

DUI Laws by State

	A	B	C	D	E
1	State	Checkpoints?	Legality	Frequency	Code Section/Case Law
2	Alabama	Yes	Under U.S. Constitution	Throughout the year	Case law: <i>Smith v. State</i> , 515 So. 2d 149, 150, 151 (Ala. Crim. App. 1987)
3	Alaska	Not Used	None	N/A	No statutory authority for use
4	Arizona	Yes	Under U.S. Constitution	Can be at least once a month	Case law: <i>State v. Superior Court</i> , 143 Ariz. 45, 691 P.2d 1073 (1984)
5	Arkansas	Yes	Under state and U.S. Constitutions	Can be weekly	Case law: <i>Brouhard v. Lee</i> , 125 F.3d 656 (8th Cir. 1997)
6	California	Yes	By statute; state and U.S. Constitutions	Over 2,500 annually	Statute: CA Vehicle Code 2814.2; case law: <i>Ingersoll v. Palmer</i> , 743 P.2d 1299 (Cal. 1987)
7	Colorado	Yes	Under state and U.S. Constitutions	<a href="#">One to two times a month; see Colorado</a>	Case law: <i>People v. Rister</i> , 803 P.2d 483 (Col. 1990)
8	Connecticut	Yes	Under state constitution	N/A	Case law: <i>Connecticut v. Boisvert</i> (40 Conn. App. 420 (1996); <i>State v. Mikolinski</i> , 775 A.2d 274 (Conn. 2001)
9	Delaware	Yes	Under state and U.S. constitutions	Conducted monthly January to June; w	<a href="#">Case law: Delaware v. Prouse, 440 U.S. 648 (1979)</a>
10	DC	Yes	Under U.S. Constitution	One to two times a month	Case law: <i>Galberth v. U.S.</i> , 590 A.2d 990 (D.C. App. 1991); <i>U.S. v. McFayden</i> , 865 F.2d 1306 (D.C. Cir. 1989)
11	Florida	Yes	Under U.S. Constitution	Multiple times per month	Case law: <i>State v. Jones</i> , 483 So. 2d 433 (1986); <i>Campbell v. State</i> , 679 So.2d 1168 (Fla. 1996)
12	Georgia	Yes	Under state and U.S. Constitutions	Weekly	Case law: <i>State v. Golden</i> , 318 S.E.2d 693 (Ga. App. 1984); <i>Evans v. State</i> , 380 S.E.2d 332 (Ga. App. 1989); <i>Seagraves v. State</i> , 442 S.E.2d 312 (Ga. App. 1994); <i>Hooten v. State</i> , 442 S.E.2d 836 (Ga. App. 1994); <i>Burns v. State</i> , 454 S.E.2d 152 (Ga. App. 1995); <i>Brent v. State</i> , 510 S.E.2d 14 (Ga. 1998)
13	Hawaii	Yes	By statute	Weekly	Statute: HI. Rev. Stat. § 291E-19 and §291E-20
14	Idaho	No	N/A	N/A	Case law: <i>State v. Henderson</i> , 756 P.2d 1057 (Idaho 1988)
15	Illinois	Yes	Under U.S. Constitution	Once or twice per month per county	Case law: <i>People v. Bartley</i> , 486 N.E.2d 880 (Ill. 1985)
16	Indiana	Yes	Under state constitution	Only occasionally conducted	<a href="#">Case law: Indiana v. Gerschoffer, 763 N.E.2d 960 (Ind. 2002)</a>
17	Iowa	No	N/A	N/A	<a href="#">IA. Code Ann. §321K.1 does not allow sobriety checkpoints</a>
18	Kansas	Yes	Under state law and U.S. Constitution	One to two a month	Case law: <i>State v. Deskins</i> , 673 P. 2d 1174 (Kansas 1983)
19	Kentucky	Yes	Under U.S. Constitution	Weekly	<a href="#">Case law: Kinslow v. Commonwealth, 660 S.W.2d. 677 (Ky. 1984); See also Commonwealth of Kentucky. Traffic Safety Checkpoint Guide</a>
20	Louisiana	Yes	Under state constitution	Varies; more often during holidays and	Case law: <i>State v. Jackson</i> , 764 So.2d 64 (La. 2000)
21	Maine	Yes	Under U.S. constitution	More frequent in the summer	Case law: <i>State v. Leighton</i> , 551 A.2d 116 (Me. 1988); <i>State v. McMahon</i> , 557 A.2d 1324 (Me. 1989); <i>State v. Babcock</i> , 559 A.2d 337 (Me. 1989)
22	Maryland	Yes	Under state and U.S. constitutions	Weekly	Case law: <i>Little v. State</i> , 479 A.2d 903 (Md. 1984)
23	Massachusetts	Yes	Under state and U.S. constitutions	Throughout the year	Case law: <i>Commonwealth v. Shields</i> , 521 N.E.2d 987 (Mass. 1988); <i>Commonwealth v. Cameron</i> , 545 N.E.2d 619 (Mass. App. Ct. 1989)
24	Michigan	No	Prohibited under the state constitution	N/A	<a href="#">Case law: Sitz v. Mich. Dept. of State Police, 506 N.W.2d 209 (Mich. 1993)</a>
25	Minnesota	No	N/A	N/A	<i>Ascher v. Comm. of Public Safety</i> , 519 N.W.2d 183 (Minn. 1994); <i>Gray v. Comm. of Public Safety</i> , 519 N.W.2d 187 (Minn. 1994)
26	Mississippi	Yes	Under U.S. Constitution	Weekly	Case law: <i>Miller v. State</i> , 373 So.2d 1004 (Miss. 1979)
27	Missouri	Yes	Under state and U.S. constitutions	Rarely; unfunded by the state	Case law: <i>State v. Welch</i> , 755 S.W.2d 624 (Mo. App. 1988)
28	Montana	No, but alternate methods used	By statute, safety check roadblocks are possible	N/A	<a href="#">Statute: Mont. Code Ann. § 46-5-502</a>
29	Nebraska	Yes	Under state law	Multiple times per month	Case law: <i>State v. McCleery</i> , 560 N.W.2d 789 (Neb. 1997)
30	Nevada	Yes	By statute	Multiple times per month	<a href="#">Statute: Nev. Rev. Stat. Ann. § 484B.570</a>

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31	New Hampshire	Yes, only with judicial approval	By statute	Weekly	<a href="#">Statute: N.H. Rev. Stat. Ann. § 265:1-a</a>
32	New Jersey	Yes	Under state and U.S. constitutions	Several times a month	Case law: <i>State v. Mazurek</i> , 567 A.2d 277 (N.J. Super. A.D. 1989)
33	New Mexico	Yes	Under state and federal constitutions	Multiple times a month; more often during holidays	Case law: <i>City of Las Cruces v. Betancourt</i> , 735 P.2d 1161 (N.M. App. 1987); <i>State v. Bates</i> , 902 P.2d 1060 (N.M. App. 1995); <i>State v. Madalena</i> , 908 P.2d 756 (N.M. App. 1995)
34	New York	Yes	Under U.S. Constitution	Weekly; more frequent on weekends and holidays	Case law: <i>People v. Scott</i> , 473 N.E.2d 1 (N.Y. 1984)
35	North Carolina	Yes	By statute	Weekly	<a href="#">Statute: N.C. Gen. Stat. § 20-16.3A</a>
36	North Dakota	Yes	Under state and U.S. constitutions	More often during holiday weekends and holidays	Case law: <i>City of Bismark v. Uhden</i> , 513 N.W.2d 373 (N.D. 1994).
37	Ohio	Yes	Under state and U.S. constitutions	Throughout the year	Case law: <i>State v. Bauer</i> , 651 N.E. 2d 46 (Ohio App. 10 Dist. 1994)
38	Oklahoma	Yes	Under state and U.S. constitutions	One to two times monthly	Case law: <i>Geopfert v. State Ex Re. DPS</i> , 884 P.2d 1218 (Okla. App. 1994)
39	Oregon	No, illegal under state constitution	N/A	N/A	Case law: <i>State v. Boyanovsky</i> , 743 P.2d 711 (Or. 1987)
40	Pennsylvania	Yes	Under state and U.S. constitutions	Throughout the year; more often during holidays	Case law: <i>Commonwealth v. Yastrop</i> , 768 A.2d 318 (Pa. 2001)
41	Rhode Island	No, illegal under state constitution	N/A	N/A	Case law: <i>Primental v. Rhode Island</i> , 561 A.2d 1348 (R.I. 1989)
42	South Carolina	Yes, with judicial approval	U.S. Constitution; No state statute or case law	N/A	No state authority, but legal
43	South Dakota	Yes	Under state and U.S. constitutions	Monthly	Case law: <i>State v. Claussen</i> , 522 N.W.2d 196 (S.C. 1994)
44	Tennessee	Yes	Under state and U.S. constitutions	Multiple times per month	Case law: <i>State v. Downey</i> , 945 S.W.2d 102 (Tenn. 1997)
45	Texas	No	Illegal under Texas' interpretation of U.S. Constitution	N/A	Case law: <i>State v. Holt</i> , 887 S.W. 2d 16 (Tex. Cr. App. 1994)
46	Utah	Yes, with magistrate's approval	By statute	More often during the summer, over holidays	<a href="#">Statute: Utah Code Ann. § 77-23-101 et seq</a>
47	Vermont	Yes	Under state and U.S. constitutions	Weekly	Case law: <i>State v. Martin</i> , 496 A.2d 442 (Vt. 1985); <i>State v. Record</i> , 548 A.2d 422 (Vt. 1988)
48	Virginia	Yes	Under state and U.S. constitutions	Occasionally	Case law: <i>Lowe v. Commonwealth</i> , 337 S.E.2d 273 (Va. 1985)
49	Washington	No, illegal under state constitution	N/A	N/A	Case law: <i>City of Seattle v. Mesiani</i> , 755 P.2d 775 (Wash. 1988)
50	West Virginia	Yes	Under state and U.S. constitutions	Multiple times per month	Case law: <i>Carte v. Cline</i> , 460 S.E.2d 48 (W.Va. 1995)
51	Wisconsin	No, prohibited by state statute	N/A	N/A	<a href="#">Statute: Wis. Stat. Ann. § 349.02(2)(a)</a>
52	Wyoming	No	N/A	N/A	<a href="#">Statute: Wyo. Stat. Ann. § 7-17-101 et seq.</a>
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