

Holding Bars and Restaurants Accountable for Drunk Driving Accidents in Georgia

How a Lawyer Can Help You Pursue a Dram Shop Claim After Being Hit By a Drunk Driver

It only takes a moment for a night out to become a nightmare. A careless driver leaves a bar already intoxicated, gets behind the wheel, and plows into another car on I-85. Families are often left reeling from catastrophic injuries, medical bills they cannot begin to pay, or the crushing grief of losing someone they love.

In Georgia, victims of [drunk driving accidents](#) often think their only option is to pursue a claim against the driver who caused the crash. What many do not realize is that bars, restaurants, and even convenience stores that overserve visibly intoxicated patrons or sell alcohol to minors can also be held legally responsible. This is where Georgia's dram shop laws come into play.

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), we believe in doing everything possible to secure justice for families hurt by drunk drivers. That means going beyond the driver's insurance and holding all negligent parties accountable, including the businesses that contributed to the tragedy.

If you are considering filing a dram shop lawsuit in Atlanta or anywhere else in Georgia, acting quickly is essential to protect your right to full compensation. Here's what you need to know.

What Is a Dram Shop Claim?

The term "dram shop" dates back centuries to English taverns that sold gin by the dram. Today, it is the legal name for a type of civil claim that allows injured people to sue alcohol vendors who irresponsibly serve customers. In Georgia, dram shop liability is governed by [O.C.G.A. § 51-1-40](#).

Under this law, bars, restaurants, nightclubs, liquor stores, and even hosts of private events can be held liable if:

- They knowingly serve alcohol to someone who is noticeably intoxicated, knowing that person is about to drive, or
- They serve alcohol to someone under 21, who then causes a [car accident](#) because of their intoxication.

These cases are not about punishing social drinking. They exist because businesses that profit from selling alcohol also have a duty to serve it responsibly. When they break that trust, they can and should be held accountable for the harm that results.

Why Dram Shop Claims Are So Important in Georgia

Georgia is among the worst states in the nation for drunk driving crashes. According to data from the [Georgia Governor's Office of Highway Safety](#), nearly one in four traffic fatalities in the state involves an impaired driver. The consequences ripple through families for years, leading to lost income, permanent disabilities, and emotional trauma that no amount of money can truly fix.

Dram shop claims serve two crucial purposes:

1. They provide additional sources of compensation. Often, the drunk driver's insurance policy does not come close to covering medical bills, lost wages, or future care needs, especially when injuries are catastrophic. Pursuing a claim against a bar or restaurant that acted recklessly can open the door to recovering the full damages you need.

2. They help change business practices. When establishments face real financial consequences for ignoring obvious signs of intoxication or breaking the law by serving minors, it puts pressure on them to train employees better and stop prioritizing profits over safety.

This is why Georgia bar liability for drunk driving accidents is such a critical issue, ensuring that bars and restaurants that serve patrons irresponsibly are held accountable alongside drunk drivers.

How a Lawyer Proves a Dram Shop Case in Georgia

Dram shop claims are complex. Unlike a straightforward rear-end collision case where fault may be obvious, holding a bar accountable requires detailed evidence. Georgia law demands proof that the bar or restaurant:

- **Knowingly served someone who was noticeably intoxicated.** This means the person showed clear signs of drunkenness — slurred speech, staggering, glassy eyes — that any reasonable server should have recognized.
- **Knew the person would soon be driving.** This can be established if the individual mentioned they were driving home, if the bartender saw them hand over car keys, or if they observed them get into a car right outside the business.

In underage cases, your attorney must show that the establishment served alcohol to someone they knew or should have known was under 21. This is often proven through witness statements, receipts, surveillance footage, or even admissions by employees.

At Gary Martin Hays & Associates, we dig deep to uncover every piece of evidence, from credit card receipts and social media posts to [police reports](#) and witness interviews. We work with investigators and sometimes even toxicology experts to show how overserving led directly to the crash.

What to Do if You Suspect a Bar Is Also Responsible

If you or a loved one has been hit by a drunk driver in Georgia, you may not immediately know where the driver was drinking. Police reports sometimes include this information if the driver admits it or if officers investigate the source of the alcohol.

Here are some important steps to take:

- **Talk to an experienced Georgia dram shop lawyer right away.** Time is critical. Bars may erase surveillance footage within days, and witnesses can be hard to track down later.
- **Request copies of the crash report and any citations.** These documents can include helpful details about the driver's statements, sobriety tests, and arrest records.
- **Keep records of everything.** Save medical bills, repair estimates, and receipts related to your recovery. These will be crucial in calculating your damages.

Our legal team often sends letters immediately after being hired to preserve key evidence from establishments and to begin our own investigation. We do not rely on police to handle it all. That is why having a dedicated personal injury firm like ours on your side from the start makes such a difference.

Types of Compensation You Can Recover in a Dram Shop Claim

A successful dram shop case can provide compensation that covers far more than just your current medical expenses. Under Georgia law, victims may be entitled to recover:

- Medical bills for hospital stays, surgeries, therapy, and future care needs
- Lost wages and loss of future earning ability
- Pain and suffering for the physical and emotional toll
- Loss of consortium if your spouse is impacted by your injuries
- Funeral and burial costs in the case of [wrongful death](#)
- In certain situations, punitive damages to punish particularly reckless behavior

Every case is different. The severity of the injuries, the extent of negligence by the business, and the long-term consequences all factor into what a claim may be worth. Our attorneys work closely with medical experts, life care planners, and economists to build a complete picture of what your losses look like today and what they will continue to cost in the future.

How Long Do You Have to File a Dram Shop Lawsuit in Georgia?

In Georgia, most personal injury lawsuits, including dram shop cases, must be filed within two years from the date of the accident. This is known as the statute of limitations. If you wait too long, you could lose your right to seek compensation entirely.

However, there are often investigations that need to happen well before that deadline. The sooner you contact a lawyer, the better chance we have of preserving critical evidence from the bar or restaurant, locating witnesses, and building a strong claim on your behalf.

Why Choose Gary Martin Hays & Associates for Your Dram Shop Case?

Our law firm has [recovered over \\$1 billion](#) for Georgia families. We know what it takes to stand up to powerful insurance companies, big businesses, and their legal teams. When you hire us, you are getting more than just a lawyer — you are getting a team dedicated to protecting your future.

[Gary Martin Hays](#) built this firm to be a voice for the injured. We handle the insurance calls, the paperwork, and the courtroom battles so you can focus on putting your life back together. From the moment you reach out, we take your story seriously and fight tirelessly to get you every dollar you're entitled to under Georgia law.

Get the Help You Need From a Georgia Dram Shop Lawyer Today

If you were injured or lost someone you love because a bar or restaurant served alcohol irresponsibly, you do not have to face the aftermath alone. The law gives you the right to demand accountability, and our team at Gary Martin Hays & Associates is here to help.

[Contact us today](#) for a free consultation. We will listen to what happened, explain your options, and start building a case that holds negligent businesses responsible. There are no upfront fees, and you [pay nothing unless we win your case](#). Let us help you fight for the justice, accountability, and financial compensation you deserve.