



Mothers Against Drunk Driving  
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**Support HB 984 relating to protecting the rights of impaired driving victims**

The Honorable Jeffrey Campbell  
Chair, House Courts of Justice Subcommittee #2

Dear Chair Campbell and House Courts of Justice Subcommittee #2 Members,

Mothers Against Drunk Driving (MADD) urges you to protect the rights of victims of drunk and drugged driving and support HB 984 by Delegate Runion, which allows the ability for victims to obtain just compensation if an alcohol beverage or cannabis retail licensee overserves an underage drinking driver who causes a crash resulting in bodily injury or property damage. Currently, victims of impaired driving crashes have little civil recourse in Virginia. HB 984 begins to ensure justice for victims of impaired driving crashes.

MADD supports HB 984 as this proposal allows another avenue of recourse for victims of impaired driving crashes. The proposed bill creates a course of action against an alcoholic beverage control retail licensee or cannabis control retail licensee who sells alcohol or a marijuana product to an underage person if the consumption of the alcohol or marijuana product caused or contributed to an injury to person or damage to a property while the underage person operated a motor vehicle.

Please support HB 984. Virginia must ensure victims the opportunity to obtain just compensation following an impaired driving crash. If you have any questions or need more information, please contact MADD Director of State Government Affairs Frank Harris at [frank.harris@madd.org](mailto:frank.harris@madd.org) or 202-688-1194. Enclosed is more information on Dram Shop laws. Thank you in advance for your consideration of MADD's concerns.

Sincerely,

Alex Otte  
MADD National President



## Dram Shop Liability Overview

Laws allowing liability of establishments arising out of the sale of alcohol to obviously intoxicated persons or minors who subsequently cause death or injury to third-parties as a result of alcohol-related crashes.

- **Dram shop liability laws reduce alcohol-related crashes.** Texas experienced a 6.5 percent decrease in single vehicle nighttime crashes resulting in injury immediately after a liability case was filed in 1983, and an additional 5.3 percent decrease after another case was filed in 1984. In 2001, researchers found a 5.8 percent decrease in fatal crashes from dram shop liability laws. Other studies have found a similar deterrent effect from dram shop liability by three to five percent. This is because this liability makes it in the economic best interest of establishments to have responsible serving practices.
- **Dram shop laws increase publicity of the impacts of over-serving.** Studies show that states that have a high level of dram shop liability have more publicity about the impacts of liability and have more servers and managers who are aware of liability.
- **Dram shop laws decrease excessive and illegal consumption.** Studies have found that states with high levels of dram shop liability also had fewer lower-price drink promotions (like “happy hours”) that encourage excessive consumption in a limited amount of time. This is important, because access to an unlimited amount of alcohol for a flat fee increases the number of drinks in a sitting by 1.6 drinks on average. States with dram shop liability also had more thorough checks of identification on average, which means that fewer minors were able to drink illegally. This is an accomplishment, considering that US purchase surveys show that 40 to 90 percent of outlets sell to underage buyers and that this stems from low and inconsistent levels of enforcement against adults who sell or provide alcohol.
- **Dram shop laws do not decrease personal responsibility.** Creating a cause of action against an over-serving establishment does not mean that the individual is not also held responsible. Rather, punitive damages for both drinking drivers and serving establishments serve similar purposes – to show them the penalties that come with their actions and to cause them to rethink their practices.