

(J) "PASSENGER AREA" HAS THE MEANING STATED IN § 21-903 OF THE TRANSPORTATION ARTICLE.

(K) "TAXICAB" HAS THE MEANING STATED IN § 11-165 OF THE TRANSPORTATION ARTICLE.

10-114.

(A) THIS PART APPLIES TO A MOTOR VEHICLE THAT IS DRIVEN, STOPPED, STANDING, OR OTHERWISE LOCATED ON A HIGHWAY.

(B) THIS PART DOES NOT AFFECT THE PROVISIONS OF § 21-903 OF THE TRANSPORTATION ARTICLE.

10-115.

(A) (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS SECTION, AN OCCUPANT OF A MOTOR VEHICLE MAY NOT POSSESS AN OPEN CONTAINER THAT CONTAINS ANY AMOUNT OF AN ALCOHOLIC BEVERAGE IN A PASSENGER AREA OF A MOTOR VEHICLE ON A HIGHWAY.

(2) A DRIVER OF A MOTOR VEHICLE MAY NOT BE SUBJECT TO PROSECUTION FOR A VIOLATION OF THIS SUBSECTION BASED SOLELY ON POSSESSION OF AN OPEN CONTAINER THAT CONTAINS ANY AMOUNT OF AN ALCOHOLIC BEVERAGE BY ANOTHER OCCUPANT OF THE MOTOR VEHICLE.

(B) (1) THIS SUBSECTION DOES NOT APPLY TO THE DRIVER OF A MOTOR VEHICLE.

(2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS SECTION, AN OCCUPANT OF A MOTOR VEHICLE MAY NOT CONSUME AN ALCOHOLIC BEVERAGE IN A PASSENGER AREA OF A MOTOR VEHICLE ON A HIGHWAY.

(C) SUBSECTIONS (A)(1) AND (B)(2) OF THIS SECTION DO NOT APPLY TO AN OCCUPANT, WHO IS NOT THE DRIVER, IN:

(1) A MOTOR VEHICLE DESIGNED, MAINTAINED, AND USED PRIMARILY FOR THE TRANSPORTATION OF A PERSON FOR COMPENSATION, INCLUDING:

- (I) A BUS;
- (II) A TAXICAB; OR
- (III) A LIMOUSINE; OR

(2) THE LIVING QUARTERS OF A MOTOR HOME, MOTOR COACH, OR RECREATIONAL VEHICLE.

(D) NOTWITHSTANDING ARTICLE 2B, TITLE 19 OF THE CODE OR ANY OTHER PROVISION OF LAW, THE PROHIBITIONS CONTAINED IN THIS SECTION APPLY THROUGHOUT THE STATE.

(E) A VIOLATION OF THIS SECTION IS NOT: