

Byron Pugh Legal Addresses Tennessee DUI Law Changes Affecting Defendants in 2025 and 2026

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Nashville, TN - June 18, 2026 -
Byron Pugh Legal, a Nashville criminal defense firm, is addressing significant changes to Tennessee DUI laws that dramatically alter the legal landscape for defendants facing drunk driving charges in 2025 and 2026.

Three major legislative changes have reshaped DUI enforcement in Tennessee. Effective mid-2025, Tennessee Public Chapter No. 1055 lowered the blood alcohol concentration threshold for aggravated DUI, vehicular assault, and vehicular homicide from 0.20 percent to 0.15 percent. This reduction means drivers at 0.15 percent BAC now face the same enhanced felony-level penalties, longer jail time, and multi-year license suspensions that previously required a 0.20 percent reading.

Beginning January 1, 2026, Tennessee SB1400/HB1204 increased the minimum license suspension for first-time implied consent refusal from 12 months to 18 months. The same legislation authorized law enforcement officers to use reasonable force to assist in obtaining blood samples from DUI suspects and approved oral fluid roadside testing as admissible evidence in Tennessee DUI cases.

These changes come as the Tennessee Bureau of Investigation reported to the General Assembly that 419 people were arrested for DUI by 108 Tennessee law enforcement agencies in 2024, only for blood and breath tests to find no alcohol or other intoxicants in their systems. This finding illustrates the real risk of wrongful DUI arrest under Tennessee's expanded enforcement framework.

"The 0.15 percent BAC threshold change collapsed a meaningful legal distinction, as a driver at 0.15 percent now faces the same felony exposure as someone at 0.20 percent, and the difference of a few tenths of a percentage point in a breathalyzer reading is exactly the kind of measurement error that defense attorneys challenge on foundational grounds," said Byron Pugh, Criminal Defense Attorney at Byron Pugh Legal. "The new oral fluid testing is admissible evidence whose reliability challenges are still being developed in Tennessee courts, meaning defendants facing oral fluid-based DUI charges in 2026 are the first wave testing whether these results can withstand legal scrutiny. The 419 zero-intoxicant DUI arrests documented by TBI confirm that Tennessee's enforcement expansion is producing wrongful arrests, and only defendants who obtain legal representation immediately after arrest have the procedural tools to challenge those arrests before the evidentiary window closes."

As Byron Pugh Tennessee DUI lawyer services become increasingly critical, the firm notes that one in three fatal crashes in Tennessee involve DUI, according to state data, a statistic that drives aggressive enforcement and prosecution policies across all 95 Tennessee counties, including Davidson County where Byron Pugh Legal primarily practices. Wilson County saw DUI cases increase 36 percent in 2024, the highest single-year increase in five years, while Metro Nashville and Sumner County DUI cases trended downward, reflecting county-to-county enforcement disparities that create inconsistent legal exposure for Tennessee drivers across different jurisdictions.

The oral fluid testing authorization introduces particular concerns for defendants, as defense attorneys note this new testing modality is susceptible to false positives from food intake, acid reflux, and medical conditions, with its reliability still under active legal review in Tennessee courts as of early 2026.

Byron Pugh Legal is a criminal defense law firm based in Nashville, Tennessee, representing individuals charged with DUI, drug crimes, domestic assault, gun charges, property crimes, violent crimes, and other felony and misdemeanor offenses throughout Davidson County and Middle Tennessee. As a Tennessee DUI Lawyer, the firm offers free, confidential consultations and is available 24 hours a day for clients facing DUI investigations or charges.

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Byron Pugh Legal

Byron Pugh Legal offers expert criminal defense and family law services in Middle Tennessee, providing personalized attention and strategic advocacy to protect clients' rights.

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