



Two Years Into Tennessee's Lower BAC Threshold, More First-Time DUI Cases Carry Mandatory Jail

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The Law Offices of Meredith Mochel, an all-female criminal defense firm in Chattanooga, outlines how the 0.15 standard has reshaped first-offense exposure in Hamilton County.

A change to Tennessee law that took effect on July 1, 2024 lowered the blood alcohol concentration threshold for enhanced DUI penalties from 0.20 to 0.15. Two years on, a substantially wider band of first-time offenders now faces a mandatory minimum of seven consecutive days in jail rather than 48 hours. The Law Offices of Meredith Mochel says the change has altered how first-offense cases in Hamilton County are evaluated, negotiated, and tried.

A first DUI offense in Tennessee remains a Class A misdemeanor, carrying up to 11 months and 29 days of confinement, fines of \$350 to \$1,500, a one-year license revocation, and mandatory DUI school. Where the reported reading falls between 0.08 and 0.149, the mandatory minimum is 48 hours. At 0.15 or above, it is seven consecutive days, served without release. Tennessee also excludes DUI from judicial diversion by statute, meaning a conviction cannot be dismissed through successful completion of probation.

“Seven consecutive days is a different conversation than a weekend, and most people are surprised by how ordinary a 0.15 reading actually is,” said Meredith Mochel, founding attorney at the firm. “Because Tennessee does not permit diversion for DUI, a conviction is permanent. That is precisely why the stop itself and the testing evidence deserve close examination in every case, first offense included.”

The firm’s defense work centers on the evidentiary chain rather than the reported number in isolation: whether the traffic stop was lawfully initiated, whether breath instruments were properly calibrated and maintained, whether the required observation period was honored, whether blood draws followed chain-of-custody and laboratory protocol, and whether standardized field sobriety tests were administered as the training curriculum requires. Each of these can bear directly on the Tennessee DUI penalties a defendant ultimately faces.

Repeat and aggravated cases escalate sharply. A fourth DUI conviction within the applicable lookback period is a Class E felony carrying a mandatory minimum of 150 consecutive days, fines of \$3,000 to \$15,000, and an eight-year license revocation. Classifications rise from there, with a sixth or subsequent conviction reaching Class C felony exposure. Separately, a DUI crash causing serious bodily injury may be charged as vehicular assault, a Class D felony, and rises to aggravated vehicular assault, a Class C felony, where the driver has prior convictions or a reading of 0.15 or higher with one prior. The firm handles felony DUI charges alongside first-offense matters.

Driving with a passenger under the age of 18 adds a mandatory 30 days and an additional fine, and may be charged as a felony where the child is injured.

“A DUI conviction follows people into hiring decisions, professional licensing, and immigration status,” Mochel said. “Our work does not end at the charge itself. It extends to restricted license eligibility, ignition interlock terms, and sentencing alternatives, because those are what determine what a person’s life looks like after the case closes.”

Mochel has practiced law in Tennessee since 2003 and opened the firm in 2015. Licensed in both Tennessee and Georgia, she has tried cases involving DUI, violent felonies, and a broad range of criminal offenses across Hamilton County and North Georgia. She is joined by associate attorney Lillian G. Murphy.

The firm appears regularly in Hamilton County General Sessions and Criminal Court and is closely familiar with local docket procedure, discovery practice, and the timing requirements governing pretrial motions in DUI cases.

About the Law Offices of Meredith Mochel

The Law Offices of Meredith Mochel is an all-female criminal defense and family law firm based in Chattanooga, Tennessee, serving clients throughout East Tennessee and North Georgia. Founded in 2015, the firm handles DUI, drug offenses, assault, theft, and juvenile matters, along with divorce and custody cases.

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Law Offices of Meredith Mochel

At the Law Offices of Meredith Mochel, we have been defending serious criminal matters and DUIs for nearly 20 years.

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