

FIRST REGULAR SESSION

HOUSE BILL NO. 589

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DAVIS (19), MORRIS, SANDER, PARKER (Co-sponsors),
SUTHERLAND, EMERY, KELLY (144), RUPP, ERVIN, JACKSON, ROARK, MILLER AND BAKER.

Read 1st time March 3, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1949L.011

AN ACT

To repeal section 577.017, RSMo, and to enact in lieu thereof one new section relating to open alcohol containers in motor vehicles, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 577.017, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 577.017, to read as follows:

577.017. 1. **Except as provided in subsection 2 of this section**, no person shall possess any open container of alcohol or consume any alcoholic beverage while riding as a passenger in or operating a moving motor vehicle upon the highways, as defined in section 301.010, RSMo.

2. **For any motor vehicle designed to carry in excess of eight passengers or to carry passengers for hire, the operator of such a vehicle shall be prohibited from consuming any alcoholic beverage while operating the vehicle, and open containers of alcohol shall be prohibited in the operator's seat and in the passenger's seat adjacent to the operator. In all other areas of the vehicle where the operator does not have access to the open container of alcohol, passengers may possess open containers of alcohol and consume alcoholic beverages within such vehicle.**

3. Any person found guilty of violating the provisions of this section is guilty of an infraction.

[3.] 4. Any infraction under this section shall not reflect on any records with the department of revenue.

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.