Breath & Blood Tests

SEATTLE DUI ATTORNEY FIGHTING YOUR TEST RESULTS!

When a person is pulled over for drunk driving in Seattle, a breath test can be administered by a Washington law enforcement official in order to determine whether or not the person is intoxicated. A breath test will measure the amount of alcohol present in the blood stream, known as BAC, and is a way of determining if a person is over the legal limit. In Washington, the legal BAC limit is .08 percent.

There may be some circumstances in which a blood draw can be administered to determine BAC, however, breath tests make up the majority of DUI arrests. Here at Lewis & Laws, PLLC, we have over 45 years of combined legal experience in Washington and have seen many cases where the results from a blood or breath test are wrong during this time. Many clients are surprised to learn that there are many factors in addition to alcohol which can affect the outcome of their blood or breath test. In order to discover if any of these factors affected your DUI charges, it is wise to seek help and legal counsel from an experienced Seattle DUI lawyer.

Breath Tests

There are many things that can go wrong during a breath test that can lead to an inaccurate BAC level. Certain health issues like emphysema, GERD, asthma, bronchitis and diabetes can cause inaccurate breath test results. Technical issues can occur with the testing equipment because breathalyzer machines have not been maintained properly, improper testing procedures have been used, or outside interferences such as radio frequency or pollution are present.

Blood Tests

There are many factors which can lead to an inaccurate BAC when a blood test is performed. For example, if the medical equipment used is contaminated or faulty, or if the client has any existing medical conditions, the BAC from the blood test can be false. It can be very beneficial to have a drunk driving attorney who will work hard to find any discrepancies in a blood test that may lead to a dismissal of charges.

AUTOMATIC LICENSE SUSPENSION FOR REFUSING A CHEMICAL TEST

It is against the law to refuse a chemical test (breath, blood or urine test) after a lawful arrest under suspicion of drunk or drugged driving in the state of Washington. The penalty for refusing a chemical test is **automatic license suspension**. The Department of Licensing will administratively revoke your license for at least one year, and this is nine months longer than the three-month suspension for a first-time DUI conviction.

However, even if you refuse a chemical test after a lawful arrest or fail to complete one, you can contest license suspension at the administrative hearing. You must request this hearing – it will not be scheduled automatically. This is your only chance to contest Department of Licensing (DOL) suspension or revocation. Click here to learn more about requesting a hearing. You can also contact a Seattle DUI attorney at our firm directly to request this hearing for you.

If you have been arrested for drunk driving in or near Seattle, or for refusing a breath or blood test, contact a Seattle DUI attorney at our firm to start your defense.