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.