

Alcohol-Impaired Driving Laws by State Updated April 2018

State	Inc. Penalty for High BAC	Admin. License Susp. on 1st Offense	Limited Driving Privileges During Susp.	Ignition Interlocks	Vehicle and License Plate Sanctions	Open Container Laws*	Repeat Offender Laws*	Alcohol Exclusion Laws Limiting Treatment
						*Meeting Federal Requirements		
Alabama	0.15	90 days		Mandatory for all convictions		Yes	Yes	Yes
Alaska	0.15 (at judge's discretion)	90 days	After 30 days	Mandatory for all convictions	Vehicle impoundment			Yes
Arizona	0.15	90 days	After 30 days	Mandatory for all convictions	Immobilization or impoundment	Yes		Yes
Arkansas	0.15	6 months	Yes	Mandatory for all convictions	Vehicle confiscation	Yes	Yes	Yes
California	0.15	4 months	After 30 days	Discretionary Mandatory for all convictions in Alameda, Los Angeles, Tulare and Sacramento counties (pilot project)	Impoundment, vehicle confiscation	Yes		Yes
Colorado	0.15	3 months	Yes	Highly incentivized for all convictions		Yes	Yes	
Connecticut	0.16	90 days	Yes	Mandatory for all convictions			Yes	
Delaware	0.16	3 months		Mandatory for all convictions	Vehicle sanction and license plate impoundment		Yes	Yes
D.C.	.20 and .25	2-90 days or until deposition	Yes	Discretionary		Yes	Yes	
Florida	0.20	6 months for DUI 12 months for refusal	After 30 days After 90 days	Mandatory for high BAC (.15+) convictions	DUI: Impoundment, vehicle forfeiture	Yes	Yes	Yes
Georgia	0.15	1 year	Yes	Mandatory for repeat convictions	Vehicle confiscation	Yes	Yes	Yes
Guam	From .08 to .10			Discretionary		Yes	Yes	
Hawaii	0.15	3 months	After 30 days	Mandatory for all convictions		Yes	Yes	Yes
Idaho	0.20	90 days	After 30 days	Mandatory for all convictions		Yes	Yes	Yes
Illinois	0.16	6 months	After 30 days	Mandatory for all convictions	Impoundment, vehicle confiscation	Yes	Yes	
Indiana	0.15	180 days	Available immediately	Discretionary	Vehicle confiscation	Yes	Yes	

Iowa	0.15	180 days	After 30 days	Mandatory for all convictions		Yes	Yes	
Kansas	0.15	30 days		Mandatory for all convictions		Yes	Yes	Yes
Kentucky	0.18	30 - 120 days	Yes	Mandatory for all convictions (eff. 7/1/2020)	Impoundment	Yes	Yes	Yes
Louisiana ¹	.15 and .20	See footnote		Mandatory for all convictions	Vehicle confiscation			Yes
Maine	0.15	90 days	Yes	Highly incentivized for all convictions	Vehicle confiscation	Yes	Yes	
Maryland		90 days	Yes, w/ interlock	Mandatory for all convictions		Yes	Yes	
Massachusetts	.20 (applies to ages 17-21)	90 days	Yes	Mandatory for repeat convictions	Vehicle confiscation	Yes	Yes	Yes
Michigan ²	0.17	See footnote	After 45 days	Mandatory for high BAC convictions, restricted driving conditions	Vehicle confiscation	Yes	Yes	Yes
Minnesota	0.16	90 days	After 15 days	Mandatory for high BAC and repeat convictions	Impoundment, vehicle confiscation, special plates/markings	Yes	Yes	Yes
Mississippi		90 days		Mandatory for all convictions	Impoundment, vehicle confiscation		Yes	Yes
Missouri	0.15	90 days	After 0 days w/ interlock use (restricted) After 30 days (restricted)	Mandatory for repeat convictions	Vehicle forfeiture or impoundment (cities w/ 100,000+ allowed to enact ordinance)		Yes	Yes
Montana	0.16	6 months	Yes	Mandatory for repeat convictions	Impoundment, vehicle confiscation	Yes	Yes	Yes
Nebraska	0.15	90 days	After 30 days	Mandatory for all convictions	Vehicle immobilization, continuous alcohol monitoring	Yes	Yes	Yes
Nevada	0.18	90 days	After 45 days	Mandatory for all convictions		Yes	Yes	
New Hampshire	0.16	6 months		Mandatory for all convictions		Yes	Yes	Yes
New Jersey	0.10			Mandatory for high BAC (.15+) and repeat convictions		Yes	Yes	Yes
New Mexico	.16 (w/ mandatory jail on all offenses)	<21: 1 yr.; 21+: 6 mo.	Immediately w/ Ignition Interlock	Mandatory for all convictions	Immobilization of vehicle for driving while revoked	Yes		Yes

New York	0.18	Yes	Yes	Mandatory for all convictions		Yes	Yes	Yes
North Carolina	0.15	30 days	After 10 days	Mandatory for high BAC (.15+) and repeat convictions	Vehicle confiscation	Yes	Yes	
North Dakota	0.18	91 days	After 30 days	Discretionary	Vehicle confiscation	Yes	Yes	Yes
Northern Mariana Islands		30 days - <6 months				Yes	Yes	
Ohio	0.17	90 days	After 15 days	Mandatory for repeat convictions	Impoundment, vehicle confiscation or immobilization, restricted plates	Yes		Yes
Oklahoma	0.15	180 days	Yes	Mandatory for all convictions		Yes	Yes	Yes
Oregon	0.15	90 days	After 30 days	Mandatory for all convictions and diversions		Yes	Yes	
Pennsylvania ³	0.10		See footnote	Mandatory for high BAC (.10+) and repeat convictions		Yes	Yes	Yes
Rhode Island	.10 and .15			Mandatory for all convictions	Judicial discretion on 3rd or subsequent conviction	Yes		
South Carolina	0.15	1 month (for .15+ BAC)	Yes	Mandatory for repeat convictions and for first-time offenders convicted of having BAC .15+	Vehicle confiscation	Yes	Yes	Yes
South Dakota ⁴	0.17	See footnote	Yes	Discretionary		Yes		
Tennessee	0.20	1 year	Yes	Mandatory for all convictions	Vehicle confiscation on 2 nd DUI or higher	Yes, driver only	Yes	Yes
Texas	0.15	90 days if .08+ BAC; 180 days for refusal	Yes	Mandatory for repeat convictions	Vehicle confiscation	Yes	Yes	Yes
Utah	0.16	120 days		Mandatory for all convictions	Impoundment	Yes	Yes	Yes
Vermont		90 days		Mandatory for repeat convictions	Impoundment, vehicle confiscation	Yes		Yes
Virgin Islands		Variable	Yes		Revoke license plate	Yes	Yes	
Virginia	.15 and .20	7 days		Mandatory for all convictions	Vehicle confiscation		Yes	Yes

Washington	0.15	90 days	With an ignition interlock driver's license	Mandatory for all convictions	Mandatory tow and 12 hour impound	Yes		
West Virginia	0.15	6 months	After 30 days	Mandatory for high BAC (.15+) and repeat convictions		Yes	Yes	Yes
Wisconsin	.17, .20 and .25	6-9 months	Yes	Mandatory for high BAC (.15+) and repeat convictions		Yes	Yes	Yes
Wyoming	0.15	90 days	Yes	Mandatory for high BAC (.15+) and repeat convictions				Yes
Total States	48 + D.C., 1 Terr.	44 + D.C., 2 Terr.	38 + D.C., 1 Terr.	Mandatory For All (28) High BAC (3) Repeat (8) High BAC & Repeat (7) Disc.: 4 + D.C.	Varies	33 + 3 Terr.	28 + D.C., 3 Terr.	37

¹ Louisiana requires a 45 day hard suspension of driving privileges for a second DWI conviction.

² Michigan has administrative license suspension for for refusal to submit to chemical test.

³ Pennsylvania uses programs called Occupational Limited License (OLL) and Ignition Interlock Limited License (IILL).

⁴ South Dakota has administrative license suspension for 30 days for refusal to submit to chemical test.