



NATIONAL CONFERENCE  
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**State Impaired Driving Offenses:  
Time Frames Used for Inclusion of Prior Offenses**  
*May 2016*

State	Statute	Years
Alabama	§32-5A-191(e), (f), (g) and (h)	5 years
Alaska	§28.35.030(n)	10 years
Arizona	§§28-1381(K), 28-1382(E) and 28-1383(E)	84 months (7 years)
Arkansas	§§5-65-111(b)(1)(A) and 5-65-112	5 years
California	§§23540 and 23542	10 years
Colorado	§42-4-1301	Lifetime
Connecticut	§14-227a(g)	10 years
Delaware	21§§4177(d) and 4177B(e)	10 years for 2 <sup>nd</sup> 3 <sup>rd</sup> or more offense – lifetime (Effective July 1, 2012)
Florida	§316.193	2 <sup>nd</sup> offense – 5 year 3 <sup>rd</sup> or subsequent offense – 10 years
Georgia	§40-6-391(c)	10 years
Hawaii	§291E-61(b)	5 years
Idaho	§§18-8002A(4)(a)(ii) and 18-8004C(2)	5 years
Illinois	625 ILCS 5/11-501	5 years
Indiana	IC §9-30-5-3	5 years
Iowa	§321J.2(2) and (3)	12 years
Kansas	§ 8-1567	3 <sup>rd</sup> within 10 years – Nonperson Felony 4 <sup>th</sup> or subsequent – Nonperson Felony
Kentucky	§§189A.010(5)	10 years

Louisiana	14:98(F)	10 years
Maine	29-A MRSA §2411(5)	10 years
Maryland	Tran. §§21-902 and 27-101(k)(2)	5 years
Massachusetts	Ch. 90 §24(h)(2)(a)	5 years
Michigan	§257.625(b)(9)	7 years
Minnesota	§169A.03	10 years
Mississippi	§63-11-30(2)(b) and (c)	5 years
Missouri	§577.023	5 years
Montana	§§61-8-401, 61-8-714, 61-8-731 and 61-8-734(1)(b)	5 years
Nebraska	§§60-6.196, 60-6,197.02	15 years
Nevada	§§484C.110 and 484C.410(6)	7 years
New Hampshire	§265-A:18(IV)	10 years
New Jersey	§39:4-50	10 years
New Mexico	§§66-1-4.6(C), 66-1-4.16(R) and 66-8-102	Lifetime
New York	§§1192 and 1193	10 years
North Carolina	§20-138.5	10 years
North Dakota	§39-08-01	First 3 offenses – 5 years 4 <sup>th</sup> or subsequent offenses – 7 years
Ohio	§4511.19(G)(b)	6 years
Oklahoma	47 §11-902	10 years
Oregon	§813.010(5)	10 years
Pennsylvania	75 §3806	10 years
Rhode Island	§31-27-2	5 years
South Carolina	§56-5-2930(D)	10 years
South Dakota	§§32-23-2, 32-23-3, 32-23-4, and 32-23-4.1	10 years
Tennessee	§55-10-403	10 years
Texas	Penal Code §49.09	5 years
Utah	§§41-6a-503, 41-6a-505	10years
Vermont	23 §1210	Lifetime
Virginia	§18.2-270	2 <sup>nd</sup> offense – 5-10 years 3 <sup>rd</sup> or subsequent offense – 10 years
Washington	§46.61.5055	7 years
West Virginia	§ 17C-5-2(m)	10 years
Wisconsin	§ 346.65	10 years
Wyoming	§ 31-5-233(e)	10 years