

Editorial: Few good reasons for bar hours change

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WE'RE NOT SOLD on a state bill that would allow bars and restaurants stay open two hours longer, until 4 a.m.

It's not that that many Marin establishments would take advantage of the change, but that critics of legislation served up by state Sen. Mark Leno are raising some persuasive arguments.

The San Francisco Democrat is proposing a change in state law that would allow bars, nightclubs and restaurants to seek local permission to serve alcohol until 4 a.m.

The change is being pushed by the restaurant industry, which argues the move could boost business.

Leno says visitors to San Francisco are often surprised by the 2 a.m. cut-off rule — "that the city goes to bed as early as it does." Nearly half of U.S. states allow alcohol to be served later than 2 a.m. and Leno says he has found no statistics that the later hours lead to increased rates of drunken driving or other alcohol problems.

That's not what Alcohol Justice says. The Marin-based organization, funded by the Buck Trust to combat alcohol and drug abuse, is one of the legislation's early critics. It has already launched a petition drive and publicity campaign to fight the bill.

Given the organization's mission, its staunch opposition is not surprising. Alcohol Justice contends the bill is aimed at increasing profits for bars and restaurants while increasing public risk.

Leno's bill is not an across-the-state change, but leaves the decision up to each community. Each county and city would have the choice to extend hours to 4 a.m. and then each establishment would have to get permission to make the change. Leno says it is "a thoughtful way" to approach change. The premise of leaving the decision to local control is appealing, but it's flawed.

In the Bay Area, where jurisdictions are compact and in close proximity, a town could keep the 2 a.m. cut-off rule, but the town five minutes away could allow service until 4 a.m. A customer hoisting his last drink at 4 could get into his car — quite possibly impaired — and within a half-hour drive through three counties and numerous cities even though they didn't relax their last-drink rules.

As Alcohol Justice points out, at 4 a.m. that inebriated motorist would be joining the start of commute traffic.

Although we're sure some local establishments would pursue permission to serve drinks later, we tend to side with Marin Sheriff Robert Doyle on this one.

"I don't think that extending the hours in drinking establishments is a positive move for our society," he said. The California Police Chiefs Association also opposes the bill. The 2 a.m. rule doesn't stop everyone from drinking. It just stops people from being able to buy alcohol at bars and restaurants. That, in and of itself, amounts to a sensible limitation on alcohol consumption.

Reasons for not allowing extended drinking hours seem to outnumber the possible business benefit.