



Appendix B: Mandatory Minimum Laws in Virginia

- Offenses with mandatory minimums are also identified in the "MM" column of the VCC Book
- § 16.2-272 - In cases of juveniles convicted of felonies, the court has discretion to depart from mandatory minimums

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Cat.)</u>	<u>Mandatory</u>
AGRICULTURE, HORTICULTURE & FOOD				
Tobacco Product Manufacturers				
Possess, import, etc., cigarettes not in directory, ≥ 3000 pkgs.	AGR-4634-M1	§3.2-4212(D,ii)	0-12M	90 D
Sell or distribute cigarettes not in directory, ≥ 3000 pkgs.	AGR-4632-M1	§3.2-4212(D,i)	0-12M	90 D
ALCOHOL				
Sell				
Sale, illegal alcohol - subsequent	ALC-4163-M1	§4.1-302	0-12M	30 D
ASSAULT				
Firearm				
Firearm use in commission of felony - first offense	ASL-1319-F9	§18.2-53.1	3Y-3Y (II)	3 Y
Firearm use in commission of felony - subsequent offense	ASL-1323-F9	§18.2-53.1	5Y-5Y (II)	5 Y
Law Enforcement, Court, Fire, Medical Services, Etc.				
Malicious bodily injury to law enforcement, fire or EMS	ASL-1326-F9	§18.2-51.1	5Y-30Y (II)	2 Y
Non-malicious injury to law enforcement, fire/EMS personnel, etc.	ASL-1330-F6	§18.2-51.1	1Y-5Y (II)	1 Y
Simple assault on law enforcement, court, DOC, fire/medical, etc.	ASL-1342-F6	§18.2-57(C)	1Y-5Y	6 M
Simple Assault - Health Care Provider				
Battery against health care provider in an emergency facility	ASL-1352-M1	§18.2-57(E)	0-12M	2 D
Simple Assault - Teacher, School Employee				
Simple assault, on teacher, principal, school employee, etc.	ASL-1312-M1	§18.2-57(D)	0-12M	2 D
Simple assault, on teacher, principal, school employee, etc. w/weapon	ASL-1311-M1	§18.2-57(D)	0-12M	6 M
ESCAPES				
Correctional Facility				
Escape from a correctional facility	ESC-4921-F6	§53.1-203(1)	1Y-5Y (II)	1 Y
FRAUD				
Identity Fraud				
Publish name of LEO, judge, magistrate with intent to harass, etc.	FRD-2540-F6	§18.2-186.4	1Y-5Y	6 M
GANGS				
Participation - School Zone, Community Center, Etc.				
Participation in crime for benefit/direction of gang - school, etc.	MOB-1280-F4	§18.2-46.2	2Y-10Y	2 Y
Participation in crime for gang that includes juvenile - school, etc.	MOB-1281-F3	§18.2-46.2	5Y-20Y	2 Y
MURDER				
Aggravated				
Law enforcement officer	MUR-0923-F1	§18.2-31(6)	Life-Life (I)	Life
Manslaughter				
Involuntary manslaughter, under the influence - vehicular, aggravated	MUR-0948-F9	§18.2-36.1(B)	1Y-20Y (II)	1 Y
Involuntary manslaughter, under the influence - watercraft, aggravated	MUR-0949-F9	§18.2-36.2(B)	1Y-20Y	1 Y
NARCOTICS				
Marijuana - Continuing Criminal Enterprise				
Distribute etc., 100 kilograms, less than 250.0 kilograms marijuana mix	NAR-3119-F9	§18.2-248(H1,ii,3)	20Y-Life	20 Y
Distribute etc., 250.0 kilograms or more marijuana mixture	NAR-3124-F9	§18.2-248(H2,ii,3)	40, Life	40, Life
Marijuana - Distribution				
Sell, distribute, etc., marijuana 3rd or subsequent felony	NAR-3085-F9	§18.2-248.1(d)	5Y-Life	5 Y
Marijuana - Distribution Based on Quantity				

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Cat.)</u>	<u>Mandatory</u>
NARCOTICS				
Marijuana - Distribution Based on Quantity				
Marijuana mixture, etc., distribute, etc., 100 kilograms or more	NAR-3114-F9	§18.2-248(H,3)	20Y-Life	20 Y*
* If court finds exception, mandatory minimum does not apply		§18.2-248(H,3)		*
Marijuana - Transport				
Transport into Commonwealth - 5 lbs. or more marij.	NAR-3067-F9	§18.2-248.01	5Y-40Y	3 Y
Transport into Commonwealth - 5 lbs. or more marij. - 2nd or subsq.	NAR-3086-F9	§18.2-248.01	5Y-40Y	10 Y
Minors - Assist In Distribution				
Sell <1 oz. of marijuana, minor assists in distribution	NAR-3126-F9	§18.2-255(A,ii)	10Y-50Y	2 Y
Sell 1 oz. or more of marijuana, minor assists in distribution	NAR-3127-F9	§18.2-255(A,ii)	10Y-50Y	5 Y
Sell Sch. I/II drug, minor assists in distribution	NAR-3128-F9	§18.2-255(A,ii)	10Y-50Y	5 Y
Minors - Marijuana				
Sell <1 oz. of marijuana to minor	NAR-3063-F9	§18.2-255(A,i)	10Y-50Y	2 Y
Sell 1 oz. or more of marijuana to minor	NAR-3098-F9	§18.2-255(A,i)	10Y-50Y	5 Y
Minors - Schedule I/II				
Sell Sch. I/II drug to minor	NAR-3097-F9	§18.2-255(A,i)	10Y-50Y	5 Y
Money - Continuing Criminal Enterprise				
Gross \$100,000 to < \$250,000 within 12 month period	NAR-3090-F9	§18.2-248(H1,i)	20Y-Life	20 Y
Gross \$250,000 or more within 12 month period	NAR-3092-F9	§18.2-248(H2,i)	40, Life	40, Life
Schedule I or II Drugs - Continuing Criminal Enterprise				
Cocaine mixture distribute etc. 5.0 kilograms less than 10.0 kilograms	NAR-3117-F9	§18.2-248(H1,ii,2)	20Y-Life	20 Y
Cocaine mixture, distribute etc. 10.0 kilograms or more	NAR-3122-F9	§18.2-248(H2,ii,2)	40, Life	40, Life
Heroin mixture, distribute etc. 1.0 kilograms less than 5.0 kilograms	NAR-3116-F9	§18.2-248(H1,ii,1)	20Y-Life	20 Y
Heroin mixture, distribute etc. 5.0 kilograms or more	NAR-3121-F9	§18.2-248(H2,ii,1)	40, Life	40, Life
Methamphetamine, distribute etc. 100g < 250g / 200g < 1 kg mixture	NAR-3120-F9	§18.2-248(H1,ii,4)	20Y-Life	20 Y
Methamphetamine, distribute etc. 250g or more / 1kg or more mixture	NAR-3125-F9	§18.2-248(H2,ii,4)	40, Life	40, Life
Type Not Clear - Distribute Schd. I/II or marijuana - quantity defined	NAR-3091-F9	§18.2-248(H1,ii)	20Y-Life	20 Y
Type Not Clear - Distribute Schd. I/II or marijuana - quantity defined	NAR-3093-F9	§18.2-248(H2,ii)	40, Life	40, Life
Schedule I or II Drugs - Distribution, 2nd				
Sell, poss. w/intent, distribute, etc. - second conviction	NAR-3038-F9	§18.2-248(C)	5Y-Life	3 Y
Schedule I or II Drugs - Distribution, 3rd & Subsequent				
Sell, poss. w/intent, distribute, etc. - third or subsequent	NAR-3087-F9	§18.2-248(C)	10Y-Life	10 Y*
Schedule I or II Drugs - Distribution, Quantity				
Cocaine mixture, etc., distribute, etc., 500 g or more	NAR-3145-F9	§18.2-248(C,2)	5Y-Life	5 Y*
Cocaine mixture, etc., distribute, etc., 5.0 kilograms or more	NAR-3112-F9	§18.2-248(H,2)	20Y-Life	20 Y*
Heroin, distribute, etc., 100g or more	NAR-3144-F9	§18.2-248(C,1)	5Y-Life	5 Y*
Heroin mixture, distribute, etc., 1.0 kilograms or more	NAR-3111-F9	§18.2-248(H,1)	20Y-Life	20 Y*
Methamphetamine, distribute, etc., 10g or more (20g mixture)	NAR-3147-F9	§18.2-248(C,3)	5Y-Life	5 Y*
Methamphetamine, distribute, etc., 28g or more	NAR-3149-F9	§18.2-248.03	5Y-40Y	3 Y
Methamphetamine, distribute, etc., 100g or more (200g mixture)	NAR-3115-F9	§18.2-248(H,4)	20Y-Life	20 Y*
Methamphetamine, distribute, etc., 227g or more	NAR-3151-F9	§18.2-248.03	5Y-Life	5 Y
* If court finds exception, mandatory minimum does not apply		§18.2-248(C,1 et al.)		*
Schedule I or II Drugs - Manufacture Methamphetamine				
Manufacture methamphetamine - 3rd or subsequent conviction	NAR-3133-F9	§18.2-248(C1)	10Y-Life	3 Y
Schedule I or II Drugs - Transport				
Transport into Commonwealth - 1 oz. or more of Cocaine	NAR-3065-F9	§18.2-248.01	5Y-40Y	3 Y
Transport into Commonwealth - 1 oz. or more of Cocaine, 2nd/subsq.	NAR-3088-F9	§18.2-248.01	5Y-40Y	10 Y

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Cat.)</u>	<u>Mandatory</u>
NARCOTICS				
Schedule I or II Drugs - Transport				
Transport into Commonwealth - 1 oz. or more other Sch. I/II	NAR-3066-F9	§18.2-248.01	5Y-40Y	3 Y
Transport into Commonwealth - 1 oz. or more other Sch. I/II, 2nd/subsq.	NAR-3089-F9	§18.2-248.01	5Y-40Y	10 Y
School or Public Property, Etc., Possession/Distribution On				
Distribute, etc., controlled substance school/public property - subsq.	NAR-3099-F6	§18.2-255.2	1Y-5Y	1 Y
Steroids				
Anabolic steroids - sell, distribute, etc.	NAR-3041-F9	§18.2-248.5(A)	1Y-10Y	6 M
Type Not Clear				
Type Not Clear - Distribute Schd. I/II - quantity defined	NAR-3094-F9	§18.2-248(H)	20Y-Life	20 Y
OBSCENITY - CHILD PORN				
Possession, Distribution, Reproduction				
Reproduce, transmit, sell, etc., child porn, subsequent	OBS-3681-F9	§18.2-374.1:1(C,i)	5Y-20Y (II)	5 Y
Solicitation of child porn to gain entry to group, subsequent	OBS-3678-F9	§18.2-374.1:1(C,ii)	5Y-20Y (II)	5 Y
Production, Publication, Sale, Financing				
Entice minor to perform in porn, age <15, offender 7+ yrs.	OBS-3742-F9	§18.2-374.1(B,1)	5Y-30Y (II)	5 Y
Entice minor to perform in porn, age <15, offender 7+ yrs., 2nd/Subsq.	OBS-3743-F9	§18.2-374.1(B,1)	15Y-40Y (I)	15 Y
Entice minor to perform in porn, age 15+, offender 7+ yrs.	OBS-3745-F9	§18.2-374.1(B,1)	3Y-30Y (II)	3 Y
Entice minor to perform in porn, age 15+, offender 7+ yrs., 2nd/Subsq.	OBS-3746-F9	§18.2-374.1(B,1)	10Y-30Y (II)	10 Y
Finance child porn, age < 15, offender 7+ yrs.	OBS-3683-F9	§18.2-374.1(B,4)	5Y-30Y (II)	5 Y
Finance child porn, age < 15, offender 7+ yrs., 2nd/Subsq.	OBS-3684-F9	§18.2-374.1(B,4)	15Y-40Y (I)	15 Y
Finance child porn, age 15+, offender 7+ yrs.	OBS-3686-F9	§18.2-374.1(B,4)	3Y-30Y (II)	3 Y
Finance child porn, age 15+, offender 7+ yrs., 2nd/Subsq.	OBS-3687-F9	§18.2-374.1(B,4)	10Y-30Y (II)	10 Y
Produce, make child porn, age <15, offender 7+ yrs.	OBS-3748-F9	§18.2-374.1(B,2)	5Y-30Y (II)	5 Y
Produce, make child porn, age <15, offender 7+ yrs., 2nd/Subsq.	OBS-3749-F9	§18.2-374.1(B,2)	15Y-40Y (I)	15 Y
Produce, make child porn, age 15+, offender 7+ yrs.	OBS-3751-F9	§18.2-374.1(B,2)	3Y-30Y (II)	3 Y
Produce, make child porn, age 15+, offender 7+ yrs., 2nd/Subsq.	OBS-3752-F9	§18.2-374.1(B,2)	10Y-30Y (II)	10 Y
Take part, film child porn, age < 15, offender 7+ yrs.	OBS-3754-F9	§18.2-374.1(B,3)	5Y-30Y (II)	5 Y
Take part, film child porn, age < 15, offender 7+ yrs., 2nd/Subsq.	OBS-3755-F9	§18.2-374.1(B,3)	15Y-40Y (I)	15 Y
Take part, film child porn, age 15+, offender 7+ yrs.	OBS-3757-F9	§18.2-374.1(B,3)	3Y-30Y (II)	3 Y
Take part, film child porn, age 15+, offender 7+ yrs., 2nd/Subsq.	OBS-3760-F9	§18.2-374.1(B,3)	10Y-30Y (II)	10 Y
OBSCENITY - CHILD SOLICITATION				
Communications System				
Propose sex act by communications sys. age <15, offender 7+ yr	OBS-3702-F9	§18.2-374.3(C)	5Y-30Y (II)	5 Y
Propose sex act by communications sys. age <15, offender 7+ yr, 2nd+	OBS-3703-F9	§18.2-374.3(C)	10Y-40Y (I)	10 Y
Propose sex act by communications sys. age 15+, offender 7+ yr, 2nd+	OBS-3691-F9	§18.2-374.3(D)	1Y-20Y (II)	1 Y
PROTECTIVE ORDERS				
Juvenile & Domestic Court				
Violation of protective order (violence) 2nd w/in 5 yrs.	PRT-5001-M1	§16.1-253.2(A)	0-12M	60 D
Violation of protective order (violence) 3rd w/in 20 yrs.	PRT-5002-F6	§16.1-253.2(A)	1Y-5Y (II)	6 M
Other				
Violation of protective order (violence) 2nd w/in 5 yrs.	PRT-5066-M1	§18.2-60.4(A)	0-12M	60 D
Violation of protective order (violence) 3rd w/in 20 yrs.	PRT-5067-F6	§18.2-60.4(A)	1Y-5Y (II)	6 M
SEXUAL ASSAULT				
Object Sexual Penetration				
Victim under age 13 (indicted as an adult)	RAP-1154-F9	§18.2-67.2(A,1)	Life-Life (I)	Life
Victim under age 13, w/kidnapping, burglary, wounding	RAP-1152-F9	§18.2-67.2(A,1)	25Y-Life (I)	25 Y

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Cat.)</u>	<u>Mandatory</u>
SEXUAL ASSAULT				
Rape, Forcible				
Intercourse with victim under age 13 (indicted as an adult)	RAP-1131-F9	§18.2-61(A,iii)	Life-Life (I)	Life
Intercourse with victim under age 13, w/kidnapping, burglary, wounding	RAP-1150-F9	§18.2-61(A,iii)	25Y-Life (I)	25 Y
Sodomy, Forcible				
Victim under age 13 (indicted as an adult)	RAP-1153-F9	§18.2-67.1(A,1)	Life-Life (I)	Life
Victim under age 13, w/kidnapping, burglary, wounding	RAP-1151-F9	§18.2-67.1(A,1)	25Y-Life (I)	25 Y
Subsequent Violent Felony				
Use VCC for offense & change position 8 of VCC to "X"		§18.2-67.5:2	Max. (II)	5-20 Y
Use VCC for offense & change position 8 of VCC to "X"		§18.2-67.5:3	Max. (I/II)	10Y- Life
THIRD CONVICTION FOR VIOLENT FELONY				
Type				
Three Strikes - Use VCC for offense change "F" to "L"		§19.2-297.1	Life	Life
TRAFFIC - DRIVING WHILE INTOXICATED				
Motor Vehicle, Etc. - 1st Conviction				
First conviction, BAC .15 to .20	DWI-5443-M1	§18.2-266	0-12M	5 D
First conviction, BAC > .20	DWI-5444-M1	§18.2-266	0-12M	10 D
Motor Vehicle, Etc. - 1st Conviction with Child				
First conviction w/child	DWI-5451-M1	§18.2-266	0-12M	5 D
First conviction, BAC .15 to .20 w/child	DWI-5452-M1	§18.2-266	0-12M	10 D
First conviction, BAC > .20 w/child	DWI-5453-M1	§18.2-266	0-12M	15 D
First conviction, influence of drugs w/child	DWI-5463-M1	§18.2-266	0-12M	5 D
First conviction, influence of drugs/alcohol w/child	DWI-5351-M1	§18.2-266	0-12M	5 D
Motor Vehicle, Etc. - 1st Conviction with Child (Marijuana)				
First conviction, influence of marijuana w/child	DWI-5621-M1	§18.2-266	0-12M	5 D
Motor Vehicle, Etc. - 2nd Conviction				
Second conviction within less than 5 years	DWI-5448-S9	§18.2-266	1M-1Y	20 D
Second conviction within less than 5 years .15 to .20 BAC	DWI-5474-S9	§18.2-266	1M-1Y	30 D
Second conviction within less than 5 years, BAC > .20	DWI-5475-S9	§18.2-266	1M-1Y	40 D
Second conviction within less than 5 years, drugs	DWI-5464-S9	§18.2-266	1M-1Y	20 D
Second conviction within less than 5 years, drugs/alcohol	DWI-5368-S9	§18.2-266	1M-1Y	20 D
Second conviction within 5 to 10 years	DWI-5447-S9	§18.2-266	1M-1Y	10 D
Second conviction within 5 to 10 years, BAC .15 to .20	DWI-5476-S9	§18.2-266	1M-1Y	20 D
Second conviction within 5 to 10 years, BAC > .20	DWI-5477-S9	§18.2-266	1M-1Y	30 D
Second conviction within 5 to 10 years, drugs	DWI-5465-S9	§18.2-266	1M-1Y	10 D
Second conviction within 5 to 10 years, drugs/alcohol	DWI-5354-S9	§18.2-266	1M-1Y	10 D
Second conviction within 10 years, BAC .15 to .20	DWI-5445-S9	§18.2-266	1M-1Y	20 D
Second conviction within 10 years, BAC > .20	DWI-5446-S9	§18.2-266	1M-1Y	30 D
Motor Vehicle, Etc. - 2nd Conviction (Marijuana)				
Second conviction within less than 5 years, marijuana	DWI-5622-S9	§18.2-266	1M-1Y	20 D
Second conviction within 5 to 10 years, marijuana	DWI-5623-S9	§18.2-266	1M-1Y	10 D
Motor Vehicle, Etc. - 2nd Conviction with Child				
Second conviction within less than 5 years w/child	DWI-5457-S9	§18.2-266	1M-1Y	25 D
Second conviction within less than 5 years, BAC .15 to .20 w/child	DWI-5479-S9	§18.2-266	1M-1Y	35 D
Second conviction within less than 5 years, BAC > .20 w/child	DWI-5480-S9	§18.2-266	1M-1Y	45 D
Second conviction within less than 5 years, drugs, w/child	DWI-5466-S9	§18.2-266	1M-1Y	25 D
Second conviction within less than 5 years, drugs/alcohol, w/child	DWI-5369-S9	§18.2-266	1M-1Y	25 D

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Cat.)</u>	<u>Mandatory</u>
TRAFFIC - DRIVING WHILE INTOXICATED				
Motor Vehicle, Etc. - 2nd Conviction with Child				
Second conviction within 5 to 10 years w/child	DWI-5456-S9	§18.2-266	1M-1Y	15 D
Second conviction within 5 to 10 years, BAC .15 to .20 w/child	DWI-5481-S9	§18.2-266	1M-1Y	25 D
Second conviction within 5 to 10 years, BAC > .20 w/child	DWI-5482-S9	§18.2-266	1M-1Y	35 D
Second conviction within 5 to 10 years, drugs, w/child	DWI-5467-S9	§18.2-266	1M-1Y	15 D
Second conviction within 5 to 10 years, drugs/alcohol, w/child	DWI-5355-S9	§18.2-266	1M-1Y	15 D
Second conviction within 10 years, BAC .15 to .20 w/child	DWI-5454-S9	§18.2-266	1M-1Y	25 D
Second conviction within 10 years, BAC > .20 w/child	DWI-5455-S9	§18.2-266	1M-1Y	25 D
Motor Vehicle, Etc. - 2nd Conviction with Child (Marijuana)				
Second conviction within less than 5 years, marijuana, w/child	DWI-5624-S9	§18.2-266	1M-1Y	25 D
Second conviction within 5 to 10 years, marijuana, w/child	DWI-5625-S9	§18.2-266	1M-1Y	15 D
Motor Vehicle, Etc. - 3rd Conviction				
Third conviction within 5 Years	DWI-5450-F6	§18.2-266	1Y-5Y	6 M
Third conviction within 5 Years, BAC .15 to .20	DWI-5680-F6	§18.2-266	1Y-5Y	6 M
Third conviction within 5 Years, BAC > .20	DWI-5681-F6	§18.2-266	1Y-5Y	6 M
Third conviction within 5 years, influence of drugs	DWI-5469-F6	§18.2-266	1Y-5Y	6 M
Third conviction within 5 years, influence of drugs/alcohol	DWI-5373-F6	§18.2-266	1Y-5Y	6 M
Third conviction within 10 years	DWI-5449-F6	§18.2-266	1Y-5Y	90 D
Third conviction within 10 Years, BAC .15 to .20	DWI-5682-F6	§18.2-266	1Y-5Y	90 D
Third conviction within 10 Years, BAC > .20	DWI-5683-F6	§18.2-266	1Y-5Y	90 D
Third conviction within 10 years, influence of drugs	DWI-5468-F6	§18.2-266	1Y-5Y	90 D
Third conviction within 10 years, influence of drugs/alcohol	DWI-5371-F6	§18.2-266	1Y-5Y	90 D
Motor Vehicle, Etc. - 3rd Conviction (Marijuana)				
Third conviction within 5 years, influence of marijuana	DWI-5627-F6	§18.2-266	1Y-5Y	6 M
Third conviction within 10 years, influence of marijuana	DWI-5626-F6	§18.2-266	1Y-5Y	90 D
Motor Vehicle, Etc. - 3rd Conviction with Child				
Third conviction within 5 Years w/child	DWI-5459-F6	§18.2-266	1Y-5Y	6M 5D
Third conviction within 5 Years, BAC .15 to .20 w/child	DWI-5684-F6	§18.2-266	1Y-5Y	6M 5D
Third conviction within 5 Years, BAC > .20 w/child	DWI-5685-F6	§18.2-266	1Y-5Y	6M 5D
Third conviction within 5 Years, drugs, w/child	DWI-5471-F6	§18.2-266	1Y-5Y	6M 5D
Third conviction within 5 Years, drugs/alcohol, w/child	DWI-5372-F6	§18.2-266	1Y-5Y	6M 5D
Third conviction within 10 years w/child	DWI-5458-F6	§18.2-266	1Y-5Y	95 D
Third conviction within 10 Years, BAC .15 to .20 w/child	DWI-5686-F6	§18.2-266	1Y-5Y	95 D
Third conviction within 10 Years, BAC > .20 w/child	DWI-5687-F6	§18.2-266	1Y-5Y	95 D
Third conviction within 10 years, drugs, w/child	DWI-5470-F6	§18.2-266	1Y-5Y	95 D
Third conviction within 10 years, drugs/alcohol, w/child	DWI-5370-F6	§18.2-266	1Y-5Y	95 D
Motor Vehicle, Etc. - 3rd Conviction with Child (Marijuana)				
Third conviction within 5 Years, marijuana, w/child	DWI-5629-F6	§18.2-266	1Y-5Y	6M 5D
Third conviction within 10 years, marijuana, w/child	DWI-5628-F6	§18.2-266	1Y-5Y	95 D
Motor Vehicle, Etc. - 4th Conviction				
Fourth or subsequent conviction within 10 years	DWI-5406-F6	§18.2-266	1Y-5Y	1 Y
Fourth or subsequent conviction within 10 yr., BAC .15 to .20	DWI-5688-F6	§18.2-266	1Y-5Y	1 Y
Fourth or subsequent conviction within 10 yr., BAC > .20	DWI-5689-F6	§18.2-266	1Y-5Y	1 Y
Fourth or subsequent conviction within 10 yr., drugs	DWI-5472-F6	§18.2-266	1Y-5Y	1 Y
Fourth or subsequent conviction within 10 yr., drugs/alcohol	DWI-5352-F6	§18.2-266	1Y-5Y	1 Y

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Cat.)</u>	<u>Mandatory</u>
TRAFFIC - DRIVING WHILE INTOXICATED				
Motor Vehicle, Etc. - 4th Conviction (Marijuana)				
Fourth or subsequent conviction within 10 yr., marijuana	DWI-5630-F6	§18.2-266	1Y-5Y	1 Y
Motor Vehicle, Etc. - 4th Conviction with Child				
Fourth or subsequent conviction within 10 years w/child	DWI-5460-F6	§18.2-266	1Y-5Y	1Y 5D
Fourth or subsequent conviction within 10 yr., BAC .15 to .20 w/child	DWI-5690-F6	§18.2-266	1Y-5Y	1Y 5D
Fourth or subsequent conviction within 10 yr., BAC > .20 w/child	DWI-5691-F6	§18.2-266	1Y-5Y	1Y 5D
Fourth or subsequent conviction within 10 yr., drugs, w/child	DWI-5473-F6	§18.2-266	1Y-5Y	1Y 5D
Fourth or subsequent conviction within 10 yr., drugs/alcohol, w/child	DWI-5353-F6	§18.2-266	1Y-5Y	1Y 5D
Motor Vehicle, Etc. - 4th Conviction with Child (Marijuana)				
Fourth or subsequent conviction within 10 yr., marijuana, w/child	DWI-5631-F6	§18.2-266	1Y-5Y	1Y 5D
Motor Vehicle, Etc. - A Prior Felony § 18.2-270(C,2)				
Prior DWI manslaughter, assault, felony DWI	DWI-5493-F6	§18.2-266	1Y-5Y	1 Y
Prior DWI manslaughter, assault, felony DWI, BAC .15 to .20	DWI-5692-F6	§18.2-266	1Y-5Y	1 Y
Prior DWI manslaughter, assault, felony DWI, BAC > .20	DWI-5693-F6	§18.2-266	1Y-5Y	1 Y
Motor Vehicle, Etc. - A Prior Felony § 18.2-270(C,2) - Child				
Prior DWI manslaughter, assault, felony DWI w/child	DWI-5494-F6	§18.2-266	1Y-5Y	1Y 5D
Prior DWI manslaughter, assault, felony DWI, BAC .15 to .20 w/child	DWI-5694-F6	§18.2-266	1Y-5Y	1Y 5D
Prior DWI manslaughter, assault, felony DWI, BAC > .20 w/child	DWI-5695-F6	§18.2-266	1Y-5Y	1Y 5D
Motor Vehicle, Etc. - Commercial Vehicles - 1st				
1st DWI commercial vehicle: BAC .15 to .20	DWI-5573-M1	§46.2-341.24	0-12M	5 D
1st DWI commercial vehicle: BAC > .20	DWI-5574-M1	§46.2-341.24	0-12M	10 D
Motor Vehicle, Etc. - Commercial Vehicles - 1st (Marijuana)				
1st DWI commercial vehicle: marijuana w/child	DWI-5641-M1	§46.2-341.24	0-12M	5 D
Motor Vehicle, Etc. - Commercial Vehicles - 1st with Child				
1st DWI commercial vehicle: with child	DWI-5575-M1	§46.2-341.24	0-12M	5 D
1st DWI commercial vehicle: BAC .15 to .20 w/child	DWI-5576-M1	§46.2-341.24	0-12M	10 D
1st DWI commercial vehicle: BAC > .20 w/child	DWI-5577-M1	§46.2-341.24	0-12M	15 D
1st DWI commercial vehicle: drug w/child	DWI-5578-M1	§46.2-341.24	0-12M	5 D
1st DWI commercial vehicle: drugs/alcohol w/child	DWI-5375-M1	§46.2-341.24	0-12M	5 D
Motor Vehicle, Etc. - Commercial Vehicles - 2nd				
2nd DWI commercial vehicle w/in < 5 yrs	DWI-5418-S9	§46.2-341.24	1M-1Y	20 D
2nd DWI commercial vehicle w/in < 5 yrs: BAC .15 to .20	DWI-5580-S9	§46.2-341.24	1M-1Y	30 D
2nd DWI commercial vehicle w/in < 5 yrs: BAC > .20	DWI-5581-S9	§46.2-341.24	1M-1Y	40 D
2nd DWI commercial vehicle w/in < 5 yrs: drug	DWI-5484-S9	§46.2-341.24	1M-1Y	20 D
2nd DWI commercial vehicle w/in < 5 yrs: drugs/alcohol	DWI-5376-S9	§46.2-341.24	1M-1Y	20 D
2nd DWI commercial vehicle w/in 5 to 10 yrs	DWI-5419-S9	§46.2-341.24	1M-1Y	10 D
2nd DWI commercial vehicle w/in 5 to 10 yrs: BAC .15 to .20	DWI-5582-S9	§46.2-341.24	1M-1Y	20 D
2nd DWI commercial vehicle w/in 5 to 10 yrs: BAC > .20	DWI-5583-S9	§46.2-341.24	1M-1Y	30 D
2nd DWI commercial vehicle w/in 5 to 10 yrs: drug	DWI-5485-S9	§46.2-341.24	1M-1Y	10 D
2nd DWI commercial vehicle w/in 5 to 10 yrs: drugs/alcohol	DWI-5378-S9	§46.2-341.24	1M-1Y	10 D
2nd DWI commercial vehicle w/in 10 yrs: BAC .15 to .20	DWI-5584-S9	§46.2-341.24	1M-1Y	20 D
2nd DWI commercial vehicle w/in 10 yrs: BAC > .20	DWI-5585-S9	§46.2-341.24	1M-1Y	30 D
Motor Vehicle, Etc. - Commercial Vehicles - 2nd (Marijuana)				
2nd DWI commercial vehicle w/in < 5 yrs., marij. w/child	DWI-5643-S9	§46.2-341.24	1M-1Y	25 D
2nd DWI commercial vehicle w/in < 5 yrs., marij.	DWI-5642-S9	§46.2-341.24	1M-1Y	20 D
2nd DWI commercial vehicle w/in 5 to 10 yrs: marij.	DWI-5644-S9	§46.2-341.24	1M-1Y	10 D

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Cat.)</u>	<u>Mandatory</u>
TRAFFIC - DRIVING WHILE INTOXICATED				
Motor Vehicle, Etc. - Commercial Vehicles - 2nd (Marijuana)				
2nd DWI commercial vehicle w/in 5 to 10 yrs: marij.w/child	DWI-5645-S9	§46.2-341.24	1M-1Y	15 D
Motor Vehicle, Etc. - Commercial Vehicles - 2nd with Child				
2nd DWI commercial vehicle w/in < 5 yrs. w/child	DWI-5586-S9	§46.2-341.24	1M-1Y	25 D
2nd DWI commercial vehicle w/in < 5 yrs., drug w/child	DWI-5589-S9	§46.2-341.24	1M-1Y	25 D
2nd DWI commercial vehicle w/in < 5 yrs., drugs/alcohol w/child	DWI-5377-S9	§46.2-341.24	1M-1Y	25 D
2nd DWI commercial vehicle w/in < 5 yrs: BAC .15 to .20 w/child	DWI-5587-S9	§46.2-341.24	1M-1Y	35 D
2nd DWI commercial vehicle w/in < 5 yrs: BAC > .20 w/child	DWI-5588-S9	§46.2-341.24	1M-1Y	45 D
2nd DWI commercial vehicle w/in 5 to 10 yrs w/child	DWI-5591-S9	§46.2-341.24	1M-1Y	15 D
2nd DWI commercial vehicle w/in 5 to 10 yrs: BAC .15 to .20 w/child	DWI-5592-S9	§46.2-341.24	1M-1Y	25 D
2nd DWI commercial vehicle w/in 5 to 10 yrs: BAC >.20 w/child	DWI-5593-S9	§46.2-341.24	1M-1Y	35 D
2nd DWI commercial vehicle w/in 5 to 10 yrs: drug w/child	DWI-5594-S9	§46.2-341.24	1M-1Y	15 D
2nd DWI commercial vehicle w/in 5 to 10 yrs: drugs/alcohol w/child	DWI-5379-S9	§46.2-341.24	1M-1Y	15 D
2nd DWI commercial vehicle w/in 10 yrs: BAC .15 to .20 w/child	DWI-5596-S9	§46.2-341.24	1M-1Y	25 D
2nd DWI commercial vehicle w/in 10 yrs: BAC >.20 w/child	DWI-5597-S9	§46.2-341.24	1M-1Y	35 D
Motor Vehicle, Etc. - Commercial Vehicles - 3rd				
3rd DWI commercial vehicle within 5 yrs.	DWI-5420-F6	§46.2-341.24	1Y-5Y	6 M
3rd DWI commercial vehicle within 5 yrs., BAC .15 to .20	DWI-5696-F6	§46.2-341.24	1Y-5Y	6 M
3rd DWI commercial vehicle within 5 yrs., BAC > .20	DWI-5697-F6	§46.2-341.24	1Y-5Y	6 M
3rd DWI commercial vehicle within 10 yrs.	DWI-5421-F6	§46.2-341.24	1Y-5Y	90 D
3rd DWI commercial vehicle within 10 yrs., BAC .15 to .20	DWI-5677-F6	§46.2-341.24	1Y-5Y	90 D
3rd DWI commercial vehicle within 10 yrs., BAC > .20	DWI-5678-F6	§46.2-341.24	1Y-5Y	90 D
Motor Vehicle, Etc. - Commercial Vehicles - 3rd with Child				
3rd DWI commercial vehicle within 5 yrs. w/child	DWI-5598-F6	§46.2-341.24	1Y-5Y	6M 5D
3rd DWI commercial vehicle within 5 yrs., BAC .15 to .20 w/child	DWI-5673-F6	§46.2-341.24	1Y-5Y	6M 5D
3rd DWI commercial vehicle within 5 yrs., BAC > .20 w/child	DWI-5674-F6	§46.2-341.24	1Y-5Y	6M 5D
3rd DWI commercial vehicle within 10 yrs. w/child	DWI-5599-F6	§46.2-341.24	1Y-5Y	95 D
3rd DWI commercial vehicle within 10 yrs., BAC .15 to .20 w/child	DWI-5675-F6	§46.2-341.24	1Y-5Y	95 D
3rd DWI commercial vehicle within 10 yrs., BAC > .20 w/child	DWI-5676-F6	§46.2-341.24	1Y-5Y	95 D
Motor Vehicle, Etc. - Commercial Vehicles - 4th				
4th DWI commercial vehicle within 10 yrs.	DWI-5602-F6	§46.2-341.24	1Y-5Y	1 Y
4th DWI commercial vehicle within 10 yrs., BAC .15 to .20	DWI-5671-F6	§46.2-341.24	1Y-5Y	1 Y
4th DWI commercial vehicle within 10 yrs., BAC > .20	DWI-5672-F6	§46.2-341.24	1Y-5Y	1 Y
Motor Vehicle, Etc. - Commercial Vehicles - 4th with Child				
4th DWI commercial vehicle within 10 yrs. w/child	DWI-5603-F6	§46.2-341.24	1Y-5Y	1Y 5D
4th DWI commercial vehicle within 10 yrs., BAC .15 to .20 w/child	DWI-5669-F6	§46.2-341.24	1Y-5Y	1Y 5D
4th DWI commercial vehicle within 10 yrs., BAC > .20 w/child	DWI-5670-F6	§46.2-341.24	1Y-5Y	1Y 5D
Motor Vehicle, Etc. - Commercial Vehicles - A Prior Felony				
Prior DWI manslaughter, assault, felony commercial DWI	DWI-5604-F6	§46.2-341.24	1Y-5Y	1 Y
Prior DWI manslaughter, assault, felony commercial DWI, BAC .15 to .20	DWI-5667-F6	§46.2-341.24	1Y-5Y	1 Y
Prior DWI manslaughter, assault, felony commercial DWI, BAC > .20	DWI-5668-F6	§46.2-341.24	1Y-5Y	1 Y
Prior DWI manslaughter, assault, felony DWI w/child	DWI-5606-F6	§46.2-341.24	1Y-5Y	1Y 5D
Prior DWI manslaughter, assault, felony DWI, BAC .15 to .20 w/child	DWI-5607-F6	§46.2-341.24	1Y-5Y	1Y 5D
Prior DWI manslaughter, assault, felony DWI, BAC > .20 w/child	DWI-5608-F6	§46.2-341.24	1Y-5Y	1Y 5D
TRAFFIC - OPERATOR'S LICENSE				

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Cat.)</u>	<u>Mandatory</u>
TRAFFIC - OPERATOR'S LICENSE				
License Revoked for DWI, Manslaughter, Maiming				
Operate vehicle after license revoked - no endangerment	LIC-6858-M1	§46.2-391(D,1)	0-12M	10 D
Operate vehicle after license revoked - endangerment	LIC-6859-F9	§46.2-391(D,2a,i)	1Y-5Y	12 M
Operate vehicle after license revoked - DWI, etc., violation	LIC-6860-F9	§46.2-391(D,2a,ii)	1Y-5Y	12 M
Operate vehicle after license revoked - 2nd or subsequent	LIC-6861-F9	§46.2-391(D,3)	1Y-5Y	12 M
VANDALISM, DAMAGE PROPERTY				
Vehicle - Law Enforcement/Emergency				
Shoot or throw missile at law enforc./emerg. veh. w/malice	VAN-2905-F4	§18.2-154	2Y-10Y (II)	1 Y
Shoot or throw missile at law enforc./emerg. veh. w/o malice	VAN-2906-F6	§18.2-154	1Y-5Y	1 Y
WEAPONS				
Drugs and Weapons				
Possess Schedule I/II drug with firearm on or about person	WPN-5302-F6	§18.2-308.4(B)	1Y-5Y	2 Y
Sell, etc., more than 1 lb. marijuana while possessing firearm	WPN-5278-F6	§18.2-308.4(C)	1Y-5Y	5 Y
Sell, etc., Schedule I/II drug while possessing firearm	WPN-5257-F6	§18.2-308.4(C)	1Y-5Y	5 Y
Felon				
Convicted felon (non-violent w/in 10 yr.) possess firearm, etc.	WPN-5297-F6	§18.2-308.2(A)	1Y-5Y (II)	2 Y
Convicted felon (violent) possess/transport firearm	WPN-5296-F6	§18.2-308.2(A)	1Y-5Y (II)	5 Y
Ineligible Person, Purchase/Provide to				
Purchase firearm - provide to ineligible person	WPN-5283-F4	§18.2-308.2:2(M,i)	2Y-10Y (II)	1 Y
Solicit by ineligible person, violation of §18.2-308.2:2(M)	WPN-5286-F4	§18.2-308.2:2(N)	2Y-10Y (II)	5 Y
Transport firearm out of state - provide to ineligible person	WPN-5284-F4	§18.2-308.2:2(M,ii)	2Y-10Y (II)	1 Y
Purchase				
Provide > 1 firearm to ineligible person through purchase/trans.	WPN-5285-F4	§18.2-308.2:2(M)	2Y-10Y (II)	5 Y
Schools				
Firearm, use or attempt to use on school property, etc.	WPN-5300-F9	§18.2-308.1(C)	5Y-5Y (II)	5 Y