

Provided by: Buffalo Ridge Insurance

Driving While Intoxicated (DWI)/Driving Under the Influence (DUI) Laws by State

All 50 states and the District of Columbia defining it as a crime to drive with a blood alcohol concentration (BAC) at or above 0.08 percent.

State	Administrative license suspension first offense?	Restore driving privileges during suspension?	Are ignition interlocks mandatory under state law for the following offenses?	
			First offenders	Repeat offenders
Alabama	90 days	No	All offenders	Yes
Alaska	90 days	After 30 days, with an interlock	All offenders	Yes
Arizona	90 days	After 30 days	All offenders	Yes
Arkansas	6 months	Yes, with an interlock	All offenders	Yes
California	4 months	Yes, with interlock (effective 01/01/19)	Only 4 counties ¹	Yes
Colorado	9 months	Yes, with an interlock	All offenders	Yes
Connecticut	45 days	No ²	All offenders	Yes
Delaware	3 months	No ³	All offenders	Yes
District of Columbia	2-90 days	Yes	All offenders	Yes
Florida	6 months	Yes	High-BAC offenders only	Yes
Georgia	1 year	Yes	No	Yes ⁴
Hawaii	3 months	Yes, with an interlock	All offenders	Yes
Idaho	90 days	After 30 days	No	Yes
Illinois	6 months	Yes, with an interlock	All offenders ⁵	Yes
Indiana	180 days	Yes	No	No
Iowa	180 days	Yes	High-BAC offenders only	Yes
Kansas	30 days	No ⁶	All offenders	Yes
Kentucky	No	Not applicable	High-BAC offenders only	Yes
Louisiana	90 days	After 30 days or immediately with an interlock	All offenders	Yes
Maine	90 days	Yes	All offenders	Yes
Maryland	90 days	Yes, with an interlock	All offenders	Yes

State	Administrative license suspension first offense?	Restore driving privileges during suspension?	Are ignition interlocks mandatory under state law for the following offenses?	
			First offenders	Repeat offenders
Massachusetts	30 days	No	No	Yes
Michigan	No	Not applicable	High-BAC offenders only	Yes
Minnesota	90 days	After 15 days	High-BAC offenders only	Yes
Mississippi	90 days	No	All offenders	Yes
Missouri	30 days	Yes, with an interlock	All offenders	Yes
Montana	No	Not applicable	No	No
Nebraska	180 days	Yes, with an interlock	All offenders	Yes
Nevada	90 days	Yes, with an interlock (effective 10/01/18)	All offenders (effective 10/01/18)	Yes (effective 10/01/18)
New Hampshire	6 months	No	All offenders	Yes
New Jersey	No	Not applicable	High-BAC offenders only	Yes
New Mexico	6 months	Yes, with an interlock	All offenders	Yes
New York	Variable ⁷	Yes	All offenders	Yes
North Carolina	30 days	After 10 days	High-BAC offenders only	Yes
North Dakota	91 days	After 30 days	No	No
Ohio	90 days	After 15 days	No	Yes
Oklahoma	180 days	Yes, with an interlock	High-BAC offenders only	Yes
Oregon	90 days	After 30 days	All offenders	Yes
Pennsylvania	No	Not applicable	High-BAC offenders only (effective 08/25/17)	Yes
Rhode Island	No	Not applicable	All offenders	Yes
South Carolina	No	Not applicable	High-BAC offenders only	Yes
South Dakota	No	Not applicable	No	No
Tennessee	No	Not applicable	All offenders	Yes
Texas	90 days	Yes	All offenders	Yes
Utah	120 days	No	All offenders	Yes

State	Administrative license suspension first offense?	Restore driving privileges during suspension?	Are ignition interlocks mandatory under state law for the following offenses?	
			First offenders	Repeat offenders
Vermont	90 days	After 30 days, with an interlock	All offenders	Yes
Virginia	7 days	No	All offenders	Yes
Washington	90 days	Yes, with an interlock	All offenders	Yes
West Virginia	6 months	After 15 days, with an interlock	All offenders	Yes
Wisconsin	6 months	Yes	No	Yes
Wyoming	90 days	Yes	High-BAC offenders only	Yes

1. In California, the all-offender pilot program is in Alameda, Los Angeles, Sacramento and Tulare counties.
2. In Connecticut, the suspension period is 45 days after which an ignition interlock is required as a condition for license reinstatement.
3. In Delaware, any person who meets the criteria for a first offense election may apply for an interlock to be installed on a vehicle to be driven by the applicant and may be issued an interlock license.
4. In Georgia, the interlock is mandatory unless waived due to financial hardship.
5. In Illinois, the interlock is mandatory for first offenders at the time of arrest, not conviction.
6. In Kansas, the suspension period is 30 days after which an ignition interlock is required as a condition for license reinstatement.
7. In New York, the court at arraignment suspends the license for test failure "pending prosecution".

Sources: Insurance Institute for Highway Safety, Governors Highway Safety Administration and National Institute on Alcohol Abuse and Alcoholism. Legislation is continually changing. Therefore, this information is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice. Readers should contact appropriate legal counsel for advice.