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DUI Checkpoints

Law enforcement officials in most states occasionally set up DUI checkpoints, also called sobriety checkpoints or roadside safety checks, to question motorists and determine whether or not they are drunk or otherwise impaired. DUI checkpoints consist of police roadblocks at busy thoroughfares at which motorists are randomly selected for screening.

Some jurisdictions heavily publicize dates and times of DUI checkpoints, typically conducted at peak times of alcohol consumption such as New Year's Eve, in an effort to deter drunk driving. Sobriety checkpoints reduce alcohol-related crashes by about 20 percent, according to a U.S. Centers for Disease Control report combining the results of 23 scientific studies.

Although they tend to be controversial, DUI checkpoints have survived most legal challenges; even in some states where statutes require an officer to have reasonable suspicion of intoxication before initiating a traffic stop. The U.S. Supreme Court ruled in 1990 that sobriety checkpoints are legal under federal law (*Michigan Dept. of State Police v. Sitz*), leaving it up to the individual states to decide.

DUI checkpoints are not conducted in the following 11 states because they are either considered illegal by law or state constitution, or the state lacks authority to conduct them:

- Alaska
- Idaho
- Iowa
- Michigan
- Minnesota
- Oregon
- Rhode Island
- Texas
- Washington
- Wisconsin
- Wyoming

Although Montana statute allows so-called "safety spotchecks" by law enforcement, the code does not specifically refer to sobriety checkpoints (even though they have been conducted within the state). Texas prohibits checkpoints based on its interpretation of the U.S. Constitution.

Talk to a [DUI attorney](#) in your area if you would like more detailed information about the legality of DUI checkpoints in your state.

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