

Alcohol-Impaired Driving Laws by State  
Updated June 2023

State	Inc. Penalty for High BAC	Admin. License Susp. on 1st Offense	Limited Driving Privileges During Susp.	Ignition Interlocks	Open Container Laws*	Repeat Offender Laws*
					*Meeting Federal Requirements	
Alabama	0.15	90 days		Mandatory for high BAC (0.15 and above) and repeat convictions; highly incentivized for first convictions	Yes	Yes
Alaska		90 days	After 30 days	Mandatory for all convictions	No	No
Arizona	0.15	90 days	After 30 days	Mandatory for all convictions	Yes	Yes
Arkansas		6 months	Yes	Mandatory for all convictions	Yes	Yes
California	0.15	4 months	After 30 days	Mandatory for all repeat and injury-involved offenses, first-time injury or vehicular manslaughter offenses.	Yes	No
Colorado	0.15	3 months	Yes	Mandatory for high BAC (0.15 and above) and repeat convictions, highly incentivized for first convictions	Yes	No
Connecticut		90 days	Yes	Highly incentivized for all convictions	No	Yes
Delaware	0.15	3 months		Highly incentivized for all convictions	No	Yes
D.C.	.20, .25 and .30	2-90 days or until deposition	Yes	Mandatory for all convictions	Yes	Yes
Florida	0.2	6 months for DUI	After 30 days		Yes	Yes
		12 months for refusal	After 90 days			
Georgia	0.15	1 year	Yes	Mandatory for repeat convictions	Yes	Yes
Guam	From .08 to .10			Discretionary	Yes	Yes

Hawaii		3 months	After 30 days	Mandatory for all convictions	No	No
Idaho	0.2	90 days	After 30 days	Mandatory for all convictions	Yes	Yes
Illinois	0.16	6 months	After 30 days	Mandatory for all convictions; highly incentivized for first convictions	Yes	Yes
Indiana	0.15	180 days	Available immediately	Mandatory for repeat convictions	Yes	No
Iowa	0.15	180 days	After 30 days	Highly incentivized for all convictions	Yes	Yes
Kansas	0.15	30 days		Highly incentivized for all convictions	Yes	Yes
Kentucky	0.15	30 - 120 days	Yes	Mandatory for all convictions	Yes	Yes
Louisiana	.20	12 months	Yes (w/ the exception of a 2 <sup>nd</sup> conviction having a .20 BAC, then eligible only after 45 days of suspension has expired.)	Mandatory for all convictions	No	No
Maine	0.15	150 days	Yes	Highly incentivized for all convictions	Yes	Yes
Maryland	0.15	180 days for both .08 & .15, for first offense	Yes, w/ interlock	Mandatory for all convictions	Yes	Yes
Massachusetts	.20	90 days	Yes	Mandatory for repeat convictions	Yes	Yes
Michigan	0.17	30-180 days	After 45 days	Mandatory for high BAC (0.17) and repeat convictions	Yes	Yes
Minnesota	0.16	90 days	After 15 days	Highly incentivized for high BAC (0.16) and repeat convictions	Yes	No
Mississippi		90 days		Mandatory for all convictions	No	Yes
Missouri	0.15	90 days	After 0 days w/ interlock use (restricted) After 30 days (restricted)	Mandatory for repeat convictions	No	Yes
Montana	0.16	6 months	Yes	Mandatory for repeat convictions	Yes	No

Nebraska	0.15	90 days	After 30 days	Mandatory for all convictions	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
New Jersey	0.1	3 months		Mandatory for all convictions	Yes	Yes
New Mexico	.16 (w/ mand. jail on all offenses)	<21: 1 yr.;	Immediately w/ Ignition Interlock	Mandatory for all convictions	Yes	No
		>21: 6 mo.				
New York	0.18	Yes	Yes	Mandatory for all convictions	Yes	Yes
North Carolina	0.15	30 days	After 10 days	Mandatory for high BAC (>.15) and repeat convictions	Yes	Yes
North Dakota	0.18	91 days	After 30 days	Discretionary	Yes	No
Northern Mariana Islands		30 days - <6 months			Yes	Yes
Ohio	0.17	90 days	After 15 days	Mandatory for repeat convictions	No	No
Oklahoma	0.15	180 days	Yes	Mandatory for high BAC (0.15 and above) and repeat convictions; highly incentivized for first convictions	Yes	Yes
Oregon	0.15	90 days	After 30 days	Mandatory for all convictions and diversions	Yes	No
Pennsylvania <sup>1</sup>	.10 and .16		See note	Mandatory for high BAC (>.10) and repeat convictions	Yes	Yes
Rhode Island	.10 and .15	30-180 days		Mandatory for all convictions	Yes	No

South Carolina	.10 and .16	1 month (for >.15 BAC)	Yes	Mandatory for all convictions	Yes	No
South Dakota	0.17	30 days	Yes	Discretionary	Yes	No
Tennessee	0.2	1 year	Yes	Mandatory for repeat convictions; highly incentivized for first convictions	No	Yes
Texas	0.15	90 days if .08 or greater; 180 days for refusal	Yes	Mandatory for repeat convictions	Yes	Yes
Utah	0.16	120 days		Mandatory for repeat convictions; highly incentivized for first convictions	Yes	Yes
Vermont		90 days		Highly incentivized for all convictions	Yes	No
Virgin Islands		Variable	Yes		Yes	Yes
Virginia	.15 and .20	7 days		Mandatory for repeat convictions; highly incentivized for first convictions	No	Yes
Washington	0.15	90 days	With an ignition interlock driver's license	Mandatory for all convictions	Yes	No
West Virginia	0.15	6 months	After 30 days	Mandatory for high BAC (>.15) and repeat convictions	Yes	Yes
Wisconsin	.17, .20 and .25	6-9 months	Yes	Mandatory for high BAC (>.15) and repeat convictions	Yes	Yes
Wyoming	0.15	90 days	Yes	Mandatory for high BAC (>.15) and repeat convictions	No	No
<b>Total States</b>	<b>44 + D.C., 1 Terr.</b>	<b>49 + D.C., 2 Terr.</b>	<b>40 + D.C., 1 Terr.</b>	<b>Mandatory For All (21)</b>	<b>39 + D.C., 3 Terr.</b>	<b>32 + D.C., 3 Terr.</b>

				Repeat (11) High BAC & Repeat (10) <b>Disc.: 3</b>		
--	--	--	--	---	--	--

<sup>1</sup> Pennsylvania uses programs called Occupational Limited License (OLL) and Ignition Interlock Limited License (IILL).