



# STUDENT LEGAL SERVICES

*Serving Students since 1979*

## Open Container and Tailgating

During the Fall Semester, students often have police encounters during tailgating events. The UCF PD, along with many other local and state agencies, monitors conduct during these events.

- Orange County and the City of Orlando Codes prohibit the possession of any unsealed containers of alcohol in public areas, including streets, sidewalks and parking lots.
- Florida Statute 316.1936 prohibits open containers of alcohol in vehicles, unless they are sealed in the trunk of the vehicle, locked glove compartment or other non-passenger area of the vehicle. This includes vehicles that are parked or stopped.
- Open container ordinances are not applicable or enforced during certain hours before a home football game only on UCF's Main Campus. Open containers of alcohol will still be prohibited at any public surrounding area, and the enforcement on campus resumes at the start of the game.
  - For weekend games starting before 6 p.m., the open container waiver shall be in effect from 8 a.m. until game start.
  - For weekend games starting at 6 p.m. or later, the open container waiver shall be in effect from 12 p.m. until game start.
  - For weekday games, the open container waiver shall be in effect from 4 p.m. until game start.
  - **All other local, state and federal laws will still be in effect; the legal drinking age is still 21.**
- If you are under 21:
  - Do not "hold" your friend's drink or be so close to a drink that it could be considered in your "possession."
  - Do not have possession of or use a cooler with both alcoholic and non-alcoholic beverages mixed together, even if the alcohol belongs to an of-age friend.
- Many students charged with underage in possession of alcohol or in possession of illegal substances receive a "Notice to Appear" a/k/a a written arrest. This is an arrest, even though it may look like a traffic citation! Our office is able to assist if you receive one of these.
- UCF PD or another agency may decide not to arrest a student for an incident, depending on the circumstances, but the officer may still make a referral to the Office of Student Conduct (OSC).
- Students who seek medical attention for a drug overdose (for themselves or someone else) are exempt from criminal prosecution for possession of a controlled substance if the evidence for possession was obtained as a result of the need for medical attention. UCF's OSC has a discretionary policy for exemption from conduct (not criminal) consequences for alcohol emergencies (contact OSC for more information).

### Questions?

**Make an appointment with UCF's Student Legal Services! 407-823-2538 or [stulegal@ucf.edu](mailto:stulegal@ucf.edu)**

\*\*This document is intended for informational purposes only and is not a substitute for legal advice.\*\*

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