

**People v. Perez, 175 Cal. App. 3d Supp.8, 221 Cal Rptr. 776
(1985)
(Vehicle observed at 2:15 am with "pronounced weaving" on
interstate)**

State v. Bailey, 51 Or. App. 173, 624 P.2d 663 (1981)
(Vehicle weaving within its lane for substantial
distance at 11:30 within city limits)

State v. Perry, 39 Or. App. 37, 591 P.2d 379 (1979)
(Vehicle weaving within its lane and registered owner
was a wanted person)

Ebona v. State, 577 P.2d 698 (1978)
(Driver exited café and appeared impaired before
getting into vehicle, vehicle observed swerving in
lane 4:30 am)

Dakota v. Dorendorf, 359 N.W. 2d 115 (1984)
(Vehicle observed approximately 1:00 am weaving as it
approached officers and weaving within its lane as
the officers followed it; driving characterized by
officers as erratic)

Bowman v. Tschida, 171 N.W. 2d 757 (N.D. 1969)
(Vehicle veered sharply in its lane, squealed tires,
and swayed within its lane)

State v. Lange, 255 N.W.2d 59 (N.D. 1977)
(Tip received from Highway Patrol about possible
impaired driver and vehicle weaving within its lane
from side to side)

State v. Ellanson, 293 Minn. 490, 198 N.W. 2d 136 (1972)
(Vehicle weaving within its lane of travel and
officer believed that something was wrong with the
steering mechanism of vehicle)

State v. Kvam, 336 N.W. 2d 525 (1983)
(Vehicle pulled out of liquor store at 12:15 am "kinda
fast" and made very wide right turn onto highway;
vehicle crossed into oncoming traffic causing another
vehicle to pull off onto shoulder to avoid a
collision, thereafter vehicle weaved within its lane;
vehicle continued 3/4 of mile before pulling over
pursuant to blue lights)

State v. Pratt, 182 Vt. 165, 932 A.2d 1039 (2007)
(Vehicle in early morning hours drifting within its
lane over five miles - dissenting opinion filed)

State v. Vermont, 182 Vt. 165, 932 A.2d (1039) (2007)
(Officer observed vehicle in early morning hours on interstate drift back and forth in its travel lane for approximately 5 miles, officer testified that what he observed was sign of impairment based on his training)

State v. Boyea, 171 Vt. 401, 765 A. 2d 862 (2000)
(Tip that specific vehicle was operating erratically on interstate - dissenting opinion referencing *Florida v. J.L.*, 529 U.S. 266(2000)).

State v. Bruno, 157 Vt. 6, 595 A.2d 272 (1991)
(Vehicle observed drifting, swerving and operating without headlamps on street after briefly stopping)

Gaddis ex rel. Gaddis v. Redford Twp., 364 F.3d 763 (6th Cir. 2004)
(Vehicle observed approximately 4:00 am weaving within his lane, and touched divider line twice, vehicle driving slowly, and driver slumped over at wheel, vehicle fail to stop for blue lights, no road or weather conditions to explain - dissenting opinion filed)

U.S. v. Palomino, 100 F.3d 446 (6th Cir. 1996)
(Officer had grounds to suspect driver was drunk and vehicle failed to stay within its lane)

U.S. v. Freeman, 209 F.3d 464 (6th Cir. 2000)
(No RAS¹ where vehicle veered out of its lane on windy day)

U.S. v. Gregory, 79 F. 3d 973 (10th Cir. 1996)
(No RAS where vehicle veered once into emergency lane of interstate highway)

People v. Greco, 336 Ill. App. 3d 253 (2003)
(Vehicle weaving back and forth at 12:40 am)

People v. Manders, 317 Ill. App. 3d 337, 740 N.E.2d 64

¹ "RAS" is abbreviation for "Reasonable and Articulable Suspicion".

(2000)

(No RAS where vehicle weaved within its lane of travel)

People v. Hackett, 406 Ill. App. 3d 209 (2010)

(No RAS where vehicle barely cross lane divider for two lanes in same direction)

People v. Albright, 251 Ill. App. 3d 341 (1993)

(Vehicle in early morning hours weaved within lane and crossed fog line)

People v. Diaz, 247 Ill. App. 3d 625 (1993)

(Anonymous tip of intoxicated driver, vehicle swerving all over roadway and crossing into adjacent lane)

People v. Faletti, 215 Ill. App. 3d 61 (1991)

(Vehicle almost struck officer's vehicle, cross centerline and went off roadway)

People v. Decker, 181 Ill. App. 3d 427 (1989)

(Vehicle observed at 1:50 am, weaving consistently and crossed fog line twice)

People v. Rush, 319 Ill. App. 3d 34 (2001)

(No RAS where vehicle at 1:30 am momentarily crossed divider line twice and fog line)

People v. Loucks, 135 Ill. App. 3d 530 (1985)

(Erratic weaving for two blocks)

People v. Houldridge, 117 Ill. App. 3d 10529 (1983)

(Vehicle slide from north to south side of road and registration was expired)

State v. Blake, 149 Ariz. 269, 718 P.2d 171 (1986)

(Early morning hours and vehicle weaving within its lane)

People v. Bracken, 83 Cal. App. 4th Supp. 1 (2000)

(Vehicle weaved for considerable distance and expert in DWI cases believed driver DUI)

Roberts v. Florida, 732 So. 2d 1127 (1999)

(Vehicle weaving right and left and crossing lane markers several times at 2:00 am)

Hurd v. Florida, 958 So. 2d 600 (2007)

(Vehicle around 9:00 pm, driver looking in mirror, driving slow, speed up, then drive slow, changed lanes without signal)

State v. Tompkins, 507 N.W.2d 736 (1993)

(Vehicle weaved from centerline to fog line several times) (Dissenting opinion filed arguing vehicles do not drive perfectly straight in their lane - Dissenting opinion filed)

State v. Tague, 676 N.W.2d 197 (2004)

(No RAS where vehicle at 2:00 am crossed over fog line; lane violation statute virtually identical to N.C.G.S. 20-146)

State v. Field, 252 Kan. 657, 847 P.2d 1280 (1993)

(Vehicle at 2:13 am weaved four times from middle of lane to outside of lane, officer stated his training and the hour of the night lead him to believe the driver was impaired)

State v. Malaney, 871 S.W.2d 634 (1994)

(Vehicle weaving in travel lane and suddenly pulled to shoulder of road after leaving known drug area)

State v. Thomte, 226 Neb. 659, 413 N.W. 2d 916 (1987)

(Vehicle in moderate traffic on interstate at 11:00 pm weave sharply from right to left within its lane in front of officer, traveling below the speed limit)

State v. Gedeon, 81 Ohio App. 3d 617, 611 N.E.2d 972 (1992)

(Rear window covered in snow and weaving)

State v. Spikes, 1995 WL 407357

(Vehicle traveling 15 mph below posted speed limit with hazards on, touching fog lines 4 times)

Neal v. Commonwealth, 27 VA. App. 233, 498 S.E.2d 422 (1988)

(Tip about reckless vehicle on interstate, weaving constantly side to side at 65 mph, crossed lanes and touched fog line)

State v. Field, 252 Kan 657, 847 P.2d 1280 (1993)

(Vehicle at 2:00 am weaved five times)

State v. Tompkins, 507 N.W.2d 736 (1993)

(Vehicle weaved within its lane for one mile - dissent
filed stating nobody drivers perfectly straight in their
lane)

State v. Caron, 534 A.2d 978 (1987)

(No RAS where vehicle in early morning hours straddling
centerline of undivided highway with no traffic)

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