



Maplebear Inc. d/b/a Instacart
50 Beale Street, Suite 600
San Francisco, CA 94105

Testimony in Support of House Bill 41: An Act amending the Liquor Code, in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, providing for transporters for hire.

Chairman Deasy, Republican Chair Fee, Representative Mustello, and the distinguished members of the House Liquor Control Committee.

My name is Kelley R. Foxx and I am the Public Policy Manager for Instacart. We support HB 41 - alcohol delivery.

Instacart is the leading grocery technology company in North America, and we work with grocers and retailers to transform how people shop. Instacart has operated in Pennsylvania since 2014 and partners with 62 retailers across more than 3,300 locations across the state to deliver groceries and other goods from local favorites including BJ's Wholesale Market, Food Lion, Gelson's, Wegmans and more to thousands of households. Instacart is committed to full and complete compliance with the law when it comes to alcohol delivery.

Instacart takes alcohol delivery compliance very seriously in all 27 states where the company offers it - and we would do the same in Pennsylvania. Currently, beer delivery is only permitted in Pennsylvania in limited instances, such as by beer distributors or licensed pizza shops. HB 41 would allow other Pennsylvania businesses to expand their customer base and provide a safe way for adults to purchase alcohol. This bill opens economic opportunities for the state while providing a regulatory framework for safe delivery to customers.

Instacart has robust training, policies, and procedures in place to help ensure alcohol is delivered safely and in compliance with all laws. Instacart's training is particularly focused on preventing deliveries to minors and all shoppers must complete the full training module before they are permitted to deliver alcohol. Instacart routinely assesses and updates its training, policies, and procedures to ensure shoppers are provided with tools to help prevent youth access to alcohol. Per our company policy, shoppers also refuse delivery to individuals who are visibly intoxicated or are not physically located at the location where the delivery is slated to occur. It is in our best interest to deliver alcohol safely to adults, and we will continue to follow that practice in Pennsylvania if this bill passes.

Instacart is committed to full and complete compliance with the law when it comes to alcohol delivery. We urge you to pass HB 41. We thank you for your consideration of this important legislation.

Sincerely,

Kelley R. Foxx
Kelley R. Foxx
Public Policy Manager

July 5, 2023

Kelley Foxx
Instacart
50 Beale Street
Suite 600
San Francisco, CA 94105

Dear Mr. Kelley Foxx:

Thank you for testifying before the Pennsylvania House Liquor Control Committee public hearing on House Bill 41. This public forum provided both an opportunity to gain insight on third party delivery to Pennsylvania consumers and provided members the chance to ask questions and address concerns.

Many of the committee members' questions and concerns brought forward during the hearing addressed public safety, access to minors and training programs offered to employees of third-party delivery companies. As such, we respectfully request the following information so that the committee may further evaluate the issue of third-party delivery of alcohol and work on improving the legislation as we move through the legislative process.

We respectfully request the following information which we will share with the members of the House Liquor Control Committee:

- A copy of the alcohol training information, policies, procedures, and documents that are required for a driver to deliver alcohol through your company's platform. Please be sure to share what the training covers and requirements that an individual must complete in the training, frequency of training and if any testing or proof of completion is required.
- Incidents of violations of state law, as it relates to alcohol, where your company operates as a third-party alcohol deliverer. Please include the number of citations or instances where the company or the driver operating through the platform has received legal notification from law enforcement or regulating agency for a violation regarding alcohol delivery by a driver for the company. Please provide a breakdown for each state where your company is licensed to operate and deliver alcohol and provide the number of citations and nature of the citation violation.

- Statistics regarding the frequency and reasons a driver operating within your platform could not complete delivery of an alcohol product whether due to lack of identification, visible intoxication or other reason that would prohibit delivery.

As mentioned several times in the hearing, Pennsylvania will not be the first state to pursue legislation allowing the delivery of wine and beer to consumers and it is important to evaluate what has worked, or not worked, in states that currently allow third-party delivery. The information you will provide will help our offices move forward with the best working legislative solution for our Commonwealth and its consumers.

Sincerely,



Daniel Deasy,
Majority Chairman
Pennsylvania House of Representatives
Liquor Control Committee

Mindy Fee.
Republican Chairman
Pennsylvania House of Representatives
House Liquor Control Committee

cc: House Liquor Control Committee Members