

Department of Legislative Services  
Maryland General Assembly  
1999 Session

**FISCAL NOTE**  
**Revised**

House Bill 348 (Delegate Petzold. *et al.*)

Judiciary

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**Vehicle Laws - Alcoholic Beverages - Open Containers**

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This bill prohibits open containers of alcohol in the “passenger compartment” of a motor vehicle while that vehicle is on any highway in the State. Passengers, other than the driver, riding in a passenger bus, in a for hire vehicle, or in the living quarters of a motor home are not prohibited from possessing open containers of alcohol. If it cannot be determined which occupant is the violator, then the owner of the vehicle, or the driver of the vehicle in the owner’s absence, is held responsible for the violation. This violation carries a maximum fine of \$500.

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**Fiscal Summary**

**State Effect:** Indeterminate general fund revenue increase from the penalty provision applicable to this offense under the Maryland Vehicle Law (maximum \$500 fine). Any increase is assumed to be minimal. Enforcement could be handled with existing resources.  
**Local Effect:** None. It is assumed that enforcement by local law enforcement agencies can be handled with existing revenues.

**Small Business Effect:** None.

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**Fiscal Analysis**

**State Effect:** Failure to conform the State’s law on open containers to federal regulation by October 1, 2000 will alter the federal funds allocated to the State under the Transportation Equity Act for the 21st Century. Funds allocated under specified highway programs would be transferred to safety programs emphasizing alcohol-impaired driving countermeasures or enforcement of drunk driving laws. Approximately \$3.7 million would be transferred in

fiscal 2001 and 2002 and \$7.7 million in each year thereafter. Overall total funding to the State would not be affected. This bill would make the necessary changes to conform State statute to federal regulations.

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**Information Source(s):** Department of State Police, Department of Legislative Services

**Fiscal Note History:** First Reader - March 3, 1999

dncsjr Revised - Updated Information - March 5, 1999

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Analysis by: Jody J. Minnich

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 946-5510

(301) 970-5510