

Montana

61-8-460. Unlawful possession of open alcoholic beverage container in motor vehicle on highway.

- (1) Except as provided in subsection (2), a person commits the offense of unlawful possession of an open alcoholic beverage container in a motor vehicle if the person knowingly possesses an open alcoholic beverage container within the passenger area of a motor vehicle on a highway.
- (2) This section does not apply to an open alcoholic beverage container:
 - (a) in a locked glove compartment or storage compartment;
 - (b) in a motor vehicle trunk or luggage compartment or in a truck bed or cargo compartment;
 - (c) behind the last upright seat of a motor vehicle that is not equipped with a trunk;
 - (d) in a closed container in the area of a motor vehicle that is not equipped with a trunk and that is not normally occupied by the driver or a passenger; or
 - (e) in the immediate possession of a passenger:
 - (i) of a motor vehicle, including a bus, taxi, or limousine, that is used for the transportation of persons for compensation and that includes the provision of a hired driver; or
 - (ii) in the living quarters of a camper, travel trailer, or motor home.

Source: <http://data.opi.mt.gov/bills/mca/61/8/61-8-460.htm>

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