

Regular Session, 2010

SENATE BILL NO. 203

BY SENATOR CLAITOR

MOTOR VEHICLES. Further describes a prohibited "open alcoholic beverage container" as a receptacle containing a frozen alcoholic beverage with a lid which permits access by a straw. (8/15/10)

1 AN ACT

2 To amend and reenact R.S. 32:300(B)(3)(b), relative to possession of alcoholic beverages
3 in motor vehicles; to further describe an open alcoholic beverage container in motor
4 vehicle; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:300(B)(3)(b) is hereby amended and reenacted to read as follows:

7 §300. Possession of alcoholic beverages in motor vehicles

8 * * *

9 B. For purposes of this Section, the following words have the following
10 meanings ascribed to them:

11 * * *

12 (3)

13 * * *

14 (b) "Open alcoholic beverage container" shall not mean any bottle, can, or
15 other receptacle that contains a frozen alcoholic beverage unless **the design of the**
16 **lid covering the frozen alcoholic beverage permits access by a straw,** the lid is
17 removed, a straw protrudes therefrom, or the contents of the receptacle have been

1 partially removed.

2 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christopher D. Adams.

DIGEST

Present law provides that an open alcoholic beverage container does not mean any bottle, can, or other receptacle that contains a frozen alcoholic beverage unless the lid is removed, a straw protrudes therefrom, or the contents of the receptacle have been partially removed.

Proposed law further describes present law in defining an open alcoholic beverage in a motor vehicle to include a bottle, can, or other receptacle that contains a frozen alcoholic beverage with a lid design that permits access by a straw.

Effective August 15, 2010.

(Amends R.S. 32:300(B)(3)(b))