



The National Highway Traffic Safety Administration (NHTSA) identified 24 cues for police officers to detect nighttime impaired drivers. Here they are:

## **Initial Visual DUI Detection Cues**

1. Weaving
2. Weaving Across Lane Lines
3. Straddling A Lane Line
4. Swerving
5. Turning With Wide Radius
6. Drifting
7. Almost Striking Object or Vehicle
8. Stopping Problems (too far, too short, too jerky)
9. Accelerating Or Decelerating Rapidly
10. Varying Speed
11. Slow Speed (10 m.p.h. + Under Limit)
12. Driving In Opposing Lanes Or Wrong Way On One-Way Street
13. Slow Response to Traffic Signals
14. Slow Or Failure To Respond To Officer's Signal's
15. Stopping in Lane for No Apparent Reason
16. Driving Without Headlights At Night
17. Failure to Signal or Signal Inconsistent with Action
18. Following Too Closely
19. Improper or Unsafe Lane Change
20. Illegal or Improper Turn (too fast, jerky, sharp, etc.)
21. Driving on Other Than Designated Roadway

22. Stopping Inappropriately In Response To Officer
23. Inappropriate Or Unusual Behavior (throwing objects, arguing, etc.)
24. Appearing to be Impaired

You might be surprised to learn that 40 out of 100 drivers "appearing to be impaired" to cops are not under the influence? And, 40 out of 100 drivers who are weaving or who almost strike another vehicle are also sober. Lastly, 30 out of 100 people doing the above are not DUI.

## **How important are driving symptoms in a DUI case?**

Driving is the most important. So...I like to get the cop to tell the jury all the things that my client didn't show from the above list.