

## Liquor Liability For Sportsplexes (John M. Sadler, 03-17-06)

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**Alcohol Training For Servers:** Have the servers attended a formal alcohol training class such as one put on by TEAM, TIPS, or TAM? These training programs cover topics such as how to properly check for fraudulent ID's and how to notice signs of intoxication.

**Percentage Sales Of Alcohol vs. Food:** Most underwriters want to make sure that alcohol sales are less than 50% of total combined sales for alcohol, non alcoholic beverages and food.

**Limitation Of Number Of Drinks Sold:** No more than two drinks should be sold to a patron at any given trip to the concession stand.

**ID's Checked For All Patrons Regardless Of Age**

**No Consumption By Athletic Participants Prior To Play:** This should be prohibited to reduce the incidents of athlete injuries which can have an impact on the General Liability and Participant Accident policies of the sportsplex.

**Public Not Allowed To Bring Own Alcohol Into Facility:** Consumption of alcohol outside of that purchased at the concession stand makes it more difficult to monitor patron intoxication.

**Sale Of Alcohol Cut Off Prior To Closing Time:** Alcohol sales should be cut off at least one hour prior to closing time of sportsplex.

**Note:** if a sportsplex has not implemented all or most of the risk management controls listed above, it is doubtful that their application will be accepted by an insurance carrier.

**\$105 Million Jury Verdict Awarded Against Beer Vendor For Paralysis Caused By Drunken Fan** (source: New Jersey Law Journal, Jan 24, 2005)

A New Jersey jury awarded \$105 million against Aramark Corp., the nation's leading arena concessionaire, in the case of a girl paralyzed in an auto crash caused by a driver drunk on beer who was served at a New York Giants football game. The NY Giants and the National Football League were also sued and separately settled their cases for an undisclosed amount.

The father of the victim stated that the award "will make liquor vendors and arenas do a better job of enforcing their rules against selling alcohol to fans who appear to be intoxicated. In a few months, you're going to see major changes in the way concessionaires do business.....they will need to show more responsibility, and their insurers will insist on it."

**Disclaimer:** The content of this article is in no way meant to provide legal advice but instead is meant to convey general principles of risk management guidance. Please consult an attorney in your state for advice on how to protect against liquor liability lawsuits.

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