



2.) Mozingo Lake Recreation Area's tent camping, recreational vehicle camping, and cabin camping areas.

- D. A person commits the offense of transporting an open container, if an open container of intoxicating liquor is found within a motor vehicle that is being operated within the City limits of the City of Maryville other than on private property. An open container shall be considered to be in the possession of the operator of the motor vehicle if the container is not in the sole possession of a passenger.
- E. A person commits the offense of possession of an open container, if an open container of intoxicating liquor is possessed by him/her while the person is a passenger in a motor vehicle being operated within the city limits of the City of Maryville other than on private property.
- F. Notwithstanding the foregoing provisions, a person shall not be guilty of transporting an open container, nor be guilty of possession of an open container if:
1. The person is the passenger in a vehicle which the driver is operating the vehicle pursuant to a contract to provide transportation for passengers and such driver holds a valid commercial driver's license with a passenger endorsement; or
  2. The person is a passenger of a bus in which the driver holds a valid commercial driver's license with a passenger endorsement; or
  3. The person is a passenger of a self-contained motor home; or
  4. The open container is located in a locked glove compartment, a locked trunk or other locked non-passenger area of the vehicle; or
  5. In the case of motorcycles, motorized bikes and other two-wheeled motor vehicles, the open container is enclosed within another container. (R.O. 2008 §600.095; Ord. No. 6202 §1, 6-28-99)

**SECTION 2:** This Ordinance shall be in full force and effect July 1, 2014.

**PASSED AND ADOPTED** this 10<sup>th</sup> day of February, 2014.

\_\_\_\_\_  
James R. Fall, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Smail, City Clerk