

Offense	Blood Alcohol Level	Jail or Prison Sentence	Fine	Vehicle Interlock § 18.2-270.1	License Suspension § 46.2-391	Vehicle Forfeiture
1st offense § 18.2-270(A)	.08 or greater (or under influence of alcohol, drugs or both)	Class 1 misdemeanor	\$250 mandatory minimum fine	Yes, if BAC .15 or more	12 mos. by court	no
	0.15 to 0.20	Additional 5 day mandatory minimum				
	0.20 or greater	Additional 10 day mandatory minimum				
2nd offense w/in 5 years § 18.2-270(B)	.08 or greater (or under influence of alcohol, drugs or both)	1 month to 1 year in jail. Mandatory minimum 20 days.	\$500 mandatory minimum fine	6 mos. to 3 years	3 yrs. by DMV	no
	0.15 to 0.20	Additional mand. minimum 10 days				
	0.20 or greater	Additional mand. minimum 20 days				
2nd offense w/in 5 to 10 years § 18.2-270(B)	.08 or greater (or under influence of alcohol, drugs or both)	Minimum confinement not less than one month. mandatory minimum 10 days	\$1,000 mandatory minimum fine		10 yrs by DMV. Reinstate after 3 to 5 years.	yes
	0.15 to 0.20	Additional mand. minimum 10 days				
	0.20 or greater	Additional mand. minimum 20 days				
3 or more offenses w/in 5 years § 18.2-270(C)	n/a	Class 6 felony Mandatory minimum 6 mos.	\$1,000 mandatory minimum fine		10 yrs by DMV. Reinstate after 3 to 5 years.	yes
3 or more offenses w/in 5 to 10 years	n/a	Class 6 felony Mandatory minimum 90 days				
4th offense w/in 10 years	n/a	Class 6 felony Mandatory minimum 1 year, plus probation for same term as license suspension not to exceed 3 years.				
Transporting minor while driving under influence § 18.2-270(D)	n/a	Additional 5 days mandatory minimum	Additional fine \$500 to \$1000		n/a	

Prior convictions include convictions under Virginia Code §§ 18.2-266, 18.2-51.4, and 46.2-341.24, and any federal or state statute, or any Virginia county, city or town ordinance that is substantially similar, and includes juvenile findings of guilt.  
§ 18.2-270(E).