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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2006

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A N A C T

RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES

Introduced By: Representative Matthew J. McHugh

Date Introduced: January 05, 2006

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 37 of the General Laws entitled "Retail Licenses" is hereby
2 amended by adding thereto the following section:

3 **3-7-28. Restaurants; off premises consumption of wine.** – Notwithstanding any other
4 provision of the general laws to the contrary, a restaurant licensed to sell wine on the premises
5 may permit a patron, twenty-one (21) years of age or older, to remove one unsealed bottle of wine
6 for consumption off the premises if the patron has purchased a full course meal consisting of a
7 salad or vegetable, entrée, and bread and consumed a portion of the bottle of wine with such meal
8 on the restaurant premises. A partially consumed bottle of wine that is to be removed from the
9 premises must be securely resealed by the licensee or its employees before removal from the
10 premises. The partially consumed bottle of wine shall be placed in a bag or other container that is
11 secured in such a manner that it is visibly apparent if the container has been subsequently opened
12 or tampered with, and a dated receipt for the bottle of wine and full course meal shall be provided
13 by the licensee and attached to the container. If transported in a motor vehicle, the container with
14 the resealed bottle of wine must be placed in a locked glove compartment, a locked trunk, or the
15 area behind the last upright seat of a motor vehicle that is not equipped with a trunk.

16 SECTION 2. Section 31-22-21.1 of the General Laws in Chapter 31-22 entitled
17 "Miscellaneous Rules" is hereby amended to read as follows:

18 **31-22-21.1. Presence of alcoholic beverages while operating or riding in a motor**
19 **vehicle.** -- (a) No person shall operate a motor vehicle upon the public highways with any

1 unsealed alcoholic beverage container within the passenger section of the vehicle.

2 (b) Any person found in violation of this section may be fined not more than two
3 hundred dollars (\$200) or have his or her driver's license suspended for up to six (6) months, or
4 both, for the first violation, and for each subsequent violation may be fined not more than five
5 hundred dollars (\$500) or have his or her driver's license suspended for up to one year, or both.

6 (c) The operator of a rented limousine or bus shall not be subject to the provisions of this
7 section provided neither the operator nor any passenger under the age of twenty-one (21) is in
8 possession of any unsealed alcoholic beverage container.

9 (d) The original jurisdiction of this section shall be exclusively in the traffic tribunal.

10 (e) Any person in strict compliance with the provisions of section 3-7-28 shall be deemed
11 not to be in violation of this section.

12 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would permit patrons to leave a restaurant with a partially consumed bottle of
2 wine if the patron purchased a full course meal and the restaurant securely packages the unsealed
3 bottle.

4 This act would take effect upon passage.

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