

MD SB 815 3P LS Delivery Testimony - Raekwon Young

Uploaded by: Caitlin McDonough

Position: FAV

To members of the Maryland Senate:

My name is Raekwon Young and I am writing to express my support for SB 815, which would be great for helping me bring in extra income by fulfilling orders from local liquor stores.

I started making deliveries around Maryland with DoorDash back in 2020 during the height of the pandemic. I work full-time in IT, while also serving as a first responder, so having these opportunities to earn money when and where I can has been great for filling the gaps since I started dashing.

One of the best ways I have been able to earn with DoorDash has been to deliver orders with alcohol in Virginia and Washington D.C. These orders typically pay well, often better than food deliveries, and have been helpful for me to bring in extra income when I need it. At a time when every dollar counts, having these earning opportunities has gone a long way, whether that's covering my monthly bills or paying for other expenses like car repairs.

The flexibility that dashing provides is perfect for my life, and having these same earning opportunities in Maryland would be incredible for me. Sometimes it's inconvenient for me to travel to Virginia or D.C., but I'm still looking for opportunities to make deliveries. That's why I am in favor of being able to deliver from local liquor stores here in Maryland, rather than having to go across state lines.

Thank you for your consideration and I hope you will keep my support in mind as you consider this important issue.

Sincerely,

Raekwon Young

Fort Washington, Maryland

MD SB 815 3P LS Testimony - Elijah Ballard - SUPPO

Uploaded by: Caitlin McDonough

Position: FAV

To members of the Maryland Senate:

My name is Elijah Ballard and I am writing to express my support for SB 815 as a way to help expand opportunities for me to bring in supplemental income in Maryland.

I'm enrolled at the University of Maryland and when the pandemic hit, I had to find ways to earn some extra income. I started making deliveries with DoorDash and found it to be a great way to juggle earning with attending classes and keeping up with my coursework. Becoming a Dasher was incredibly easy and has allowed me to keep healthy study habits while also making a good amount of money.

While I love delivering from local restaurants around College Park and other parts of Maryland, I have seen that fulfilling orders from liquor stores in Washington D.C. and Virginia has actually been a great way to make even more money while I'm dashing. I keep an eye out for orders from these locations because I know that they often pay even better than food deliveries. This gives me meaningful additional income to help cover expenses like books and other supplies for my classes.

It would be great to have the same opportunities to make these deliveries here in Maryland. Dashing takes me across Maryland, and even across state lines, but because of the local laws I'm not able to complete any of the same kinds of deliveries from liquor stores here. Passing HB 787 would simply make it easier for Dashers like me to do the same work I'm already doing just a few miles away.

In my experience, delivering alcohol through DoorDash is also really safe. The Dasher app always alerts me that an order contains alcohol, and provides straightforward guidance on scanning the customer's ID at the door, which I can do easily through the app by taking a photo of the ID. Thank you for your consideration and I hope you will keep my support in mind as you consider this important issue.

Sincerely,

Elijah Ballard

College Park, MD

MD SB 815 alcohol delivery_TechNet letter _ suppor

Uploaded by: margaret durkin

Position: FAV



TECHNET
THE VOICE OF THE
INNOVATION ECONOMY

TechNet Mid-Atlantic | Telephone 717.585.8622
www.technet.org | @TechNetMidAtla1

February 23, 2023

The Honorable Melony Griffith
Miller Senate Office Building, 3 East Wing
11 Bladen Street, Annapolis, MD 21401

RE: SB 815 - Alcoholic Beverages - Retail Delivery - Alterations and Third-Party Delivery Service Permit

Dear Chair Griffith and Members of the Committee,

On behalf of TechNet's member companies, I respectfully submit this letter of support on SB 815, regarding alcohol delivery.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over five million employees and countless customers in the fields of information technology, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance. TechNet has offices in Austin, Boston, Chicago, Denver, Harrisburg, Olympia, Sacramento, Silicon Valley, and Washington, D.C.

TechNet seeks to encourage, enable, and advance American leadership in innovation. The sharing economy is creating new jobs and income opportunities in every corner of the country, allowing people to work independently and on discretionary schedules, use their personal property and skills to generate income, help them expand their businesses, and provide for themselves and their families. SB 815 recognizes this unique nature of the sharing economy.

Safe and successful alcohol delivery, through employees, has been legal in many Maryland counties. SB 815 expands on existing law by allowing liquor stores the option of contracting with third party services instead of using their own employees, which would level the playing field. Many liquor stores in Maryland are currently allowed to deliver, but they must use their own employees to do so. Smaller, independent liquor stores often have difficulty affording the staffing for the technical know-how to fulfill delivery orders, and are at a disadvantage to those larger, well-resourced stores. Customers are also increasingly looking to have alcohol delivered the same way as groceries and

meals, but many liquor stores in Maryland are shut out of this growing revenue opportunity.

The bill requires several safety measures to ensure alcohol is delivered safely and responsibly, including:

- Third party delivery services must be permitted by the Maryland Alcohol and Tobacco Commission, which will also have oversight to regulate third party delivery services and ensure compliance
- All delivery drivers must be 21 years of age or over and have received an alcohol education and compliance course
- Delivery drivers must verify the identification of the recipient at the time of delivery

The bill also requires delivery services to hold general liability insurance and submit their contracts with liquor stores to the Alcohol and Tobacco Commission for approval. The Alcohol and Tobacco Commission is empowered to revoke the delivery permit of any third-party delivery service that is not adhering to the strict safety protocols specified in the legislation. This bill works within Maryland's long-standing alcohol framework that delegates most alcohol regulation to local licensing boards. Third-party delivery will only be permitted by those liquor stores who have been authorized to make deliveries by their local boards.

Finally, SB 815 would also open significant earning opportunities for gig workers that choose to make deliveries on third party platforms because alcohol deliveries are usually higher value than food deliveries. In turn, this translates into higher delivery pay and higher tips for drivers.

Allowing third party alcohol delivery will positively impact the citizens of Maryland, and especially for consumers and gig workers doing deliveries. Thank you for your consideration of this important issue. Please reach out should you have any questions.

Sincerely,

Margaret Durkin

Margaret Durkin
Executive Director, Pennsylvania & the Mid-Atlantic
TechNet
mdurkin@technet.org

Opposition to TP Delivery SB815.pdf

Uploaded by: Kathleen Hoke

Position: UNF

Public Health Law Clinic
Professor Kathi Hoke
500 West Baltimore Street
Baltimore, MD 21201
khoke@law.umaryland.edu

TESTIMONY IN OPPOSITION TO SENATE BILL 815
Alcoholic Beverages – Retail Delivery – Alterations and Third-Party Delivery Service Permit
Finance Committee, February 24, 2023

The most pressing public health concern stemming from Senate Bill 815 is the potential for an increase in underage access to alcoholic beverages. The Centers for Disease Control links underage drinking to a multitude of issues including: higher rates of school absences and lower grades; unprotected sexual activity; disruption of normal growth and brain development; physical and sexual violence; increased risk of suicide and homicide; alcohol-related motor vehicle crashes and other unintentional injuries, such as burns, falls, or drowning; misuse of other substances; and alcohol poisoning.¹ People who use alcohol when they are young are more likely to develop alcohol dependency later in life.²

Senate Bill 815 creates a new avenue for underage persons to access alcoholic beverages, without providing needed resources or strategies necessary to conduct youth-access enforcement operations.

Since the March 2020 Executive Order expanding permissible alcohol delivery during COVID and the current law passed as House Bill 12 in 2021 that will soon sunset, local alcohol enforcement agencies and officers have struggled to keep up with the influx of new delivery licensees. Liquor boards saw the number of licensees permitted to deliver alcohol directly to consumers expand from primarily liquor stores to all bars, taverns, and restaurants that would normally only be selling alcoholic beverages for on-premises consumption. With no increase in personnel or funding nor an effective strategy to conduct enforcement, there has been little to no enforcement of youth-access provisions.

In conversations with members of local liquor enforcement entities from across the State, enforcement agents reported concerns not only with the increase in licensees but also with the additional complexity and cost of conducting enforcement operations. When observing delivery transactions, it is difficult to determine whether a delivery includes an alcoholic beverage and whether the person accepting the order is over age 21. Instead of observing, an agency could conduct sting operations but would be required to order both food and drink, which would increase the cost of these underfunded operations significantly. Moreover, finding a “false” delivery location for each potential retailer’s delivery zone may be impossible.

¹ <https://www.cdc.gov/alcohol/fact-sheets/underage-drinking.htm>; U.S. Department of Health and Human Services (HHS), Office of the Surgeon General. *Facing addiction in America: The Surgeon General’s report on alcohol, drugs, and health*, Washington, DC: HHS, 2016.; Miller JW, Naimi TS, Brewer RD, Jones SE. *Binge drinking and associated health risk behaviors among high school students*. *Pediatrics* 2007;119:76–85.; Esser MB, Guy GP, Zhang K, Brewer RD. *Binge drinking and prescription opioid misuse in the U.S., 2012-2014*. *Am J Prev Med* 2019;57,197-208.;

² Buchmann AF, Schmid B, Blomeyer D, et al. *Impact of age at first drink on vulnerability to alcohol-related problems: Testing the marker hypothesis in a prospective study of young adults*. *J Psychiatr Res* 2009;43:1205-1212.

Public Health Law Clinic

Professor Kathi Hoke

500 West Baltimore Street

Baltimore, MD 21201

khoke@law.umaryland.edu

Maintaining a sufficient enforcement presence to deter alcohol sales to minors requires significant resource when looking solely at brick-and-mortar sales. Local enforcement agencies are not in a position to expand dramatically to third-party delivery. Without enforcement, violations will not be identified or punished, and the deterrent effect will be non-existent.

Retail alcohol licenses are expensive and scarce in many jurisdictions. As a result, the deterrent effect of enforcement is huge—retailers do not want to risk a license suspension or revocation. There is too much at risk. A \$1,000 license with \$500 renewal does not create that same deterrent effect—delivery licensees do not have as much at stake and yet they are the only party that can be punished for sales to minors on delivery orders. A stronger bill would tie violations to the retailer licenses, putting the retail license in jeopardy for unlawful sales made by third party vendors with whom the retail contracts for delivery.

Because the bill does not sufficiently consider youth-access implications of expanded alcohol delivery, we oppose Senate Bill 815.

This testimony is submitted by the Public Health Law Clinic at the University of Maryland Carey School of Law and may not represent the position of the School of Law; the University of Maryland, Baltimore; or the University of Maryland System.

SB815-third-party-del-MdPHA-UNF.pdf

Uploaded by: Raimee Eck

Position: UNF



Mission: To improve public health in Maryland through education and advocacy *Vision:* Healthy Marylanders living in Healthy Communities

**SB815: Alcoholic Beverages—Retail Delivery—Alterations and Third-Party Delivery Service
Permit**

Hearing Date: February 24, 2023

Committee: Finance

Position: Unfavorable

On behalf of the Maryland Public Health Association’s Alcohol, Tobacco & Cannabis Network, we would like to thank you all for your work to evaluate and establish alcohol regulations that will keep our youth and communities safe. We are opposed to SB815, which would allow for third party delivery services to deliver alcohol across the state.

Public health and substance misuse experts and advocates from across the state, in addition to local liquor board staff and enforcement officers, have shared their concerns on the possibility of making to-go and delivery alcohol sales permanent in Maryland. The initial legislation to put a version of the Governor’s Executive Order into statute for two years was a temporary measure in response to a global emergency, the likes of which we have never seen before in our lifetimes. MdPHA supported this legislation, with adequate guardrails, until the 2023 sunset.

Many of our previous laws and policies regulating the availability and access to alcohol have been based on years of scientific evidence and practice to reduce underage drinking, excessive alcohol consumption, alcohol-related injuries, alcohol-related hospitalizations, and alcohol-related deaths. This legislation does not fall under this umbrella of solid evidence. What we do know is that some studies show that people who use alcohol delivery services tend to be heavier drinkers overall.¹ Delivery services have also been shown to be used to continue drinking sessions when they otherwise would have ended.² In addition to supporting heavier drinking, there is greater risk of increased youth access. Most delivery service laws use point of delivery ID checks. Compliance checks on these systems with underage youth find failure rates up to 58% of the time.^{1,2}

Presented as a way to address declining sales due to COVID-19, we have seen an increase in alcohol sales nationwide. Increased alcohol sales accompanied by worsening mental health issues among Marylanders is a real concern for professionals and for our communities. Increasing access to alcohol leads to an increase in consumption and related harms, including mental health and substance use disorders.

In response to anecdotal stories that there have been “no problems” associated with to-go and home delivery alcohol sales, there is no evidence to suggest this to be the case; because of limited resources, robust assessments of the temporary allowance are yet to be performed to assess its impact fully. We are only aware of one mystery shop evaluation performed in Montgomery County. They found that only 15% of restaurants noted that an ID would be required to pick up an order and 55% of restaurants did not check the ID when the order was picked up. We only know this because MoCo has the resources to conduct this

compliance activity, but most other jurisdictions do not. This is unacceptable when trying to create safe, well-thought out and researched policies.

Delivery drivers also have no incentive NOT to deliver the alcohol, as they are reliant on tips from customers. Cancelling a delivery involves not only losing a tip, but then losing paid time due to the trip back to the store and the time to return the product. It is also concerning that a delivery driver is the one responsible for assessing whether the recipient is intoxicated or whether the ID is fake. Retail outlets are better equipped to refuse sales and adequately check IDs. It is also concerning that this legislation appears to allow pickup of alcohol anywhere in the state and deliver it to anywhere else in the state, circumventing the strength of local oversight of alcohol within a jurisdiction. It also presents an easy opportunity for a brick and mortar retailer to essentially turn into a warehouse for online orders.

To put it simply, we have concerns about the constant promotion of legislation that continues to chip away at our strong public health-based regulatory system and expand access, especially in ways that are higher risk and an established risk to our youth. In HB12, the “cocktails to go” and home delivery legislation from 2021, a study was mandated to evaluate “the impact of the expansion of alcohol access under the Governor’s proclamation...and [this new act] for the years 2020, 2021, and 2022, including the impact on public health...”, and this report is not yet available for review and evaluation. Considering that almost none of the jurisdictions undertook compliance checks or conducted any enforcement activities, it is unclear how even this report will be illustrative of the entire system.

We urge an unfavorable report on SB815.

The Maryland Public Health Association (MdPHA) is a nonprofit, statewide organization of public health professionals dedicated to improving the lives of all Marylanders through education, advocacy, and collaboration. We support public policies consistent with our vision of healthy Marylanders living in healthy, equitable, communities. MdPHA is the state affiliate of the American Public Health Association, a nearly 150-year-old professional organization dedicated to improving population health and reducing health disparities that plague our state and our nation.

¹ Huckle, T, et al. "Online alcohol delivery is associated with heavier drinking during the first New Zealand COVID-19 pandemic restrictions." *Drug and alcohol review* 40.5 (2021): 826-834.

² Mojica-Perez, Y, Callinan, S, and Livingston, M. "Alcohol home delivery services: an investigation of use and risk." *Foundation for Alcohol Research and Education: Canberra* (2019).

MDDCSAM - 2023 SB 815 UNF - Alcohol Devliery - Sen

Uploaded by: Scott Whetsell

Position: UNF

Senate Bill 815 - Alcoholic Beverages - Retail Delivery - Alterations and Third-Party Delivery Service Permit

OPPOSE

Senate Finance Committee

February 24, 2023

Although most people who use alcohol do not have discernable resulting problems, the spectrum of unhealthy patterns of alcohol use are extremely common. Alcohol is the fourth leading cause of preventable death in the U.S, and results in twice the number of deaths as do opioids.

Making alcohol available for delivery will predictably increase the rate of hazardous or harmful alcohol use.

There has been a significant pandemic-related rise in serious mental health and substance use problems and in alcohol-related traffic fatalities, making resulting harms especially severe at this time.

For these reasons the bill is not supported by public health organizations or by many people affiliated with local liquor control boards.

Home delivery presents additional challenges in monitoring compliance by liquor boards, which do not have the resources to adequately monitor compliance currently. Currently over half of restaurants do not check ID of mystery shoppers.

Although sales to youth are of concern, alcohol use disorder is primarily prevalent in adults, and this would not be addressed by prohibition of sales to minors, even if it were enforced.

The regulation of the sale of ordinary household goods, for example, is very different from regulation of products with the risk of addiction and serious health consequences in a significant proportion of users.

We respectfully request an unfavorable report.