

[Enter Post Title Here]

1. GENERAL. The methods used the California Highway Patrol to detect and evaluate the impaired driver are consistent with National Highway Traffic Safety Administration (NHTSA) standards. Drivers under the influence of alcohol and/or drugs are detected and evaluated a three phase process: Phase One – Vehicle in Motion. Phase Two – Personal Contact; and Phase Three – Pre-arrest Screening.

2. PHASE ONE – VEHICLE IN MOTION

a. It is the arresting officer's responsibility to obtain the evidence necessary to substantiate the enforcement action. The gathering of evidence begins during Phase One of the driving under the influence (DUI) investigation while the subject vehicle is in motion. Officers must mentally record, with accuracy, not only the normal actions which should be expected, but also the subject driver's abnormal or unusual actions. Documentation should be made as soon as practical so that evidence to support prosecution is properly preserved.

b. A driver operating his/her vehicle in any manner which would raise a doubt as to his/her sobriety, or other abnormal conditions, should be stopped in order to determine the cause for the irregular driving. Officers should be alert to the most common visual cues exhibited by drivers under the influence. Attention may be draw to a vehicle by such things as:

(1) A moving traffic violation or equipment violation

(2) Unusual driving actions, such as weaving within a lane or moving at a slower than normal speed.

(3) Being involved in a traffic collision

(4) A report from some other person of the subject's driving.

(5) Driving into a sobriety checkpoint operation.

c. Although it is possible that any form of contact with a driver could result in an arrest for DUI, studies have shown that certain driving cues are more commonly associated with impaired driving.

d. In 1993, NHTSA contracted with Anacapa Sciences (Santa Barbara) to conduct research and develop information related to DUI driving behaviors. The report entitled *The Detection of DWI at BAC's Below 0.10%*, DOT-HS-808-654, was released in 1997 and indentified driving behaviors associated with DUI. The driving behaviors listed are representative of common driving cues of impaired drivers 24 hours a day.

e. The following list represents the results of the study:

(1) Problems maintaining proper lane position.

(a) Weaving.

(b) Weaving across lane lines.

(c) Straddling a lane line.

(d) Turning with a wide radius.

- (e) Almost striking object or vehicle.
 - (f) Swerving.
 - (g) Drifting.
- (2) Speeding and braking problems.
- (a) Stopping problems
 - (b) Accelerating or decelerating for no apparent reason.
 - (c) Varying speed.
 - (d) Slow speed.
- (3) Vigilance problems.
- (a) Driving in opposing lanes or the wrong way.
 - (b) Slow response to traffic signals.
 - (c) Slow/failure to respond to an officer.
 - (d) Stopping in lane for no reason.
 - (e) Driving without headlights at night.
 - (f) Failure or inconsistent signal.
- (4) Judgment problems.
- (a) Following too closely.
 - (b) Improper or unsafe lane change.
 - (c) Illegal or improper turn.
 - (d) Driving on other than designated roadway.
 - (e) Stopping inappropriately in response to an officer.
 - (f) Inappropriate or unusual behavior.
 - (g) Appearing to be impaired.