

**Montgomery County: Keeping It SAFE**  
**Under Twenty-one Alcohol Prevention Coalition**  
**Under 21 alcohol use is illegal, unhealthy, and unacceptable**

**Alcohol – Tobacco Laws**

***Tobacco products:*** a minor (under the age of 18) may not use or possess a tobacco product or attempt to obtain tobacco by using a false identification

***Possession of alcohol under 21 years of age:*** it is unlawful for any person under the age of 21 years to have in his possession, or under his charge or control, any alcoholic beverage

***Obtaining alcohol for minors:*** it is unlawful for any person to obtain any alcoholic beverages from any person licensed to sell alcoholic beverages for consumption by any person under 21 years of age, knowing that the person is under 21 years of age

***Adult Responsibility:*** an adult may not knowingly and willfully allow an individual under 21 years of age to actually possess or consume an alcoholic beverage at the residence, or within the cartilage of his residence (leased or owned)

***Possessing alcohol on school property:*** a person may not drink or possess any alcoholic beverage on the premises of any public elementary or secondary school

***Sales to minor prohibited:*** a licensee may not sell or furnish alcohol to a person under 21

***Possession of false identification:*** an individual under the age of 21 years may not possess a card or document that falsely identifies the age of the individual under circumstances that reasonably indicate an intention to violate the provisions of this section

***Disorderly intoxication:*** a person may not be intoxicated and endanger the safety of another person or property or be intoxicated or drink any alcoholic beverage in a public place and cause a public disturbance

***Drinking in public:*** a person may not drink any alcoholic beverage while on public property unless authorized, in parking lots open to the public in general, or in parked vehicles at the above locations

***Drinking in public:*** public property is defined as any building, ground, park, street, highway, alley, sidewalk, station terminal or other structure, road, or parking lot on public land

***Open Container in the motor vehicle:*** an occupant of a motor vehicle may not possess an open container that contains any amount of alcoholic beverage in a passenger area of a motor vehicle on a highway (driven, stopped or standing)

***Open Container in the motor vehicle:*** exceptions are: motor vehicles for hire such as a bus, taxicab, limo or the living quarters of a mobile home

***Open Container in the motor vehicle:*** Open container means a bottle, can, or other receptacle that is open or has a broken seal or from which the contents are partially removed

***Driving vehicle while under the influence of alcohol:*** a person may not drive a vehicle while under the influence of alcohol

***Driving vehicle while impaired by alcohol:*** a person can not operate a motor vehicle while impaired by alcohol

**Driving vehicle while impaired by drug(s) or drug(s) and alcohol:** a person may not drive while impaired by drugs and/or drugs and alcohol combination. Cannot operate vehicle safely.

**Driving vehicle while under the influence of drugs:** a person may not drive while under the influence of any controlled dangerous substance

**The 12 Hour Rule:** an arrestee may not drive a motor vehicle within 12 hours after the arrest for an alcohol violation.

**Provisional License:**

A person operating a vehicle on a provisional license cannot drive from 12:00 am to 5:00 am. **There are no exceptions to this law, including prom night.**

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<u>CHARGE</u>	<u>PENALTY</u>
Alcohol, Adult Responsibility	\$2500 1 <sup>st</sup> offense/\$5000 2 <sup>nd</sup> offense
Alcohol, Furnish to < 21	\$2500 1 <sup>st</sup> offense/\$5000 2 <sup>nd</sup> offense
Alcohol, Drinking in Public	\$100
Alcohol, Fail to produce ID	\$50 Criminal arrest
Alcohol, Misrepresent age	\$500 1 <sup>st</sup> offense/\$1000 2 <sup>nd</sup> offense
Alcohol, Obtain for < 21	\$500 1 <sup>st</sup> offense/\$1000 2 <sup>nd</sup> offense
Alcohol, Possession by < 21	\$500 1 <sup>st</sup> offense/\$1000 2 <sup>nd</sup> offense
Alcohol, Possess False ID < 21	\$500 1 <sup>st</sup> offense/\$1000 2 <sup>nd</sup> offense
Alcohol, Possess Keg w/o registration	\$500
Alcohol, Possess Keg altered form	\$500
Alcohol, Allow < 21 to drink from keg	\$500
Alcohol, Possess on School Property	\$500
Alcohol, Possess Open Container	\$100
Alcohol Sale to Minors	\$1000/2 years in jail
Disorderly Intoxication	\$100/90 days jail
Disturbing the Peace	\$500/60 days jail
Urinating in public	\$1000/60 days jail
Alcohol open container in the Motor Vehicle	\$25.00
Consumption in passenger area	\$25.00

**Non-emergency police number: 301-279-8000**

**Emergency police number: 911**

**SAFeline: 301-670-7233** to report an upcoming under 21 alcohol event or to report adults furnishing or buying alcohol for under 21

**Text a tip: 274637 + alcohol related tip**

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240-777-6652; [www.montgomerycountymd.gov/kis](http://www.montgomerycountymd.gov/kis)

Montgomery County Department of Police: Alcohol Initiatives Section: 240-773-6605

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