

HOUSE No. 1764

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Establishing Breathalyzer Admissibility..

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 24, subsection (e) of Chapter 90 of the general laws shall be
2 amended:

3 In line 477 by deleting the word, “not” and in line 478 by deleting the word “but” and
4 replacing it with the word, “and”.

5 Section 24, subsection (f)(1) of Chapter 90 shall be amended by adding after the word,
6 “blood.” A new sentence as follows:

7 The arresting officer or person advising the arrested person of his right to take a chemical
8 test or analysis of his breath shall advise said person that his refusal to take such test shall be
9 admissible as evidence in any prosecution for operating under the influence of alcohol.