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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH  
SESSION

HOUSE FILE No. **1102**

February 26, 2009

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The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

1.1 A bill for an act  
1.2 relating to public safety; expanding the open alcohol container law to include  
1.3 certain off-road recreational vehicles; amending Minnesota Statutes 2008,  
1.4 section 169A.35, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 169A.35, subdivision 1, is amended to  
1.7 read:

1.8 Subdivision 1. **Definitions.** As used in this section:

1.9 (1) "alcoholic beverage" has the meaning given it in section 340A.101, subdivision 2;

1.10 (2) "distilled spirits" has the meaning given it in section 340A.101, subdivision 9;

1.11 (3) "motor vehicle" does not include ~~motorboats~~ a motorboat in operation, or ~~off-road~~  
1.12 ~~recreational vehicles~~ a snowmobile as defined in section 84.81, subdivision 3, except when

1.13 being operated on a roadway or shoulder of a roadway that is not part of a grant-in-aid  
1.14 trail or trail designated for that vehicle by the commissioner of natural resources;

1.15 (4) "possession" means either that the person had actual possession of the bottle or  
1.16 receptacle or that the person consciously exercised dominion and control over the bottle  
1.17 or receptacle; and

1.18 (5) "3.2 percent malt liquor" has the meaning given it in section 340A.101,  
1.19 subdivision 19.