

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 590

Short Title: No Opened Alcohol in Cars.

(Public)

Sponsors: Representatives Ethridge; Anderson, Barbee, Beard, Bowman, Brawley, Brown, Creech, Decker, Dial, Diamont, Fletcher, Foster, Gamble, Gardner, Grady, Hensley, Hurley, Jarrell, Jones, Kahl, Ligon, Oldham, Privette, Wainwright, and Warner.

Referred to: Judiciary I.

April 3, 1991

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT OPEN CONTAINERS OF ALCOHOLIC BEVERAGES IN MOTOR VEHICLES EXCEPT FOR MOTOR HOMES AND CERTAIN FOR-HIRE VEHICLES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 18B-401(a) reads as rewritten:

"(a) Opened Containers. – It shall be unlawful for a person to transport fortified wine or spirituous liquor or possess alcoholic beverages in the passenger area of a motor vehicle in other than the manufacturer's unopened original container while the vehicle is in operation on a highway or public vehicular area. It shall also be unlawful for any person to consume alcoholic beverages in the passenger area of a motor vehicle while the vehicle is in operation on a highway or public vehicular area. It shall be unlawful for a person who is driving a motor vehicle on a highway or public vehicular area to consume in the passenger area of that vehicle any malt beverage or unfortified wine. Violation of this subsection shall constitute a misdemeanor punishable by a fine of twenty-five dollars (\$25.00) to five hundred dollars (\$500.00), imprisonment for not more than 30 days, or both."

Sec. 2. G.S. 18B-401 is amended by adding a new subsection to read:

"(a1) Exceptions. – Subsection (a) of this section shall not apply to passengers in a motor home, taxi, for-hire bus, or for-hire limousine."

Sec. 3. This act becomes effective October 1, 1991.