

# Yes, It's Legal to Turn Around at a DUI Checkpoint

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Driving under the influence of alcohol or drugs is a serious problem in communities across the United States. To catch more impaired drivers, police departments sometimes set up what is known as a DUI checkpoint. This is a location that drivers pass through and police randomly check them for signs of drug or alcohol intoxication.

While it's perfectly legal for the police to establish a DUI checkpoint under the reasonable search clause of the Fourth Amendment, they can cause anxiety for drivers. This is especially true for those who may have consumed only a small amount of alcohol or another potentially mind-altering substance. With Utah now enforcing a blood alcohol concentration of just .05 percent, the lowest in the nation, drivers who have only had one or two drinks and don't feel remotely impaired may find themselves under arrest for DUI.

## Drivers May Legally Avoid DUI Checkpoints

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While the law allows drivers to avoid DUI checkpoints, they must ensure the safety of everyone else on the road before doing so. For example, drivers may not make an illegal U-turn to avoid the checkpoint or speed to get past it. They can turn on a side street or turn around before reaching the checkpoint, however. Those who decide to proceed through a DUI checkpoint should remember that law enforcement personnel can only conduct DUI testing if the driver fully passes through the checkpoint and the officer selects him or her at random or due to reasonable suspicion.

## Avoiding DUI Checkpoints Can Arouse Police Suspicion

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**Setting up a DUI checkpoint is legal for police and avoiding one is legal for drivers.** That means that police officers normally can't pursue a driver just because he or she chose to drive the other way to avoid a checkpoint. However, the police officer can initiate a pursuit if he or she observes the motorist driving erratically that could suggest avoidance of the checkpoint because the driver expected to fail. Some specific examples of driving behavior that can attract police attention include:

- *Swerving*
- *Straddling the dividing line between lanes*
- *Speeding*
- *Driving aggressively*
- *Driving too slowly for the situation*
- *Making an illegal turn*

Police officers also have the right to stop drivers for other reasons such as a broken taillight, at which point they can also require them to test for DUI if they have reasonable suspicion of driver intoxication.

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## Arrested Drivers Have the Right to Hire a DUI Defense Attorney

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Just because a driver records a blood alcohol level above .05 percent doesn't mean automatic guilt. If a police officer in the Salt Lake City area has arrested you for DUI, retaining the services of an experienced [DUI defense attorney](#) should be one of your first actions. At [Wasatch Defense Lawyers](#), we have years of experience defending people charged with impaired driving.

With the loss of your driver's license, jail time, fines, and other penalties on the line, you can't afford to work with an inexperienced DUI defense attorney. We invite you to [contact Wasatch Defense Lawyers](#) today to [reserve your time](#) for a free consultation. This gives us the opportunity to learn more about your case and for you to learn more about possible defenses to a DUI charge.