



**\*Arizona:** "Drug" means:

- (a) Articles that are recognized, or for which standards or specifications are prescribed, in the official compendium.
- (b) Articles that are intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in the human body or other animals.
- (c) Articles other than food that are intended to affect the structure or any function of the human body or other animals.
- (d) Articles that are intended for use as a component of any articles specified in subdivision (a), (b) or (c) of this paragraph but does not include devices or their components, parts or accessories.

**\*California:** "Drug" - The term "drug" means any substance or combination of substances, other than alcohol, which could so affect the nervous system, brain, or muscles of a person as to impair, to an appreciable degree, his ability to drive a vehicle in the manner that an ordinarily prudent and cautious man, in full possession of his faculties, using reasonable care, would drive a similar vehicle under like conditions.

**\*Colorado:** "Drug" means any of the substances:

- (I) Recognized as drugs in the official United States pharmacopoeia, national formulary, or the official homeopathic pharmacopoeia of the United States, or a supplement thereof;
  - (II) Intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals;
  - (III) Other than food, intended to affect the structure or any function of the body of individuals or animals; or
  - (IV) Intended for use as a component of any substance specified in subparagraph (I), (II), or (III) of this paragraph (a).
- (b) "Drug" does not include devices or their components, parts, or accessories.

**\*Idaho:** "Drug" means:

- (1) substances recognized as drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them;
- (2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or animals;
- (3) substances, other than food, intended to affect the structure or any function of the body of man or animals; and
- (4) substances intended for use as a component of any article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.

**\*Iowa:** "Drug" means:

- a. Substances recognized as drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them;
- b. Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;
- c. Substances, other than food, intended to affect the structure or any function of the human body or animals; and
- d. Substances intended for use as a component of any article specified in paragraph "a", "b", or "c" of this subsection. It does not include devices or their components, parts, or accessories.

**\*Minnesota:** "Drug" means all medicinal substances and preparations recognized by the United States Pharmacopoeia and National Formulary, or any revision thereof; biological products, other than blood or blood components; all substances and preparations intended for external and internal use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals; and all substances and preparations, other than food, intended to affect the structure or any function of the bodies of humans or other animals. The term drug shall also mean any compound, substance, or derivative that is not approved for human consumption by the United States Food and Drug Administration or specifically permitted for human consumption under Minnesota law, and, when introduced into the body, induces an effect similar to that of a Schedule I or Schedule II controlled substance listed in section 152.02, subdivisions 2 and 3, or Minnesota Rules, parts 6800.4210 and 6800.4220, regardless of whether the substance is marketed for the purpose of human consumption.

**\*Missouri:** "Drug":

- (a) Substances recognized as drugs in the official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or Official National Formulary, or any supplement to any of them;
- (b) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;
- (c) Substances, other than food, intended to affect the structure or any function of the body of humans or animals; and
- (d) Substances intended for use as a component of any article specified in this subdivision. It does not include devices or their components, parts or accessories.

**\*Montana:** "Drug" means a substance:

- (a) recognized as a drug in any official compendium or supplement;
- (b) intended for use in diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;
- (c) other than food, intended to affect the structure or function of the body of humans or animals; and
- (d) intended for use as a component of a substance specified in subsection (16)(a), (16)(b), or (16)(c).

"Dangerous drug" means a drug, substance, or immediate precursor in Schedules I through V set forth in Title 50, chapter 32, part 2.

**\*Nebraska:** "Drug" means:

- (a) articles recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, official National Formulary, or any supplement to any of them,
- (b) substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or animals, and
- (c) substances intended for use as a component of any article specified in subdivision (a) or (b) of this subdivision, but does not include devices or their components, parts, or accessories.

**\*New Mexico:** "Drug" means substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any respective supplement to those publications. It does not include devices or their components, parts or accessories.

**\*North Dakota:** "Drug" means:

- a. Substances recognized as drugs in the official United States pharmacopeia national formulary, or the official homeopathic pharmacopeia of the United States, or any supplement to any of them;
- b. Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals;
- c. Substances, other than food, intended to affect the structure or any function of the body of individuals or animals; and d. Substances intended for use as a component of any article specified in subdivision a, b, or c.

The term does not include devices or their components, parts, or accessories.

N.D. Cent. Code § 39-08-01 - .....that person is under the influence of any drug or substance or combination of drugs or substances to a degree which renders that person incapable of safely driving. State v. Bitz, 2008 ND 202 – OTC medication is included in the definition of drug.

**\*Texas:** "Drug" means a substance, other than a device or a component, part, or accessory of a device, that is:

- (A) recognized as a drug in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, official National Formulary, or a supplement to either pharmacopoeia or the formulary;
- (B) intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals;
- (C) intended to affect the structure or function of the body of man or animals but is not food; or
- (D) intended for use as a component of a substance described by Paragraph (A), (B), or (C).

"Dangerous Drug" means any drug or device that is not included in Penalty Groups 1-4 of the Controlled Substances Act and that is unsafe for self-medication or any drug or device that bears or is required to bear the legend:

- (A) "Caution: federal law prohibits dispensing without prescription" or "Rx only";
- (B) "Caution: federal law restricts this drug to use by or on the order of a licensed veterinarian."

**\*Oklahoma:** Any "intoxicating substance" means any controlled dangerous substance, as defined in the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of Title 63 of the Oklahoma Statutes, or any other substance, other than alcohol, which is capable of being ingested, inhaled, injected, or absorbed into the human body and is capable of adversely affecting the central nervous system, vision, hearing, or other sensory or motor function.

**\*Utah:** "Drug" or "drugs" means:

- (i) a controlled substance as defined in Section 58-37-2 [Utah Controlled Substances Act, Definitions];
- (ii) a drug as defined in Section 58-17b-102 [Pharmacy Practice Act, Definitions]; or
- (iii) any substance that, when knowingly, intentionally, or recklessly taken into the human body, can impair the ability of a person to safely operate a motor vehicle.

Section 58-37-2:

- (i) a substance recognized in the official United States Pharmacopeia, official Homeopathic Pharmacopeia of the United States, or official National Formulary, or any supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;

- (ii) a substance that is required by any applicable federal or state law or rule to be dispensed by prescription only or is restricted to administration by practitioners only;
  - (iii) a substance other than food intended to affect the structure or any function of the body of humans or other animals; and
  - (iv) substances intended for use as a component of any substance specified in subsections (26)(a)(i), (ii), (iii) and (iv).
- (b) "Drug does not include dietary supplements.

**\*Washington:** "Drugs" means:

- (a) Articles recognized in the official United States pharmacopoeia or the official homeopathic pharmacopoeia of the United States;
- (b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or other animals;
- (c) Substances (other than food) intended to affect the structure or any function of the body of human beings or other animals; or
- (d) Substances intended for use as a component of any substances specified in (a), (b), or (c) of this subsection, but not including devices or their component parts or accessories.

**\*Wyoming:** "Drug" means:

- (A) Substances recognized as drugs in official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them;
- (B) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals;
- (C) Substances (other than food) intended to affect the structure or any function of the body of man or animals; and
- (D) Substances intended for use as a component of any article specified in subparagraph (A), (B), or (C) of this paragraph. It does not include devices or their components, parts or accessories.

Most Recent State to Expand to "Any Drug" – 6/17/2022

**\*Hawaii:** "Drug" means any controlled substance, as defined and enumerated in schedules I through IV of chapter 329, or its metabolites or, any substance that when taken into the human body, can impair the ability of a person operate a vehicle safely.

"Substance" means: any plant, medication, poison, natural or synthetic chemical, or compound or combination of these, and includes but is not limited to central nervous system depressants, central nervous system stimulants, hallucinogens, dissociative anesthetics, narcotic analgesics, inhalants, and cannabis.

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