



NW Insurance Council

Consumer Alert

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Make the right call: careless Super Bowl parties pose a risk for COVID – and personal liability

Safety is paramount in 2021 – at your home, and on their way home

What to Know

- *Health officials have warned against large “Super Bowl Viewing” parties in private homes to prevent the spread of COVID-19.*
- *Those hosting gatherings of any size should know that social host liability, or Dram Shop Liability, is current law in 43 states, and exposes party-hosting homeowners to liability risks.*
- *Homeowners (or renters) insurance may provide protection, including defense costs – but there may be limits, restrictions or exclusions.*

BOISE, ID, February 5, 2021 – Public officials have advised against Super Bowl-watching parties in private homes this year because of the COVID-19 pandemic. If you do plan to host people from outside your family’s “COVID bubble,” be sure to follow common sense guidelines to prevent your gathering from becoming a virus super-spreader. Also, keep in mind that as hosts of a party where alcohol is served or guests become impaired, homeowners and renters could be liable for the safety of their guests – even after they leave the party.

Social Host Liability

Super Bowl Sunday has traditionally been considered one of the riskiest days to drive because of impaired motorists driving home from parties, according to the National Highway Traffic Safety Administration ([NHTSA](#)). And in many states, a party's host can be held liable for injuries or damage resulting from an auto accident caused by an impaired party guest.

"If you're celebrating Super Bowl Sunday with friends, your responsibilities don't end with the final whistle on the field," said Kenton Brine, NW Insurance Council president. "Party hosts need to make sure guests are safe while on your property and that they get back to their homes safely after the party is over."

At last count, 43 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 not only the at-fault driver, but also 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 can 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.). In those circumstances, it may be wise to consider adding a Personal Liability Umbrella Policy, which increases the coverage available in the event a liability claim is filed against you.

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

[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, arrange 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.
- 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.

- 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.

COVID-19 Safety

Public health officials advise refraining from Super Bowl parties this year to prevent a COVID-19 super-spreader event. But if you cannot resist hosting a gathering, whether it is with your own “COVID bubble” or with others outside the bubble, here are a few guidelines to follow to have a responsible get-together to help keep everyone healthy.

- Use your outdoor space to host a Super Bowl Party. If that is not possible, try to choose an area that is well ventilated, like the garage where you can keep the doors open for air flow.
- Require everyone to wear a mask and practice social distancing as much as possible.
- Provide plenty of hand sanitizer for your guests.
- Instead of a potluck or cooked meal, provide pre-packaged snacks, treats, dips, pizzas or anything else that comes in a package.
- Consider ordering take-out food, which is not only a safer option but also supports your local restaurants.

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, insurer-supported organization providing information about home, auto and business insurance to consumers, media and public policymakers in Washington, Oregon and Idaho.

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