

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 103

H. P. 83

House of Representatives, January 18, 1977

Referred to the Committee on Liquor Control. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Gray of Rockland.

Cosponsors: Mr. Marshall of Millinocket, Mr. Moody of Richmond.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Concerning Open Alcoholic Beverage Containers in Motor Vehicles.

Be it enacted by the People of the State of Maine, as follows:

29 MRSA c. 11, sub-c. V-A, is enacted to read:

SUBCHAPTER V-A

PROHIBITION OF OPEN CONTAINERS OF ALCOHOLIC
BEVERAGES IN MOTOR VEHICLES

§ 1331. Possession of an open container on person

No person, while in a privately-owned motor vehicle upon a highway, shall have in his possession on his person, any bottle, can or other receptacle containing any alcoholic beverage which has been opened, or a seal of which has been broken, or the contents of which have been partially removed.

§ 1332. Storage of an open container

It is unlawful for the registered owner of any privately-owned motor vehicle or for the driver, if the registered owner is not then present in the vehicle, to keep in a motor vehicle, when that vehicle is upon any highway, any bottle, can or other receptacle containing any alcoholic beverage which has been opened, or a seal of which has been broken, or the contents of which have been partially removed, unless that bottle, can or other receptacle is kept in the trunk of the vehicle if that vehicle is equipped with a trunk, or kept behind the rear seat if the vehicle is not equipped with a trunk. A utility compartment or glove compartment shall be deemed to be within the area occupied by the driver and passengers.

§ 1333. Penalties

Any person who violates section 1331 or 1332 shall be guilty of a Class-E crime.

STATEMENT OF FACT

The purpose of this bill is to provide for a "so-called" open bottle law for the State of Maine.