



General Assembly

February Session, 2008

**Raised Bill No. 294**

LCO No. 1816

\* SB00294PS 040308 \*

Referred to Committee on Transportation

Introduced by:  
(TRA)

**AN ACT PROHIBITING OPEN ALCOHOLIC BEVERAGE CONTAINERS  
IN MOTOR VEHICLES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2008*) (a) For the purposes of  
2 this section:

3 (1) "Alcoholic beverage" has the same meaning as provided in  
4 section 30-1 of the general statutes;

5 (2) "Highway" has the same meaning as provided in section 14-1 of  
6 the 2008 supplement to the general statutes;

7 (3) "Open alcoholic beverage container" means a bottle, can or other  
8 receptacle that (A) contains any amount of an alcoholic beverage, and  
9 (B) (i) is open or has a broken seal, or (ii) the contents of which are  
10 partially removed;

11 (4) "Passenger" means any occupant of a motor vehicle other than  
12 the operator; and

13 (5) "Passenger area" means (A) the area designed to seat the

14 operator of and any passenger in a motor vehicle while such vehicle is  
15 being operated on a highway, or (B) any area of a motor vehicle that is  
16 readily accessible to such operator or passenger; except that, in a motor  
17 vehicle not equipped with a trunk, "passenger area" does not include a  
18 locked glove compartment, the area behind the last upright seat closest  
19 to the rear of the motor vehicle or an area not normally occupied by  
20 the operator of or passengers in such motor vehicle.

21 (b) No person shall possess an open alcoholic beverage container  
22 within the passenger area of a motor vehicle while such motor vehicle  
23 is on any highway or highway right-of-way in this state.

24 (c) The provisions of subsection (b) of this section do not apply to (1)  
25 a passenger in a motor vehicle designed, maintained and primarily  
26 used for the transportation of persons for hire, (2) a passenger in the  
27 living quarters of a recreational vehicle, as defined in section 14-1 of  
28 the 2008 supplement to the general statutes, or (3) a passenger in a  
29 privately-owned motor vehicle operated by a person in the course of  
30 such person's usual employment transporting passengers at the  
31 direction of such person's employer.

32 (d) Any person who violates the provisions of subsection (b) of this  
33 section shall commit an infraction and be fined ninety dollars for a first  
34 violation, be fined two hundred dollars for a second violation and be  
35 fined five hundred dollars for any subsequent violation.

36 Sec. 2. (NEW) (*Effective July 1, 2008*) Commencing July 1, 2008, and  
37 annually thereafter, the sum of four million dollars shall be transferred  
38 from the General Fund to the Special Transportation Fund, and shall  
39 be deemed appropriated to the Department of Transportation, for  
40 safety enforcement and hazard elimination programs.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	New section
Sec. 2	<i>July 1, 2008</i>	New section

**TRA**      *Joint Favorable*

**PS**        *Joint Favorable*