



July 2, 2019

RE: Senate Bill 58 (Wiener) - calling for bars to stay open serving alcohol until 4AM, a threat to public health and safety

Dear Chairman Adam C. Gray,

On behalf of the Tahoe Park Neighborhood Association (TPNA), I am contacting you today to express continued concern of [Senate Bill 58](#) (SB-58). The bill, which calls for bars to stay open serving alcohol until 4:00 a.m. in nine California cities, including Sacramento, will be the third such effort to pass this legislation. The last bill, SB-905, was vetoed by the Governor on September 28, 2018. From a statement released at the time, the California Highway Patrol "strongly believe[ed]" the legislation would lead to more drunk driving.

We, too, believe this bill is a threat to the health and safety of our community and the residents of the City of Sacramento. When SB-905 was being considered by the legislature this past summer, TPNA received a letter dated August 29, 2018, from Mayor Steinberg (see attached), which stated, in part, "according to the National Highway Traffic Safety Administration, *there is no correlation between states with later closing times and higher rates of drunk driving.*" (emphasis added) The letter went on to state that "the American Journal of Preventive Medicine echoed this with their findings . . ."

We contacted the National Highway Traffic Safety Administration (NHTSA) and they forwarded studies which contradict the Mayor's assertion, including this statement from a recent report: "Studies that examined increasing hours of sale by 2 or more hours found increases *in vehicle crash injuries, emergency room admissions, and alcohol-related assault and injury.*" (emphasis added) <https://www.thecommunityguide.org/findings/alcohol-excessive-consumption-maintaining-limits-hours-sales>

We also found no articles or studies in the American Journal of Preventive Medicine to support the statements in the Mayor's letter. We have asked the Mayor for an explanation of these apparent contradictions. To date, we have not received an answer.

Further, we have found no record of when or by what means the Mayor and/or City Council came to include Sacramento in this bill, particularly without any opportunity for input from our community.

M.A.D.D. has voiced opposition to this bill, as have numerous other organizations, including Alcohol Justice, numerous law enforcement agencies and the California Alcohol Policy Alliance (CAPA).

TPNA has serious concerns about this bill, not only for the obvious safety issues, but for the inaccurate information the City of Sacramento and the Mayor are disseminating. When, on September 28, 2018, Governor Brown vetoed SB-905, he also released this statement: "I believe we have enough mischief from midnight to two without adding two more hours of mayhem."

We couldn't agree more, and hope you do as well. We respectfully ask that you oppose SB58. California residents do not need to pay for additional public health and safety harms that profit the night life industry.

A handwritten signature in blue ink that reads "Rose Cabral".

Rose Cabral
President, Tahoe Park Neighborhood Association
P.O. Box 162162
Sacramento, CA 95816

Attachment: [4.29.18 letter from Mayor Darrell Steinberg]



OFFICE OF THE
MAYOR

DARRELL STEINBERG
MAYOR

CITY OF SACRAMENTO
CALIFORNIA

August 29, 2018

Dear Tahoe Park Neighborhood Association,

Thank you for writing in with your concerns about SB 905 and the potential impact it will have on the City of Sacramento. In supporting the bill, we have carefully considered the balance between public safety and enhancing our growing food and nightlife scene in Sacramento. Public safety must always be paramount. I believe the balance can be safely achieved.

First of all, I want to make it clear that this does not mean that all bars in Sacramento will be able to stay open until 4 a.m. It will be up to the City to decide if and when it is appropriate to allow a bar or night club to have later hours. This means the city will have the ability to determine if later alcohol sales are appropriate on certain nights of the year, at specific businesses, or in specified geographical locations.

It is also important to note that SB 905 is a pilot program that pertains only to bars and nightclubs and does not permit later alcohol sales at liquor stores. At any point during the pilot, the City has the ability to modify implementation of extended night-life opportunities to be responsive to the needs of the community. Additionally, if the city decides to begin the process of allowing bars and nightclubs to extend their hours to a specified time between 2 a.m. and 4 a.m., the City Council must first develop and approve a local plan showing that public necessity and convenience will be served. The plan must clearly identify the area that is eligible for extended hours and include a law enforcement assessment regarding the potential impact on public safety. This planning, which would include the time for public engagement, would happen over the next two years because the pilot does not begin until 2021. Furthermore, the process for the issuance of alcohol licenses won't be changed. There will still be significant opportunity for neighbors to voice support, opposition, or concerns, through ABC's usual procedures.

Some neighbors have understandably raised concerns that allowing bars and nightclubs to stay open until 4 a.m. will result in more drunk drivers being on the road, increased alcohol-related deaths and higher costs for law enforcement. However, according to the National Highway Traffic Safety Administration, there is no correlation between states with later closing times and higher rates of drunk driving. In fact, we see that states with the earliest closing times have some of the highest rates of drunk driving. A study by the American Journal of Preventive Medicine echoed this with their findings, which explained that evidence shows that extending drinking hours by up to two hours does not affect excessive alcohol consumption or increase alcohol-related harms (DUIs, crimes, and domestic violence). With regards to law enforcement cost, any plans made by the city will include a law enforcement assessment to determine the feasibility of providing adequate oversight to protect the community.

The current California one-size-fits-all model for late-night closing times does not take into account the increasingly diverse needs of our city. Nightlife is a major economic driver, generating billions of dollars in consumer spending and employing a huge number of Californians. These jobs are frequently well paying, middle class jobs that don't require an advanced degree. Participating in this pilot will provide the City with an opportunity to customize nightlife options, continue to grow our economy and protect the health, safety and character of our neighborhoods.

Sincerely,

Darrell Steinberg
Mayor, City of Sacramento