

ACT 62

H.B. NO. 1757

A Bill for an Act Relating to Highway Safety.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 291-3.1, Hawaii Revised Statutes, is amended to read as follows:

“§291-3.1 Consuming or possessing intoxicating liquor while operating motor vehicle or moped. (a) No person shall consume any intoxicating liquor while operating a motor vehicle or moped upon any public street, road, or highway.

(b) No person shall possess, while operating a motor vehicle or moped upon any public street, road, or highway, any bottle, can, or other receptacle containing any intoxicating liquor which has been opened, or a seal broken, or the contents of which have been partially removed.

(c) [This section shall not apply to the living quarters of a trailer or camper.

(d)] Any person violating this section shall be fined not more than \$2,000 or imprisoned not more than thirty days, or both.”

SECTION 2. Section 291-3.2, Hawaii Revised Statutes, is amended to read as follows:

“§291-3.2 Consuming or possessing intoxicating liquor while a passenger in a motor vehicle. (a) No person shall consume any intoxicating liquor while a passenger in any motor vehicle or on any moped upon any public street, road, or highway.

(b) No person shall possess, while a passenger in a motor vehicle or on a moped upon any public street, road, or highway, any bottle, can, or other receptacle containing any intoxicating liquor which has been opened, or a seal broken, or the contents of which have been partially removed.

[(c) This section shall not apply to the living quarters of a trailer or camper.

(d)] (c) Any person violating this section shall be guilty of a petty misdemeanor.”

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SECTION 3. Section 291-3.3, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Subsection (a) [of this section] shall not apply to a recreational or other vehicle not having a separate trunk compartment[, or to the living quarters of a trailer or camper].”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved April 27, 2000.)