

MAR 12 2021

SENATE CONCURRENT RESOLUTION

URGING THE COUNTY LIQUOR COMMISSIONS TO PROHIBIT THE SALE,
SERVING, AND CONSUMPTION OF LIQUOR ON THE PREMISES OF ALL
LIQUOR LICENSEES BETWEEN THE HOURS OF 12:00 MIDNIGHT AND
6:00 A.M.

1 WHEREAS, in recent years, there has been an increase in the
2 number of traffic fatalities in the State that have occurred
3 between the hours of 12:00 midnight and 6:00 a.m.; and

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5 WHEREAS, a number of traffic fatalities that have occurred
6 between the hours of 12:00 midnight and 6:00 a.m. have been
7 caused by drivers operating motor vehicles while under the
8 influence of liquor; and

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10 WHEREAS, commercial operations relating to liquor (which
11 includes beer, wine, distilled spirits, and other alcoholic
12 beverages) are regulated by the county liquor commissions
13 pursuant to Chapter 281, Hawaii Revised Statutes, and applicable
14 county rules; and

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16 WHEREAS, each county liquor commission generally has the
17 power, within its own county, to fix the hours that premises of
18 liquor licensees may be open for the transaction of business,
19 pursuant to section 281-17(a)(8), Hawaii Revised Statutes; and

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21 WHEREAS, the Liquor Commission of the City and County of
22 Honolulu authorizes retailer liquor licensees within the county
23 to sell liquor only between the hours of 6:00 a.m. to 12:00
24 midnight; and

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26 WHEREAS, although licensed cabarets may be open for the
27 transaction of business until 4:00 a.m. pursuant to section 281-
28 31(k), Hawaii Revised Statutes, and licensed "bring your own
29 beverage" premises may be open for the transaction of business
30 until 2:00 a.m. pursuant to section 281-31(q)(1), Hawaii Revised
31 Statutes, these statutory provisions do not preempt liquor



1 commissions from prohibiting the sale, serving, or consumption
2 of liquor in these establishments after 12:00 midnight, as these
3 establishments could remain open for other purposes, such as the
4 serving of food or provision of entertainment; and

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6 WHEREAS, traffic fatalities may be significantly reduced if
7 liquor is not authorized to be sold, served, or consumed on the
8 premises of any liquor licensee between the hours of 12:00
9 midnight and 6:00 a.m.; now, therefore,

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11 BE IT RESOLVED by the Senate of the Thirtieth Legislature
12 of the State of Hawaii, Regular Session of 2020, the House of
13 Representatives concurring, that the liquor commissions of the
14 several counties are urged to adopt rules to prohibit the sale,
15 serving, and consumption of liquor on the premises of all liquor
16 licensees between the hours of 12:00 midnight and 6:00 a.m.; and

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18 BE IT FURTHER RESOLVED that the liquor commissions are
19 urged to vigorously enforce all rules adopted in response to
20 this measure; and

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22 BE IT FURTHER RESOLVED that certified copies of this
23 Concurrent Resolution be transmitted to the chairpersons of the
24 respective county liquor commissions.

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OFFERED BY:

Kurt Fuvella

