bill guarantees that funds would be available for settlement proportionately from the responsible parties.

2) The Bill protects other licensees that have served responsibly and with care but may have a minor contributory role in serving an individual under the Hawaii Dram Shop Laws. With this Bill in place, one entity only becomes responsible for their propionate share of a settlement.

3) It is the right thing for the licensee to carry this insurance and it protects them from personal exposure.

We ask that you make some corrective language changes to the bill to "clean it up", otherwise the intent and theory of the SB 300 is correct.

Sincerely,

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