

HOUSE No. 1290

The Commonwealth of Massachusetts

PRESENTED BY:

Garrett J. Bradley

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to breathalyzer test certificates.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3440 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO BREATHALYZER TEST CERTIFICATES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 24K of Chapter 22C of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by adding the following paragraph at the end of the section:
3 In tests for blood alcohol content conducted by state or municipal police on an instrument
4 approved by the National Highway Traffic Safety Administration, the implied consent report
5 form issued by the instrument at the completion of the test and indicating the breath test
6 operator's certification dates, the simulator solution's certification dates, the instrument's
7 certification dates, the results of two adequate breath samples, and the result of one standard
8 calibration analysis shall be prima facie evidence of the facts contained therein.