



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



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	<a href="#">75 Pa. C.S.A. 3802(d); 41 Pennsylvania Bulletin 2295</a>	
Rhode Island	2006	Zero Tolerance, excluding metabolites	<a href="#">GLRI § 31-27-2 (2)</a>	<b>X</b> A patient can't be convicted "solely for having marijuana metabolites in his or her system." <a href="#">GLRI § 21-28.6-7.</a>
South Dakota	1998	Zero Tolerance for drivers under 21, including metabolites	<a href="#">SDCL § 32-23-21</a>	
Utah	1994	Zero Tolerance, including metabolites	<a href="#">UC § 41-6a-517</a>	
Wisconsin	2003	Zero Tolerance, excluding metabolites	<a href="#">WS § 346.63(2)(a)(3)</a>	