

MAR 12 2021

SENATE 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
32 commissions from prohibiting the sale, serving, or consumption
33 of liquor in these establishments after 12:00 midnight, as these



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1 establishments could remain open for other purposes, such as the
2 serving of food or provision of entertainment; and

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

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

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

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

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OFFERED BY: Kurt Fevella

