Container bill gets panel OK

By MARSHA SHULER
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A substantially amended bill outlawing the consumption of alcoholic beverages in motor vehicles being operated on the state's highways finally made its way out of a House committee Wednesday.

The House Administration of Criminal Justice Committee approved HB121 by Rep. Ron Gomez, D-Lafayette, on its third time to be heard by the panel. The way it was approved was substantially different from the way it was introduced — the result of compromise moves to make the legislation more palatable and workable.

The bill is one of many filed this session aimed at stopping deaths and injury caused by the drinking driver.

The committee also approved HB42 by Rep. Richard Turnley, D-Baton Rouge, which requires the treatment at a substance abuse clinic and drivers’ education instruction as part of the penalty for DWI offenses.

Turnley had held the bill in committee since the main DWI bill includes those provisions, but he said action by a Senate committee that watered down that bill caused him to decide to seek action on his measure.

He said he was making the move as a precautionary measure in case the main DWI bill, which guarantees punishment for all DWI offenders, gets in trouble.

On the open container bill, Gomez told the committee that similar legislation in 27 other states is working. He said Minnesota has had an open container law on the books for 25 years and officials there say it has dropped the death rate on the state's highways considerably.

He said the Lafayette City Council approved a similar open container law Tuesday night. Other municipalities are interested in the same type law, he said, and if the state does not watch out "you are going to get a patchwork approach."

The legislation had encountered some problems from committee members who worried about how blame was going to be fixed in citing persons, whether recreational vehicles would be covered and whether the proposed sentence for a violation could be too high.

The bill was amended to clarify that the offense must be in a moving vehicle on the highways and that the driver is responsible to see that passengers are not in possession of open containers.

In addition, the possibility of a jail term was omitted and the penalty changed to no more than a $125 fine.

Alcoholic beverages can be carried in a vehicle if they are in an inaccessible place, such as the trunk.

The law would become effective Jan. 1, 1983.

Rapides Parish District Attorney Ed Ware said the legislation is needed. He said that while Lafayette is worrying about one drive-in Daiquiri Factory, six "blossomed" in Alexandria.