



Factsheet

Other State THC Per Se DUI Laws

Initiative 502 establishes a 5 ng/mL THC concentration limit for DUI.

State	Year	THC Limit	Citation	Medical Marijuana Law?
Arizona	1990	Zero Tolerance, including metabolites	ARS 28-1381	X Patients can't be convicted "solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment." ARS 36-2802 .
Delaware	2007	Zero Tolerance, excluding inactive metabolites	DCA – 21 § 4177	X No Defense to DUI
Illinois	1997	Zero Tolerance, including metabolites	625 ILCS 5/11-501	
Indiana	2001	Zero Tolerance, including metabolites	IC 9-30-5-1	
Iowa	1998	50 ng/mL of any metabolite in urine	IC § 321J.2 ; IAC § 661-157.7	
Michigan	2003	Zero Tolerance, excluding inactive metabolites	MCL § 257.625(8) ; People v. Feezel, 783 N.W.2d 67 (2010)	X No Defense to DUI
Nevada	2003	THC: 2 ng/mL blood or 10 ng/mL urine Any metabolite: 5 ng/mL blood or 15 ng/mL urine any metabolite	NRS § 484C.110 (3)	X No Defense to DUI
North Carolina	1983	Zero Tolerance for drivers under 21, excluding metabolites	NCGS § 20-138.3	
Ohio	2006	THC: 2 ng/mL blood or 10 ng/mL urine Any metabolite: 35 ng/mL urine or 50 ng/mL blood	ORC § 4511.19	



State	Year	THC Limit	Citation	Medical Marijuana Law?
Pennsylvania	2004	Zero Tolerance, including metabolites; however, administrative rule establishes 1 ng/mL active THC as minimum level that may be admitted as evidence in DUI case	75 Pa. C.S.A. 3802(d) ; 41 Pennsylvania Bulletin 2295	
Rhode Island	2006	Zero Tolerance, excluding metabolites	GLRI § 31-27-2 (2)	X A patient can't be convicted "solely for having marijuana metabolites in his or her system." GLRI § 21-28.6-7 .
South Dakota	1998	Zero Tolerance for drivers under 21, including metabolites	SDCL § 32-23-21	
Utah	1994	Zero Tolerance, including metabolites	UC § 41-6a-517	
Wisconsin	2003	Zero Tolerance, excluding metabolites	WS § 346.63(2)(a)(3)	