

# Traffic/Felony Section A

Offender Name: \_\_\_\_\_

## 1 Primary Offense

- A. DWI - Third conviction within 5 years (1 count) ..... 1
- B. DWI - Third conviction within 10 years (1 count) ..... 1
- C. DWI - Fourth or subsequent conviction within 10 years, or DWI after prior felony DWI (1 count) ..... 9
- D. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - endangerment (1 count) ..... 9
- E. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) and DWI, etc., violation (1 count) ..... 9
- F. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - second or subsequent (1 count) ..... 9
- G. Hit and run, driver fails to stop and aid victim or hit and run, property damage \$1,000 or more  
1 count ..... 1  
2 counts ..... 4
- H. Disregard police command to stop, endangerment (1 count) ..... 5
- I. Driving after forfeiture of license, etc., 3rd offense within 10 Years (1 count) ..... 1

**Score**

0	
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## 2 Primary Offense Remaining Counts Total the maximum penalties for counts of the primary not scored above

- Years: 5 - 7 ..... 1  
 8 - 18 ..... 2  
 19 - 28 ..... 3  
 29 - 38 ..... 4  
 39 or more ..... 5

0	
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## 3 Additional Offenses Total the maximum penalties for additional offenses, including counts

- Years: Less than 1 ..... 0  
 (12 months = 1 year) 1 - 7 ..... 1  
 8 - 18 ..... 2  
 19 - 28 ..... 3  
 29 - 38 ..... 4  
 39 or more ..... 5

0	
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## 4 Victim Injury

- Threatened, emotional, physical or serious ..... 1  
 Life threatening ..... 2

0	
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## 5 Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

- Years: Less than 2 ..... 0  
 2 - 38 ..... 1  
 39 or more ..... 2

0	
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## 6 Prior Incarcerations/Commitments

Primary Offense: \_\_\_\_\_  
**I: Driving, after forfeiture of license**

Number	Score
1	1
2 or more	4

Primary Offense: \_\_\_\_\_  
**All other offenses**

If YES, add 4

0	
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## 7 Legally Restrained at Time of Offense

Primary Offense: \_\_\_\_\_  
**I: Driving, after forfeiture of license**

Any legal restraint	Points
Any legal restraint	4

Primary Offense: \_\_\_\_\_  
**All other offenses**

	Points
None	0
Other than post-incarceration supervision	2
Post-incarceration supervision	5

0	
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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **H: DISREGARD POLICE COMMAND TO STOP, OR G: HIT AND RUN WITH PROPERTY DAMAGE \$1,000 OR MORE (§ 46.2-894, § 46.2-817 (B))**

## 8 Prior Criminal Traffic Convictions/Adjudications

Primary Offense: \_\_\_\_\_  
**H: Disregard police command to stop, endangerment**

Any prior felony traffic convictions/adjudications  
 If YES, add 8

Primary Offense: \_\_\_\_\_  
**G: Hit and run with property damage \$1,000 or more**

Number	Score
0-3 prior criminal misdemeanor traffic conv./adj.	0
4+ prior criminal misdemeanor traffic conv./adj.	1
1+ prior felony traffic convictions/adjudications	2

0	
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**Total Score**

If total is 8 or less, go to **Section B**. If total is 9 or more, go to **Section C**.


# Traffic/Felony Section B

Offender Name: \_\_\_\_\_


**1 Primary Offense** \_\_\_\_\_

A. DWI – Third conviction within 5 years (1 count).....	10	<b>Score</b>  <div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div>
B. DWI – Third conviction within 10 years (1 count).....	10	
C. Hit and run, driver fails to stop and aid victim (1 count).....	10	
D. Hit and run, property damage \$1,000 or more (1 count) .....	8	
E. Disregard police command to stop, endangerment (1 count).....	9	
F. Driving after forfeiture of license, etc., 3rd offense within 10 Years (1 count).....	9	


**2 Primary Offense Remaining Counts** Total the maximum penalties for counts of the primary not scored above

Years: 5 - 9.....	2	 <div style="border: 1px solid black; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center;">0</div>
10 - 19.....	3	
20 - 29.....	4	
30 - 39.....	5	
40 or more.....	6	

**3 Additional Offenses** Total the maximum penalties for additional offenses, including counts \_\_\_\_\_

Years: Less than 1 .....	0	 <div style="border: 1px solid black; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center;">0</div>
(12 months = 1 year) 1 - 9.....	2	
10 - 19.....	3	
20 - 29.....	4	
30 - 39.....	5	
40 or more.....	6	

**4 Victim Injury** \_\_\_\_\_


Threatened, emotional, physical or serious.....	2	 <div style="border: 1px solid black; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center;">0</div>
Life threatening.....	3	

**5 Legally Restrained at Time of Offense** \_\_\_\_\_ **If YES, add 1** → 

0

SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **C OR D: HIT AND RUN (§ 46.2-894)**

**6 Prior Criminal Traffic Convictions/Adjudications** \_\_\_\_\_

Number: 0 Felonies: 1 - 4 Misdemeanors .....	1	 <div style="border: 1px solid black; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center;">0</div>
5+ Misdemeanors .....	2	
1+ Felonies: 0 Misdemeanors .....	1	
1 - 4 Misdemeanors .....	2	
5+ Misdemeanors .....	3	

SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **F: DRIVING AFTER FORFEITURE OF LICENSE, ETC. - 3RD OFFENSE WITHIN 10 YEARS (§ 18.2-272(A))**

**7 Prior Incarcerations/Commitments** \_\_\_\_\_ **If YES, add 2** → 

0

**Total Score** \_\_\_\_\_ →

See **Traffic Section B Recommendation Table** to convert score to guidelines sentence.

# Traffic/Felony Section C

Offender Name: \_\_\_\_\_

\_\_\_\_ Prior Record Classification \_\_\_\_

## 1 Primary Offense Category I Category II Other

A.	DWI - Third conviction within 5 years (1 count) .....	20	10	5
B.	DWI - Third conviction within 10 years (1 count) .....	20	10	5
C.	DWI - Fourth or subsequent conviction within 10 years, DWI after prior felony DWI			
	1 count .....	40	20	10
	2 counts .....	48	24	12
	3 counts .....	68	34	17
D.	Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - endangerment			
	1 count .....	40	20	10
	2 counts .....	48	24	12
	3 counts .....	68	34	17
E.	Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) and DWI, etc., violation			
	1 count .....	40	20	10
	2 counts .....	48	24	12
	3 counts .....	68	34	17
F.	Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - second or subsequent			
	1 count .....	40	20	10
	2 counts .....	48	24	12
	3 counts .....	68	34	17
G.	Hit and run, driver fails to stop and aid victim or hit and run, property damage \$1,000 or more (1 count) .....	20	10	5
H.	Disregard police command to stop, endangerment (1 count) .....	40	20	10
I.	Driving after forfeiture of license, etc., 3rd offense within 10 yrs (1 count) .....	32	16	8

Score

0		
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## 2 Primary Offense Remaining Counts Assign points to each count of the primary not scored above and total the points

Maximum Penalty:	5, 10 .....	1
(years)		

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## 3 Additional Offenses Assign points to each additional offense (including counts) and total the points

Maximum Penalty:	Less than 5 .....	0
(years)		
	5, 10, 15 .....	1
	20 .....	2
	30 .....	3
	40, 50, Life .....	5

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## 4 Type of Additional Offense is DWI (Score based on the primary offense)

Primary with additional DWI offense:	Habitual offender or Drive on a revoked license with DWI as additional offense .....	11
	DWI after prior felony DWI, manslaughter, maiming .....	3
	DWI fourth offense, Driving after forfeiture of license, etc., 3rd offense within 10 yrs .....	2
	DWI third offense, Hit and run or Disregard command to stop (with DWI as additional offense) .....	0

0		
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## 5 Victim Injury

Threatened or emotional .....	2
Physical, serious .....	4
Life threatening .....	5

0	0	
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## 6 Prior Convictions/Adjudications Assign points to the 5 most recent and serious prior record events and total the points

Maximum Penalty:	Less than 20 .....	0
(years)	20, 30, 40, 50, Life .....	1

0	0	
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## 7 Prior Felony Convictions/Adjudications Against Person

Number of Counts:	1 .....	1	4 .....	4
	2 .....	2	5 or more .....	5
	3 .....	3		

0	0	
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## 8 Prior Felony Convictions/Adjudications with the Same VCC Prefix as Primary Offense

Number of Counts:	1 .....	2	4 .....	8
	2 .....	4	5 or more .....	10
	3 .....	6		

0		
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## 9 Legally Restrained at Time of Offense

Primary Offense: G: Hit and run (§ 46.2-894)

If YES, add 4

Primary Offense: All other offenses

If YES, add 2

0	0	
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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **G: HIT AND RUN (§ 46.2-894)**

## 10 Prior Criminal Traffic Convictions/Adjudications

Number:	0 Felonies:	1 - 4 Misdemeanors .....	4
		5+ Misdemeanors .....	8
	1+ Felonies:	0 Misdemeanors .....	4
		1 - 4 Misdemeanors .....	8
		5+ Misdemeanors .....	12

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**Total Score**

See **Traffic Section C Recommendation Table** for guidelines sentence range.

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