

HB 747, hd1

Measure Title:

RELATING TO LIQUOR LIABILITY INSURANCE

Report Title:

Removes definition of convenience minimarts commonly referred to as a "mom and pop store".
Effective January 7, 2059. (HB747 HD1)

LATE TESTIMONY

TESTIMONY OF ROBERT TOYOFUKU ON BEHALF OF THE HAWAII ASSOCIATION FOR JUSTICE (HAJ) IN OPPOSITION TO H.B. No. 747, HD 1

March 17, 2011

To: Chairman Will Espero and Members of the Senate Committee on Public Safety, Government Operations and Military Affairs:

My name is Bob Toyofuku and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) in OPPOSITION to H.B. No. 747, HD 1 relating to Liquor Liability Insurance.

This measure proposes a repeal of the insurance requirement for retail sellers of alcoholic beverages. HAJ opposes this measure because retail sales are involved in drunk driving accidents caused by underage drivers who purchase alcoholic drinks at retail stores. While drinking at bars and clubs is often associated with drunk driving accidents, accidents involving minors are just as likely to involve retail sales where underage drivers purchase alcohol at a store for consumption in the car, at the beach or park, or at home. Although society no longer condones the sale of alcohol to underage drivers, there are still too many stores where alcohol (like cigarettes) is sold to underage customers.

There have been cases involving major retail sellers (like supermarkets) that have sold alcohol to underage drivers who, after drinking the alcohol, have been involved in major accidents involving death and serious injuries. The insurance requirement serves two important purposes. First, insurance requirements and premiums serve as a reminder and incentive to properly train and supervise sales clerks in the need to refuse sales to underage customers; and second, the insurance serves to protect innocent citizens who may be injured or killed in connection with alcohol sales to underage drivers.

HAJ specifically objects to the deletion on page 1 line 3 of “retailers” from this current law. However, we do not oppose the deletion of the reference to convenience minimarts on page 2, lines 3-5.

However, if the committee intends to pass the bill as is, HAJ urges this committee to HOLD this measure and retain the incentive provided by the current insurance requirement to encourage retail sales compliance with prohibitions against sales to minors and to retain the protections afforded by insurance benefits to those injured or killed in connection with illegal sales of alcohol to underage drivers.

Thank you for this opportunity to testify basically in OPPOSITION to H.B. No. 747, HD 1.