

STATE BY STATE COMPARISON OF KEY LAWS

State	High BAC	Open Container	Primary Belt	Sobriety Checkpoints	Repeat Offender	Mandatory Alcohol Assessment/Treatment	Ignition Interlock	Vehicle Impound
Alabama								
Alaska								
Arizona								
Arkansas								
California								
Colorado								
Connecticut								
Delaware								
District of Columbia								
Florida								
Georgia								
Hawaii								
Idaho								
Illinois								
Indiana								
Iowa								
Kansas								
Kentucky								
Louisiana								
Maine								
Maryland								
Massachusetts								
Michigan								
Minnesota								
Mississippi								
Missouri								
Montana								
Nebraska								
Nevada								
New Hampshire								

New Jersey								
New Mexico								
New York								
North Carolina								
North Dakota								
Ohio								
Oklahoma								
Oregon								
Pennsylvania								
Rhode Island								
South Carolina								
South Dakota								
Tennessee								
Texas								
Utah								
Vermont								
Virginia								
Washington								
West Virginia								
Wisconsin								
Wyoming								

Definitions:

High BAC	High BAC refers to a driver who drives with a blood alcohol concentration of .15 or higher at the time of arrest.
Open Container	Open container laws prohibit the possession of any open alcoholic beverage container and the consumption of any alcoholic beverage in the passenger area of a motor vehicle. Since every state has laws to prevent and punish impaired driving, open container laws can serve as an important tool in the fight against impaired driving.
Primary Belt	Law allowing police to stop and ticket a driver for non-use of safety belt without requiring that the driver commit or be cited for another offense.
Sobriety Checkpoints	An enforcement program that allows officers to stop all or predetermined vehicles to check for sobriety of the drivers.
Repeat Offenders	Repeat offenders are those offenders who have two or more drunk driving offenses. In order to comply with TEA-21, the statute must include the following four penalties: <ol style="list-style-type: none"> 1. A minimum one-year hard license suspension 2. Impoundment, immobilization or the installation of an ignition interlock device on all vehicles owned by the offender. 3. All offenders must undergo an assessment of their degree of alcohol abuse and the law must authorize the imposition of treatment as appropriate. 4. There must be a mandatory minimum sentence.
Mandatory Alcohol Assessment/ Treatment	Mandatory alcohol assessment and treatment: law that mandates that convicted DUI/DWI offenders undergo an assessment of alcohol abuse problems and participate in required treatment program.
Ignition Interlock	A device installed in an offender's vehicle that prevents it from starting if the driver's BAC is above a specified set limit.
Vehicle Impound	Seizure and impoundment of the vehicle operated by a DUI/DWI offender for a predetermined period of time.

