

Effective: Offense after June 30, 2004

| | Maximum Fine/Jail | Mandatory Minimum Fine Not Subject To Suspension | (§18.2-270) Mandatory Jail May Not Be Suspended | (ASAP) Restricted O.L. | Interlock Required §18.2-270.1 | Suspension of DL. | Vehicle Forfeiture |
|--|--|--|---|---|---|---|--------------------|
| 1 st DUI | \$2,500 1 Year | \$250 | If >= .15-.20 5 days; if > .20 10 days | (Yes) | Yes If >= .15 | 12 months by Courts | |
| 2 nd w/in 5 years | \$2,500 1 month to 1 year | \$500 | [20 days] plus if >= .15 but <= .20 10 days; if > .20 20 days | (Yes) after 1 year, §18.2- 271.1(E) | Yes 6 months to 3 years | 3 years by DMV §46.2- 391(A) | |
| 3 rd w/in 10 years | \$2,500 1 year | \$500 | [10 days] plus if >= .15 but <= .20 10 days; if > .20 20 days | (Yes) after 4 months | Yes 6 months to 3 years | 3 years by DMV §46.2- 391(A) | |
| 3 rd w/in 5 years | 1-5 years in prison or up to 12 months in jail plus \$2,500 fine | \$1,000 | 6 months | (No) Indefinite; may petition after minimum of 5 years | Yes, at least 6 months upon restoration of DL or with a restricted DL during time of suspension | Indefinite; may petition after minimum of 5 years | |
| 3 rd w/in 10 years | Class 6 Felony | \$1,000 | [90 days] | No | N/A | Indefinite; may petition after 5 years | Yes |
| 4 th BA & w/in 10 years | Class 6 Felony | \$1,000 | [1 year] | No | N/A | 5 years | Yes |
| DUI & Transport >= Age 17 | \$500 to \$1000 | No | [5 days] | N/A | N/A | N/A | |
| REFUSAL (§18.2-268.3) (Civil offense) 1 st Offense (Class 2 misdemeanor if committed) within 10 yrs of §18.2- 266 or §18.2-268.3 or §18.2-270(E) (Class 1 misdemeanor if committed) within 10 yrs of any combination of 2 prior offenses of §18.2-266 or §18.2-268.3 or §18.2-270(E) | | | | | | | |