

	Exposure to Incarceration			Effect on License	Fines	ASAP
	BAC < 0.15 or none	BAC 0.15-0.20	BAC > 0.20			
DWI 1st	Up to 12 months in jail	Up to 12 months in jail with a mandatory minimum 5 days in jail	Up to 12 months in jail with a mandatory minimum 10 days in jail	12-month loss of license. Restricted privileges are available for this whole period upon petitioning the Court	\$250 up to \$2500	Yes
DWI 2nd in 5-10	1 month up to 12 months in jail with a mandatory minimum 10 days in jail	1 month up to 12 months in jail with a mandatory minimum 20 days in jail	1 month up to 12 months in jail with a mandatory minimum 30 days in jail	36-month loss of license. Restricted privileges are available only after the first 4 months of this period have been served and upon petitioning the Court	Up to \$2500, with a mandatory minimum \$500	Yes
DWI 2nd in 5	1 month up to 12 months in jail with a mandatory minimum 20 days in jail	1 month up to 12 months in jail with a mandatory minimum 30 days in jail	1 month up to 12 months in jail with a mandatory minimum 40 days in jail	36-month loss of license. Restricted privileges are available only after the first 12 months of this period have been served and upon petitioning the Court	Up to \$2500, with a mandatory minimum \$500	Yes
DWI 3rd in 10	Up to 5 years in prison with a mandatory minimum 90 days in jail	Up to 5 years in prison with a mandatory minimum 100 days in jail	Up to 5 years in prison with a mandatory minimum 110 days in jail	Indefinite loss of driving privileges. Offenders may statutorily petition the Court for restricted privileges after 3 years and for full restoration after 5 years.	Up to \$2500, with a mandatory minimum \$1000	Though Virginia Code only explicitly states ASAP as a requirement for 1st and 2nd offenses, Courts sentencing felony DWIs consistently order either completion of ASAP of substance abuse intervention as recommended through probation.

DWI 3rd in 5	Up to 5 years in prison with a mandatory minimum 6 months in jail	Up to 5 years in prison with a mandatory minimum 6 months and 10 days in jail	Up to 5 years in prison with a mandatory minimum 6 months and 20 days in jail	Indefinite loss of driving privileges. Offenders may statutorily petition the Court for restricted privileges after 3 years and for full restoration after 5 years.	Up to \$2500, with a mandatory minimum \$1000	Though Virginia Code only explicitly states ASAP as a requirement for 1st and 2nd offenses, Courts sentencing felony DWIs consistently order either completion of ASAP of substance abuse intervention as recommended through probation.
DWI 4th+ in 10	Up to 5 years in prison with a mandatory minimum 1 year in jail	Up to 5 years in prison with a mandatory minimum 1 year and 10 days in jail	Up to 5 years in prison with a mandatory minimum 1 year and 20 days in jail	Indefinite loss of driving privileges. Offenders may statutorily petition the Court for restricted privileges after 3 years and for full restoration after 5 years.	Up to \$2500, with a mandatory minimum \$1000	Though Virginia Code only explicitly states ASAP as a requirement for 1st and 2nd offenses, Courts sentencing felony DWIs consistently order either completion of ASAP of substance abuse intervention as recommended through probation.

Information described above is not, and should not be considered, legal advice. This information has been extracted and organized into this chart from Virginia Code 18.2-10, 18.2-11, 18.2-270, 18.2-271, and 18.2-271.1.