§2052. Illegal transportation by minors

1. Minor may not transport liquor; exception.

[PL 2003, c. 452, Pt. P, §5 (RP); PL 2003, c. 452, Pt. X, §2 (AFF).]

1-A. Minor may not transport liquor. Except as provided in subsection 1-B, a minor may not knowingly transport or knowingly permit to be transported liquor in a motor vehicle under the minor's control. The following penalties apply to violations of this subsection.

A. A minor who violates this subsection commits a civil violation for which a fine of not more than $500 may be adjudged. [PL 2003, c. 452, Pt. P, §5 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. A minor who violates this subsection after having previously violated this section commits a civil violation for which a fine of not less than $200 and not more than $500 must be adjudged, none of which may be suspended. [PL 2003, c. 452, Pt. P, §5 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. A minor who violates this subsection after having previously violated this section 2 or more times commits a civil violation for which a fine of not less than $400 and not more than $500 must be adjudged, none of which may be suspended. [PL 2003, c. 452, Pt. P, §5 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

[PL 2003, c. 452, Pt. P, §5 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

1-B. Permitted transportation. A minor may transport liquor or permit liquor to be transported in a motor vehicle if in the scope of the minor's employment or at the request of the minor's parent, guardian or custodian, as defined in Title 22, section 4002.

[PL 2003, c. 452, Pt. P, §5 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

2. No conviction if liquor not within minor's section. A minor may not be found in violation of any offense under this section if liquor is found outside the passenger's or driver's section of a motor vehicle under the minor's control, unless the minor has actual knowledge of the presence of the liquor. The trunk or locked glove compartment of any vehicle may not be construed under this section to be within the passenger's or driver's section of the motor vehicle.

[PL 2003, c. 452, Pt. P, §5 (AMD); PL 2003, c. 452, Pt. X, §2 (AFF).]

3. Violation.

[PL 2003, c. 452, Pt. P, §5 (RP); PL 2003, c. 452, Pt. X, §2 (AFF).]

4. Minor may not be charged with both illegal transportation and illegal possession. A minor charged with illegal transportation under this section may not be charged with illegal possession under section 2051. A minor who possesses or consumes liquor in a motor vehicle under the terms of this section must be charged under this section, rather than under section 2051. This subsection does not preclude charges, when appropriate, for a juvenile crime under Title 15, section 3103, subsection 1, paragraph A for conduct that, if committed by an adult, would be considered criminal under Title 29-A.

[PL 2025, c. 431, §23 (AMD).]

SECTION HISTORY

PL 1987, c. 45, §A4 (NEW). PL 1991, c. 337, §1 (AMD). PL 1991, c. 549, §8 (AMD). PL 1991, c. 549, §17 (AFF). PL 1993, c. 93, §3 (AMD). PL 1997, c. 373, §§148,149 (AMD). PL 2003, c. 452, §P5 (AMD). PL 2003, c. 452, §X2 (AFF). PL 2025, c. 431, §23 (AMD).

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