



Consumer Alert

Contact:

Kenton Brine, President
Sandi Henke, Communications Director
NW Insurance Council
Phone: (206) 624-3330 / (800) 664-4942

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kenton.brine@nwinsurance.org
sandi.henke@nwinsurance.org
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Avoid a personal foul: careless Super Bowl parties pose a risk for severe liability penalties

- *Social host liability, or Dram Shop Liability, is an active law in 39 states, and exposes party hosts (or homeowners) to liability risks.*
- *Homeowners (or renters) insurance may provide protection, including defense costs – but there may be limits, restrictions or exclusions, so ask your insurance agent or company about liquor liability.*
- *At your party, restrict or exclude alcohol, or encourage guests to designate a non-imbibing driver or use taxis, Uber/Lyft or other transportation to arrive home safely.*

SEATTLE, February 2, 2018 – If you're hosting a Super Bowl party this Sunday, be sure to add safety and common sense to your playbook before guests arrive. As hosts of a party, homeowners and renters could be liable for the safety of their guests – even after they leave the party.

Super Bowl Sunday is considered one of the riskiest days to drive because of impaired motorists driving home from parties. In fact, 38 percent of traffic fatalities that occurred on Super Bowl Sunday in 2012 were the result of impaired drivers, according to the [National Highway Traffic Safety Administration](http://www.nhtsa.gov) (NHTSA). And in some states, a party's host can be held liable for injuries or damage resulting from an auto accident caused by an impaired party guest.

“The Super Bowl is a great time to celebrate with friends,” said Kenton Brine, NW Insurance Council president. “Along with the fun, it’s important to make sure your guests are safe while on your property and that they get back to their homes safely after the party is over.”

At last count, 39 states have social liability, or “[Dram Shop Liability](#)” statutes on the books. Most of those laws provide an injured person - such as the victim of a drunk driver - the right to sue the person responsible for serving the alcohol, whether that person is a bartender/owner or a private citizen hosting a party in his or her own home.

Social host liability laws often hold the party host responsible for the safety of party guests, as well as anyone injured by a party guest after they leave the event. As a homeowner, this could expose you to liability, even if someone – like a teenage child in your home – hosts a party without your consent and someone is injured or causes injury to someone else on their way home.

“Protecting yourself, your family and guests starts with making sure you have Homeowners or Renters insurance with sufficient [limits of liability](#) to protect your financial assets,” Brine said. “Homeowners should also take steps to ensure that their homes are safe for residents and visitors.”

Your insurance agent or company can help you understand what is covered under a Homeowners or Renters policy, along with any exclusions, conditions and limitations in your policy. If liquor liability (coverage for bodily injury or property damage caused by an intoxicated person) is covered by your Homeowners Insurance policy, the limits can range from \$100,000 to \$300,000 - but that may not be enough, according to the [Insurance Information Institute](#) (I.I.I.).

“Remember, if liability limits are not sufficient to pay for the injuries and/or damage sustained by an accident victim, your personal assets could be at risk in a lawsuit,” Brine explained.

Injuries to guests on your property (not caused by an intoxicated person) are covered under the Liability portion of your standard [Homeowners Insurance policy](#). Most

homeowners' policies start with liability limits of \$100,000. But regardless of the season, you may want to consider purchasing at least \$300,000 worth of Personal Liability protection and adding an [Umbrella Policy](#) to protect your family's assets.

Your policy also provides “no-fault” Medical Payments to Others coverage. In the event a visitor is injured in or around your home, he or she can submit medical bills to your insurance company up to the limit you've chosen – generally from \$1,000 to \$5,000. This allows payment of smaller medical expenses without needing to file a liability claim.

(Note: both Medical and Liability coverage only apply to guests and do not pay medical bills for you, your family or your pets.)

[NW Insurance Council](#) and the [Insurance Information Institute](#) offer these common-sense tips for your Super Bowl or other party gatherings:

- Familiarize yourself with [your state's social host liability laws](#), which vary from state to state.
- Encourage guests to pick a designated driver so that he or she can drive other guests home. If you're attending a party and plan to drink alcohol, make arrangements in advance for a sober driver to take you home.
- Be a responsible host or hostess and limit your own alcohol intake so you can judge your guests' sobriety.
- Consider hiring a professional bartender, since most are trained to recognize signs of intoxication and may be better able to limit consumption by your guests.
- Offer non-alcoholic drinks and always serve food during the party. Stop serving alcohol toward the end of the evening and switch to coffee, tea, water and soft drinks.
- If guests drink too much or seem too tired to drive home, arrange a ride with a sober guest, a cab or a ride share, or have them sleep over at your home.

- Consider installing an app on your smartphone to summon ride sharing services like [Uber](#) or [Lyft](#), so you can have a car come to retrieve any guests you believe should not be driving on their own.
- Talk to the young adults in your home – set rules and make sure you know what is happening in your home while you're away.
- Ensure safe walkways by shoveling snow to make a path or raking or sweeping leaves and other debris away from porches, decks, sidewalks and driveways. Also, keep walkways well lit.

For more information about your Homeowners or Renters insurance policy or your liability limits, contact your insurance company or agent. For more information about how to protect your family and home, call [NW Insurance Council](#) at (800) 664-4942.

NW Insurance Council is a nonprofit, public-education and public policy organization funded by member insurance companies serving Washington, Oregon and Idaho.

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