

FISCAL NOTE

HB 3008 - SB 3080

March 2, 2000

SUMMARY OF BILL:

- 1) Provides that it is unlawful for any person, the driver and passengers, to possess an open alcoholic beverage container or consume an alcoholic beverage in the passenger area of any motor vehicle located on the public highway or right-of-way of the state. Current law prohibits possession or consumption by the driver only.
- 2) Specifies that this does not prohibit possession of an open alcoholic beverage container in a locked glove compartment or behind the seat or in another area not normally occupied by the driver or a passenger in a vehicle that does not have a trunk.
- 4) Specifies that a person who is strictly a passenger in a motor vehicle that transports persons for hire or in the living quarters of a house coach or trailer is not prohibited from possessing or consuming the contents of an open alcoholic beverage container.
- 5) Provides that violation of these provisions is a Class C misdemeanor punishable by fine only.
- 6) Eliminates provision permitting counties or municipalities to set their own open container ordinances or resolutions.

ESTIMATED FISCAL IMPACT:

Increase State Revenues - Less than \$100,000

Increase Local Govt. Revenues - Exceeds \$100,000

Impact depends upon the number of persons convicted of this offense and the resulting increased revenues to the state and local governments from fines levied and collected under the provisions of this bill. The increase in state revenues is estimated to be less than \$100,000. The increase in local government revenues is estimated to exceed \$100,000 based on at least 2,000 violations statewide. The maximum fine for this offense is \$50.

For Informational Purposes: In the absence of the bill, \$5,600,000 in federal funds for FY 2000-01 currently used for the Surface Transportation Program, Interstate Maintenance, or the National Highway System could be restricted for use through required transfer to the Governor's Highway Safety Program or the Hazard Elimination Program.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



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James A. Davenport, Executive Director

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