City Enforcing Open Alcohol Container Law

Acting Police Chief James Romero says officers are now enforcing the city’s new ordinance which prohibits carrying alcoholic beverages in open containers in vehicles traveling on public streets.

The ordinance was enacted in June, but the Police Department waited for several weeks to give citizens a chance to become familiar with the new law.

“The waiting period is over. We’re going to enforce it and write violations when they occur,” Romero commented. “There have not been that many violations observed.”

He said a ticket for a violation of the ordinance was issued about a week ago. Arrest records showed that three persons were also booked with violation of the new law, in addition to other crimes, on Saturday, Sunday and Tuesday.

Waiting For Ruling

The city had also been postponing enforcement of the new ordinance until a court ruling was obtained about the definition of a sealed container, Romero commented.

Last week, 15th Judicial District Judge Sue Fontenot stated that, in her opinion, Styrofoam cups with lids attached by freezer tape complied with the city’s ordinance concerning sealed containers. Such containers are given to patrons of a drive-in alcoholic beverage dispensary.

But, Romero said, anyone who punctures the top of such containers with a straw while on Lafayette streets could be cited as violating the new law.

The acting police chief said the new law is not intended to harass motorists.

“This is strictly to try to take action in cutting down our alcohol-related accidents in this area,” he commented.

Guidelines Forthcoming

According to Romero, a person sipping from a beer can could be stopped by an officer. But a motorist drinking from a coffee cup would probably have to exhibit some action that would indicate he was drinking an alcoholic beverage, such as weaving a vehicle within the lanes.

If there is a traffic accident and officers find an open container inside a car involved, the container can be checked, he said. Also, if an officer smells alcohol on a person’s breath and sees an open container in the car, the container can be checked for its contents.

Guidelines for officers will be issued within the next couple of days, Romero said.

The ordinance allows motorists to carry unsealed alcoholic beverage containers in the trunk of vehicles.