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Memorandum of Opposition

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The PBA of New York State Troopers, representing more than 6,000 active and retired New York State Troopers, opposes legislation regarding the sale and delivery of alcohol by on-premise licensees.

During the Covid-19 pandemic of 2020, the Governor of New York and the New York State legislature temporarily allowed the SLA to allow on-premise licensees to provide alcohol for both delivery and take out. During the height of the pandemic, this regulatory change was an attempt to financially assist the restaurant industry that was directly impacted by the pandemic restrictions that initially closed and then severely limited these businesses.

While well-intentioned and helpful to these businesses, the overall impact of these loosened regulations has not been empirically analyzed. The vast majority of customers have complied with the spirit of the law; however, numerous incidents have occurred with these "to-go" beverages being consumed in the vehicle after being picked up.

The pandemic complicates the analysis of the impact these regulatory changes have on the safety of the motoring public in New York State. The average miles driven during 2020 are drastically reduced by the pandemic restrictions. However, the National Highway Traffic Safety Administration (NHTSA) has released data from the first half of 2020. Their numbers indicate that while miles driven was down approximately 20%, there were disturbing trends in the increase of impaired driving; additionally, the data noted the increase of drivers under the influence of alcohol was increased at emergency rooms and trauma centers.

The PBA of NYS Troopers believes it is premature to pass legislation that would make these regulatory changes permanent. The collection and analysis of the data should be completed to see if these disturbing trends have increased, thereby posing a significant threat to public safety.