

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.624a Transportation or possession of alcoholic liquor in open or uncapped container open or upon which seal broken; violation as misdemeanor; exception; subsections (1) and (2) inapplicable to passenger in commercial quadricycle; definitions.

Sec. 624a. (1) Except as provided in subsections (2) and (5), a person who is an operator or occupant shall not transport or possess alcoholic liquor in a container that is open or uncapped or upon which the seal is broken within the passenger area of a vehicle upon a highway, or within the passenger area of a moving vehicle in any place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, in this state.

(2) Except as otherwise provided in subsection (5), a person may transport or possess alcoholic liquor in a container that is open or uncapped or upon which the seal is broken within the passenger area of a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles in this state, if the vehicle does not have a trunk or compartment separate from the passenger area, and the container is in a locked glove compartment, behind the last upright seat, or in an area not normally occupied by the operator or a passenger.

(3) A person who violates this section is guilty of a misdemeanor. As part of the sentence, the person may be ordered to perform community service and undergo substance abuse screening and assessment at his or her own expense as described in section 703(1) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703. A court shall not accept a plea of guilty or nolo contendere for a violation of this section from a person charged solely with a violation of section 625(6).

(4) This section does not apply to a passenger in a chartered vehicle authorized to operate by the state transportation department.

(5) Except as otherwise provided in this subsection, unless prohibited by local ordinance, subsections (1) and (2) do not apply to a passenger in a commercial quadricycle. A passenger in a commercial quadricycle shall not transport or possess alcoholic liquor other than beer, wine, spirits, or a mixed spirits drink.

(6) As used in this section:

(a) "Glove compartment" means a recess with a hinged and locking door in the dashboard of a motor vehicle.

(b) "Passenger area" means the area designed to seat the operator and passengers of a motor vehicle while it is in operation and any area that is readily accessible to the operator or a passenger while in his or her seating position, including the glove compartment.

History: Add. 1991, Act 98, Eff. Jan. 1, 1992;—Am. 1994, Act 211, Eff. Nov. 1, 1994;—Am. 1996, Act 493, Eff. Apr. 1, 1997;—Am. 1998, Act 349, Eff. Oct. 1, 1999;—Am. 2012, Act 306, Imd. Eff. Oct. 1, 2012;—Am. 2015, Act 126, Imd. Eff. July 15, 2015.