



121 S Pinckney St, Suite 300
Madison, Wisconsin 53703
Phone (608) 256-7555
Toll-Free (888) 856-7555
Fax (608) 256-7666
www.wpmca.org

October 20, 2009

Katherine Plominski
Alcohol Policy Coordinator
Office of Mayor Dave Cieslewicz
City of Madison

Dear Ms. Plominski,

Thank you for emailing me section 38 07(15) regarding banning establishments selling motor vehicle fuels from having a Class A or Class B license. And I apologize for getting you my comments so close to your committee meeting tomorrow. However, I'm new to this topic and it took me some time to get a consensus from my members. These members include Open Pantry, PDQ, Stop N Go, and Kelley Williamson.

Although it may be a long standing unwritten policy for the Madison ALRC to not issue Class A or Class B alcohol licenses to gas stations, it is still unclear WHY this is the policy.

Is there proof that gas stations and convenience store sales lead to more drunk driving than sales from other establishments? Have there been noticeably more complaints about disorderly conduct or other illegal behavior stemming from convenience store sales of alcohol? Is there any proof that banning such sales will lead to less alcoholism or drunk driving?

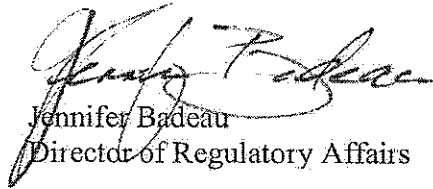
Waukesha proposed a similar ordinance, but dropped it after testimony from the local police department – stating that basically, the crime rate from convenience store alcohol sales was a non-issue. I'd wager you'd find the same if you questioned local police or conducted any type of survey as to whether convenience store alcohol sales are truly problematic.

Assuming that this ordinance stems from the real desire to curb drunk driving, the gut reaction to divorce gas pumps from alcohol sales does nothing to combat the problem. After all, almost all liquor stores, restaurants and taverns have parking lots – thereby linking the sale of alcohol to motor vehicles in a very real way. We ask the committee to please study this issue and provide some concrete proof that the ordinance will in fact fix an existing problem.

Why carve an exemption for grocery stores that sell motor vehicle fuel? Again, if the desire is to curb drunk driving, why would sales from grocery stores be any less likely to lead to drunk driving than sales from convenience stores? Just as importantly, why would the Madison City Council want to codify a competitive advantage for one type of industry over another? Again, we ask if this ordinance is “fixing” a problem that doesn't exist. And if there is a real problem with establishments selling motor vehicle fuels and alcohol, then why should any single entity or type of business be exempt?

We respectfully request the ALRC to reserve passing this ordinance until further study can be made of the issue. Or until the interested parties have one more opportunity to speak before the committee. Will you please share my comments with the entire ALRC?

Thank you and most sincerely,



Jennifer Badeau
Director of Regulatory Affairs