

## **MARYLAND ALCOHOLIC BEVERAGE LAWS**

### **Possession, Storage, Transportation, etc. – Generally**

(a)(1) No alcoholic beverages shall be bought, possessed, stored, imported, transported, kept or suffered to be bought, possessed, stored, imported, transported or kept in any vehicle, vessel or air craft or on any premises or under his charge or control by any person except: (i) by a consumer or, (ii) by a licensee as provided in this Article or, (iii) by a person under 21 years of age who may have in his possession or transport alcoholic beverages for any lawful purpose with the knowledge and consent of his parent or guardian or incident to the lawful employment of the person as provided for in this Article. However, this exception shall not be construed to permit a person under the age of 21 to buy or consume alcoholic beverages, nor to possess, store, import, transport or keep alcoholic beverages for his own use, nor to buy, possess, store, import, transport or keep alcoholic beverages for any purpose in any county or Baltimore City where otherwise prohibited by this Article or any other law of this State. Article 2B § 1-201

### **Sales to Minors and Intoxicated Persons Prohibited**

(a)(1) A licensee under the provisions of this Article, or any of his employees, may not sell or furnish any alcoholic beverages at any time to a person under 21 years of age. Article 2B §12-108. Note: A licensee may accept as proof of age the person's State driver's license or ID card, or a U.S. Military identification card.

### **Misrepresentation of Age**

An individual may not knowingly and willfully make a misrepresentation or false statement as to the age of that individual or another to any person licensed to sell alcoholic beverages or engaged in the sale of alcoholic beverages, for the purpose of unlawfully obtaining, procuring, or having unlawfully furnished an alcoholic beverage to an individual. Criminal Law Article § 10-113

### **False Documentation**

An individual under the age of 21 years may not possess a card or document that falsely identifies the age of the individual under circumstances that reasonably indicate an intention to violate the provisions of this part. Criminal Law Article § 10-115

### **Failure to Provide Proof of Age**

- (a) A person being issued a citation under §§ 10-113 through 10-119 of this subtitle or § 26-103 of the Education Article (intoxicating beverages on school premise) may not fail or refuse to furnish proof of identification and age on request of the person issuing the citation.
- (b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$50. Criminal Law Article § 10-120

### **Obtaining for Underage Consumption**

An individual may not obtain, or attempt to obtain by purchase or otherwise, an alcoholic beverage from any person licensed to sell alcoholic beverages for consumption by another who the individual obtaining or attempting to obtain the beverage knows is under the age of 21 years. Criminal Law Article § 10-116 – See § 10-121 for Penalties

### **Furnishing for or Allowing Underage Consumption; Exceptions to Prohibition**

(a) Except as provided in subsection (c) of this section, a person may not furnish an alcoholic beverage to an individual if: (1) the person furnishing the alcoholic beverage knows that the individual is under the age of 21 years; and (2) the alcoholic beverage is furnished for the purpose of consumption by the individual under the age of 21 years. (b) Except as provided in subsection (c) of this section, an adult may not knowingly and willfully allow an individual under the age of 21 years actually to possess or consume an alcoholic beverage at a residence, or within the curtilage of a residence that the adult owns or leases and in which the adult resides. (c) (1) The prohibition set forth in subsection (a) of this section does not apply if the person furnishing the alcoholic beverage and the individual to whom the alcoholic beverage is furnished: (i) are members of the same immediate family, and the alcoholic beverage is furnished and consumed in a private residence or within the curtilage of the residence; or (ii) are participants in a religious ceremony. (2) The prohibition set forth in subsection (b) of this section does not apply if the adult allowing the possession or consumption of the alcoholic beverage and the individual under the age of 21 years who possesses or consumes the alcoholic beverage: (i) are members of the same immediate family, and the alcoholic beverage is possessed and consumed in a private residence, or within the curtilage of the residence, of the adult; or (ii) are participants in a religious ceremony. Criminal Law Article § 10-117 – See § 10-121 for Penalties

### **Underage Possession; Exceptions to Prohibition**

(a) Except as provided in subsection (b)(1) of this section, and subject to subsection (b)(2) of this section, an individual under the age of 21 years may not: (1) possess or have under the individual's charge or control an alcoholic beverage unless the individual is a bona fide employee of the license holder as defined in Article 2B, § 1–102 of the Code and the alcoholic beverage is in the possession or under the charge or control of the individual in the course of the individual's employment and during regular working hours; or (2) consume an alcoholic beverage. 43 (b) (1) The prohibitions set forth in subsection (a)(1) and (2) of this section do not apply if: (i) 1. an adult furnishes the alcoholic beverage to the individual or allows the individual to possess or consume the alcoholic beverage; 2. the individual possessing or consuming the alcoholic beverage and the adult who furnished the alcoholic beverage to the individual or allowed the individual to possess or consume the alcoholic beverage are members of the same immediate family; and 3. the alcoholic beverage is furnished and consumed in a private residence of the adult or within the curtilage of the residence; or (ii) the individual consumes the alcoholic beverage as a participant in a religious ceremony. (2) An individual may not be stopped on suspicion of a violation of subsection (a)(2) of this section or charged with a violation of subsection (a)(2) of this section unless the individual is observed in possession of an alcoholic beverage. Criminal Law Article § 10-114