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# SENATE BILL No. 84

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-30-15-3.

**Synopsis:** Open alcoholic beverage containers. Makes it a Class B infraction for the operator of a motor vehicle, while the motor vehicle is in operation or while the motor vehicle is located on the right-of-way of a public highway, to allow an alcoholic beverage container that has been opened, that has a broken seal, or from which some of the contents have been removed to be in the passenger compartment of the motor vehicle. Provides certain exceptions.

**Effective:** July 1, 2003.

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January 7, 2003, read first time and referred to Committee on Transportation and Homeland Security.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

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# SENATE BILL No. 84



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 9-30-15-3, AS AMENDED BY P.L.1-2000,  
 2 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2003]: Sec. 3. (a) **This section does not apply to the**  
 4 **following:**  
 5 (1) **The possession of a container by a person who is not the**  
 6 **operator of a motor vehicle:**  
 7 (A) **in the passenger area of a motor vehicle designed,**  
 8 **maintained, or used primarily for the transportation of**  
 9 **persons for compensation; or**  
 10 (B) **in the living quarters of a house coach or house trailer.**  
 11 (2) **A container located in a locked glove compartment.**  
 12 (3) **A container located:**  
 13 (A) **behind the last upright seat; or**  
 14 (B) **in an area not normally occupied by a person;**  
 15 **in a motor vehicle that is not equipped with a trunk.**  
 16 (b) The operator of a motor vehicle ~~who has an alcohol~~  
 17 ~~concentration equivalent to at least four-hundredths (0.04) gram of~~



1 alcohol per one hundred (100) milliliters of the blood, or per two  
2 hundred ten (210) liters of the breath, and who, while the motor vehicle  
3 is in operation knowingly or while the motor vehicle is located on the  
4 right-of-way of a public highway, allows a container:  
5 (1) that has been opened;  
6 (2) that has a broken seal; or  
7 (3) from which some of the contents have been removed;  
8 to be in the passenger compartment of the motor vehicle commits a  
9 Class B infraction.  
10 (c) If a person is found to have a previous unrelated judgment under  
11 this section or a previous unrelated conviction or judgment under  
12 IC 9-30-5 within twelve (12) months before a violation that results in  
13 a judgment under this chapter, the court may recommend the person's  
14 driving privileges be suspended for not more than one (1) year.

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