

Four A.M.: the New Last Call?

California legislators are considering a proposal to allow late-night sales of booze.

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The hour of 2 a.m. is the most common time for last call for alcohol in the U.S.

Nearly half of all states require alcohol sales to be cut off at 2 a.m., though a handful allow special licenses where bars and retailers can sell alcohol as late as 4 a.m.

California could become one of those states under a new bill proposed by Sen. Scott Wiener, allowing your favorite bar, restaurant, or corner store to sell alcohol two hours later than it does now.

It's called the LOCAL Act, which stands for **Let Our Communities Adjust Late Night**. Wiener introduced the bill on Feb. 14, and it's the highest-profile bill he's proposed since being sworn in December.

"The state of California has a one-size-fits-all approach," Wiener tells *SF Weekly*. "Every single community, every single venue in California must stop serving liquor at 2 a.m., from the Oregon border to the Mexican border. It just doesn't make sense."

Under Wiener's proposal, individual California communities can move back their alcohol cut-off time to as late as 4 a.m. The choice would be left to individual cities, though in some unincorporated areas the decision would be left to the county or whoever has land use decision-making power.

"Communities can decide for themselves what makes sense in terms of alcohol service hours," Wiener says. "For some communities, it makes sense to stick with 2 a.m. For other communities, it may make sense to extend it to 3 a.m. or 4 a.m., or a few venues, or in a certain part of the city."

It makes no sense, though, to many in the law enforcement and public health communities.

"This is a bad idea because nothing good happens after 2 a.m. at bars and restaurants where alcohol is served," says Bruce Lee Livingston, executive director and CEO of Alcohol Justice.

Alcohol Justice is an alcohol-industry watchdog group that works to keep the alcohol industry in check, opposing alcohol energy drinks, candied "Alcopops," and marketing to minors. Their coalition of public safety advocates and law enforcement groups insists California taxpayers will be stuck with the tab if drinking hours are extended.

“It’s not an economic engine that’s going to make any significant difference for the hospitality industry,” Livingston tells *SF Weekly*. “What it will make a difference on is the social costs and the cost to government and society.”

The social costs could go beyond nuisances like rowdiness and noise outside nightclubs, Livingston’s group argues, citing a number of peer-reviewed studies showing that loosening restrictions on alcohol sale hours correlates with increases in assaults, emergency room admissions, and homicides.

More pointedly, the U.S. Department of Transportation estimates that nearly 900 people are killed in California every year in drunken-driving collisions — a number unlikely to go down if alcohol is served later. Add to that the costs of emergency first responders, police, sheriffs, and California Highway Patrol personnel working additional overtime to clean up these accidents.

Then consider how increased drunken-driving accidents could affect early-morning rush hour traffic.

“That could snarl traffic on the Bay Bridge. It could snarl traffic in the Caldecott Tunnel,” Livingston says. “It would cost millions and millions of dollars in work-hours lost and traffic congestion and utilization of first responders.”

Wiener’s bill is essentially the same one that Mark Leno, his predecessor, unsuccessfully introduced in 2013.

That bill never even got enough votes to make it out of committee, let alone to a vote on the State Senate floor. So why would this one turn out any differently?

“It’s pretty common for a bill to fail its first few times until it gets traction to pass,” Wiener says. “I’m cautiously optimistic we’ll be able to make the case.”

He’s optimistic because San Francisco nightlife has become a multibillion-dollar industry employing roughly 50,000 employees. This measure could grow that industry event more.

Nightclub owners are certainly on board.

“What we’ve seen in other cities like New York and Chicago is that this works,” says Tom Temprano, co-owner of the Mission District bar **Virgil’s Sea Room**. “It can be really positive for nightclub businesses but can also have an impact on other businesses like restaurants that serve those folks.”

“Nightlife matters,” Wiener tells *SF Weekly*. “It matters to our economy, it matters to our culture.”

“Nightlife matters” has become one of Wiener’s unofficial mottos when promoting the LOCAL Act. The language infuriates the bill’s opponents.

“It’s usurping a very important slogan around Black Lives Matter,” Livingston points out. “Secondly, what matters most is life, and not partying after 2 a.m.”

The proposal now sits in a 30-day period of public review until it gets a Senate committee hearing, likely in March or April. It will receive two more committee hearings in and — if it survives a committee vote — will be voted on by the full State Senate. If that vote passes, the bill goes to the State Assembly, and if that vote passes, it goes to the governor’s desk.

“I would encourage people from around the state to contact both their state senator and their State Assembly member to express — I hope — support,” says Wiener.

Joe Kukura is an SF Weekly news writer.