

Felony DUI Charges in Utah

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What Happens When You Get a DUI Charge in Utah

A driving under the influence (DUI) charge involves having a blood alcohol count (BAC) is 0.08% or higher, or 0.04% or higher with a commercial license. If you've been arrested for a DUI, you may be wondering what will happen to you, your vehicle, your driver's license, if this arrest will affect your job or go on your permanent criminal record. A DUI is a very serious charge that can cost you a lot of money and a lot of stress, including jail or prison time.

When it comes to fighting to keep your driver's license or having it automatically suspended, there is only a short period of time between your arrest and your administrative licensing hearing. Our free online test examines the details of your arrest for any discrepancies or errors in your case, possibly helping you to keep your Utah driver's license. By having the details of your Utah DUI arrest examined, skilled DUI attorneys can review the circumstances of what happened during your arrest, and find potential mistakes made and other strengths that can be used to your advantage to win your DUI case and beat the charges. [Contact experienced felony DUI attorneys at Wasatch Defense Lawyers at 801.980.9965, and we'll evaluate your case for free.](http://wasatchdefenselawyers.com)

Is a DUI a Felony in Utah?

A **DUI charge in Utah can be a misdemeanor or a felony**, with a felony conviction carrying heftier sentences and more lasting consequences. **The following three circumstances can upgrade a misdemeanor charge to a felony:**

- A **3rd DUI offense within 10 years**
- The DUI **resulted in a serious injury or death** of another person
- A **prior felony DUI conviction** or vehicular homicide conviction

Felony DUI Conviction Penalties

The [penalties and consequences for a felony DUI conviction](#) vary but are costly.

- Jail or prison time served: 62.5 days (1500 hours) in jail to five years in prison. This may involve electronic home confinement.
- Fines: \$1,500 minimum fine, a \$1,350 surcharge, and a \$40 court security fee—only if prison time isn't given
- Substance abuse treatment: 240 days to five years
- Ignition interlock device: This device is similar to a breathalyzer and analyzes the driver's BAC before the car is started.
- Supervised probation: Given if a prison term is not imposed
- License suspension: An additional 90 days to two years

If you're found with a BAC of 0.16 or higher, supervised probation will be ordered if a prison term is not imposed. Additionally, substance abuse treatment, ignition interlock, and/or electronic home confinement will be imposed, or it will be recorded why such actions are inappropriate.

How Utah Felony DUI Attorneys Can Help You

One important thing to remember is that the burden of proof for guilt is on the prosecution, and it has to be beyond a reasonable doubt. This is why it is important for a lawyer to closely examine your felony DUI case. For example, what happens on occasion is that the sobriety test is improperly conducted. This improper test—whether it's conducted with a breathalyzer, or with a blood, urine, or another type of chemical test—can be the hinge that swings the case in your favor. ***If a sobriety test was improperly conducted, then the prosecution will fail to prove guilt beyond a reasonable doubt.***

It's also important to know that with Utah drunk driving cases, failing a field sobriety test does not necessarily mean you will lose your case. What's important is to take decisive, timely action to prepare a solid [defense](#). One action you should immediately take is to consult with an experienced felony [DUI attorney](#) at our firm who can look closely at the details of your case. By discovering what exactly happened during your arrest, we can possibly find overlooked details and win your case.