



## Appendix B: Mandatory Minimum Laws in Virginia

• Offenses with mandatory minimums are also identified in the "MM" column of the VCC book.

Description	VCC	Statute	Penalty (Cat.)	Mandatory
<b>AGRICULTURE, HORTICULTURE &amp; FOOD</b>				
<b>Tobacco Product Manufacturers</b>				
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
<b>ALCOHOL</b>				
<b>Sell</b>				
Sale, illegal alcohol - subsequent	ALC-4163-M1	§4.1-302	0-12M	30 D
<b>ASSAULT</b>				
<b>Firearm</b>				
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
<b>Law Enforcement, Court, Fire, Medical Services, Etc.</b>				
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
<b>Simple Assault - Health Care Provider</b>				
Battery against health care provider in an emergency facility	ASL-1352-M1	§18.2-57(E)	0-12M	2 D
<b>Simple Assault - Teacher, School Employee</b>				
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
<b>ESCAPES</b>				
<b>Correctional Facility</b>				
Escape from a correctional facility	ESC-4921-F6	§53.1-203(1)	1Y-5Y (II)	1 Y
<b>FRAUD</b>				
<b>Identity Fraud</b>				
Publish name of law-enforcement intent to harass, etc.	FRD-2540-F6	§18.2-186.4	1Y-5Y	6 M
<b>GANGS</b>				
<b>Participation - School Zone, Community Center, Etc.</b>				
Participation in crime for benefit/direction of gang - school, etc.	MOB-1280-F5	§18.2-46.2	1Y-10Y	2 Y
Participation in crime for gang that includes juvenile - school, etc.	MOB-1281-F4	§18.2-46.2	2Y-10Y	2 Y
<b>MURDER</b>				
<b>Aggravated</b>				
Law enforcement officer	MUR-0923-F1	§18.2-31(6)	Life-Life (I)	Life
<b>Manslaughter</b>				
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 (II)	1 Y
<b>NARCOTICS</b>				
<b>Marijuana</b>				
Sell, distribute, etc., marijuana 3rd or subsequent felony	NAR-3085-F9	§18.2-248.1(d)	5Y-Life	5 Y
<b>Marijuana - Continuing Criminal Enterprise</b>				
Distribute etc., 100 kilograms, less than 250.0 kilograms marijuana mix	NAR-3119-F9	§18.2-248(H1,ii,4)	20Y-Life	20 Y

Description	VCC	Statute	Penalty (Cat.)	Mandatory
<b>NARCOTICS</b>				
<b>Marijuana - Continuing Criminal Enterprise</b>				
Distribute etc., 250.0 kilograms or more marijuana mixture	NAR-3124-F9	§18.2-248(H2,ii,4)	40, Life	40, Life
<b>Marijuana - Distribution Based on Quantity</b>				
Marijuana mixture, etc., distribute, etc., 100 kilograms or more	NAR-3114-F9	§18.2-248(H,4)	20Y-Life	20 Y*
* If court finds exception, mandatory minimum does not apply		§18.2-248(H,4)		*
<b>Marijuana - Transport</b>				
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
<b>Minors - Assist In Distribution</b>				
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
<b>Minors - Marijuana</b>				
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
<b>Minors - Schedule I/II</b>				
Sell Sch. I/II drug to minor	NAR-3097-F9	§18.2-255(A,i)	10Y-50Y	5 Y
<b>Money - Continuing Criminal Enterprise</b>				
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
<b>Schedule I or II Drugs - Continuing Criminal Enterprise</b>				
Cocaine base, distribute etc. 2.5 kilograms less than 5.0 kilograms	NAR-3118-F9	§18.2-248(H1,ii,3)	20Y-Life	20 Y
Cocaine base, distribute etc. 5.0 kilograms or more	NAR-3123-F9	§18.2-248(H2,ii,3)	40, Life	40, Life
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,5)	20Y-Life	20 Y
Methamphetamine, distribute etc. 250g or more / 1kg or more mixture	NAR-3125-F9	§18.2-248(H2,ii,5)	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
<b>Schedule I or II Drugs - Distribution, 2nd</b>				
Sell, poss. w/intent, distribute, etc. - second conviction	NAR-3038-F9	§18.2-248(C)	5Y-Life	3 Y
<b>Schedule I or II Drugs - Distribution, 3rd &amp; Subsequent</b>				
Sell, poss. w/intent, distribute, etc. - third or subsequent	NAR-3087-F9	§18.2-248(C)	10Y-Life	10 Y
<b>Schedule I or II Drugs - Distribution, Quantity</b>				
Cocaine base, distribute, etc., 250g or more	NAR-3146-F9	§18.2-248(C,3)	5Y-Life	5 Y*
Cocaine base, distribute, etc., 2.5 kilograms or more	NAR-3113-F9	§18.2-248(H,3)	20Y-Life	20 Y*
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,4)	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,5)	20Y-Life	20 Y*

## NARCOTICS

### Schedule I or II Drugs - Distribution, Quantity

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
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### 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
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 Property, Etc., Possession/Distribution On

Distribute, etc., controlled substance on school property - 2nd/Subsq.	NAR-3099-F6	§18.2-255.2	1Y-5Y	1 Y
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### Steroids

Anabolic steroids - sell, distribute, etc.	NAR-3041-F9	§18.2-248.5(A)	1Y-10Y	6 M
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### Type Not Clear

Type Not Clear - Distribute Schd. I/II - quantity defined	NAR-3094-F9	§18.2-248(H)	20Y-Life	20 Y
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## 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

## 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

### 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
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## TRAFFIC - DRIVING WHILE INTOXICATED

### Motor Vehicle, Etc. - 1st Conviction

First conviction, blood alcohol level .15 to .20	DWI-5443-M1	§18.2-266	0-12M	5 D
First conviction, blood alcohol level > .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, blood alcohol level .15 to .20 w/child	DWI-5452-M1	§18.2-266	0-12M	10 D
First conviction, blood alcohol level > .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

### 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
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### 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-.20 blood alcohol level	DWI-5474-S9	§18.2-266	1M-1Y	30 D
Second conviction within less than 5 years, blood alcohol level > .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 5 to 10 years	DWI-5447-S9	§18.2-266	1M-1Y	10 D
Second conviction within 5 to 10 years, blood alcohol level .15 to .20	DWI-5476-S9	§18.2-266	1M-1Y	20 D
Second conviction within 5 to 10 years, blood alcohol level > .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 10 years, blood alcohol level .15 to .20	DWI-5445-S9	§18.2-266	1M-1Y	20 D
Second conviction within 10 years, blood alcohol level > .20	DWI-5446-S9	§18.2-266	1M-1Y	30 D

**TRAFFIC - DRIVING WHILE INTOXICATED**

**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-.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 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 10 years, BAC .15-.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 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

**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 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

**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

Description	VCC	Statute	Penalty (Cat.)	Mandatory
<b>TRAFFIC - DRIVING WHILE INTOXICATED</b>				
<b>Motor Vehicle, Etc. - 4th Conviction</b>				
Fourth or subsequent conviction within 10 yr., drugs	DWI-5472-F6	§18.2-266	1Y-5Y	1 Y
<b>Motor Vehicle, Etc. - 4th Conviction (Marijuana)</b>				
Fourth or subsequent conviction within 10 yr., marijuana	DWI-5630-F6	§18.2-266	1Y-5Y	1 Y
<b>Motor Vehicle, Etc. - 4th Conviction with Child</b>				
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
<b>Motor Vehicle, Etc. - 4th Conviction with Child (Marijuana)</b>				
Fourth or subsequent conviction within 10 yr., marijuana, w/child	DWI-5631-F6	§18.2-266	1Y-5Y	1Y 5D
<b>Motor Vehicle, Etc. - A Prior Felony § 18.2-270(C,2)</b>				
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
<b>Motor Vehicle, Etc. - A Prior Felony § 18.2-270(C,2) - Child</b>				
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
<b>Motor Vehicle, Etc. - Commercial Vehicles - 1st</b>				
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
<b>Motor Vehicle, Etc. - Commercial Vehicles - 1st (Marijuana)</b>				
1st DWI commercial vehicle: marijuana w/child	DWI-5641-M1	§46.2-341.24	0-12M	5 D
<b>Motor Vehicle, Etc. - Commercial Vehicles - 1st with Child</b>				
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
<b>Motor Vehicle, Etc. - Commercial Vehicles - 2nd</b>				
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., drug	DWI-5484-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 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-.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 10 yrs: BAC .15-.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
<b>Motor Vehicle, Etc. - Commercial Vehicles - 2nd (Marijuana)</b>				
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
2nd DWI commercial vehicle w/in 5 to 10 yrs: marij.w/child	DWI-5645-S9	§46.2-341.24	1M-1Y	15 D

**TRAFFIC - DRIVING WHILE INTOXICATED**

**Motor Vehicle, Etc. - Commercial Vehicles - 2nd (Marijuana)**

2nd DWI commercial vehicle w/in less than 5 yrs., marij. & alcohol	DWI-5637-S9	§46.2-341.24	1M-1Y	5 D
2nd DWI commercial vehicle w/in 5 to 10 years, marij. & alcohol	DWI-5638-S9	§46.2-341.24	1M-1Y	2 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: 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-.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 10 yrs: BAC .15-.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 (Marijuana)**

3rd DWI commercial vehicle w/in less than 5 yrs., marij.	DWI-5635-S9	§46.2-341.24	2M-1Y	30 D
3rd DWI commercial vehicle w/in less than 5 yrs., marij. & alcohol	DWI-5639-S9	§46.2-341.24	2M-1Y	30 D
3rd DWI commercial vehicle w/in 5 to 10 yrs., marij.	DWI-5636-S9	§46.2-341.24	2M-1Y	10 D
3rd DWI commercial vehicle w/in 5 to 10 yrs., marij. & alcohol	DWI-5640-S9	§46.2-341.24	2M-1Y	10 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

Description	VCC	Statute	Penalty (Cat.)	Mandatory
<b>TRAFFIC - DRIVING WHILE INTOXICATED</b>				
<b>Motor Vehicle, Etc. - Commercial Vehicles - A Prior Felony</b>				
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
<b>TRAFFIC - OPERATOR'S LICENSE</b>				
<b>License Revoked for DWI, Manslaughter, Maiming</b>				
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
<b>TRAFFIC - RECKLESS DRIVING</b>				
<b>Racing</b>				
Cause death of another by racing	REC-6633-F9	§46.2-865.1(A,2)	1Y-20Y	1 Y
<b>VANDALISM, DAMAGE PROPERTY</b>				
<b>Vehicle - Law Enforcement/Emergency</b>				
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
<b>WEAPONS</b>				
<b>Drugs and Weapons</b>				
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
<b>Felon</b>				
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
<b>Ineligible Person, Purchase/Provide to</b>				
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
<b>Purchase</b>				
Provide > 1 firearm to ineligible person through purchase/trans.	WPN-5285-F4	§18.2-308.2:2(M)	2Y-10Y (II)	5 Y
<b>Schools</b>				
Firearm, use or attempt to use on school property, etc.	WPN-5300-F9	§18.2-308.1(C)	5Y-5Y (II)	5 Y