

By Mr. Smith of Lawrence, petition of Richard E. McLaughlin (Registrar of Motor Vehicles) and Lawrence P. Smith for legislation to authorize said registrar to test machines to determine the weight of alcohol in the blood by an analysis of the breath. Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Nine.

AN ACT DESIGNATING THE REGISTRAR OF MOTOR VEHICLES TO TEST MACHINES TO DETERMINE THE WEIGHT OF ALCOHOL IN THE BLOOD BY AN ANALYSIS OF THE BREATH.

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 24 of chapter 90 of the General Laws is hereby
- 2 amended by inserting after paragraph (g) of section 24 the
- 3 following paragraph:—
- 4 (h) The registrar of motor vehicles, or any person duly
- 5 authorized by him in accordance with the provisions of sec-
- 6 tion twenty-nine of this chapter, shall, not less than once
- 7 within each calendar year or at such other intervals as the
- 8 registrar may determine, test all devices used under the pro-
- 9 visions of paragraph (f) above within the commonwealth and
- 10 shall issue a written certificate in such form as he shall pre-
- 11 scribe of the accuracy of such devices following such inspec-
- 12 tion to the police chief, as defined in section one of chapter
- 13 ninety C, having custody of said device. Each such certificate
- 14 shall be retained by said police chief until superseded by a
- 15 later certificate following a subsequent inspection of the said
- 16 device and such certificate shall be admissable in any civil
- 17 proceeding as evidence of the accuracy of said device. Each
- 18 such police chief shall make any and all such devices within
- 19 his custody or control or within the custody or control of his
- 20 department available for such inspection by the registrar or
- 21 his duly authorized agent upon the request of the registrar or
- 22 his said agent. The registrar may make, amend or rescind such
- 23 rules and regulations as may be necessary to carry out the
- 24 provisions of this section.

