

(1) Is declared to be a felony by the Maryland Vehicle Law or by any other law of this State; or

(2) Is punishable by a civil penalty under the applicable provision of the Maryland Vehicle Law.

(b) Except as otherwise provided in this section, any person convicted of a misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is subject to a fine of not more than \$500.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to conform to the provisions of 23 U.S.C. § 154.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect September 30, 2002.

Approved April 25, 2002.

CHAPTER 109

(House Bill 3)

AN ACT concerning

Vehicle Laws— Alcoholic Beverage Consumption or Possession of Open or Unsealed Container

FOR the purpose of expanding a prohibition against consumption of an alcoholic beverage while driving a motor vehicle on a highway to include the driver's consumption of an alcoholic beverage in a motor vehicle otherwise located on a highway; prohibiting a driver of a motor vehicle from possessing an open container that contains an alcoholic beverage under certain circumstances; prohibiting a passenger in a motor vehicle from possessing an open container that contains an alcoholic beverage or consuming an alcoholic beverage under certain circumstances; providing that certain violations are civil offenses; providing for the issuance of a certain citation; providing for certain procedures; providing for the jurisdiction of the District Court for certain violations under this Act; providing for a certain penalty a certain civil penalty; providing that a violation certain violations of this Act is are not a moving violation moving violations for certain purposes; defining certain terms; providing for the application and construction of this Act; providing for the effective date of this Act; and generally relating to prohibiting the possession of an open container containing an alcoholic beverage or consumption of an alcoholic beverage by certain occupants of a motor vehicle under certain circumstances.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 4-401(10)(x) and (xi)

Annotated Code of Maryland