

**HOUSE . . . . . No.**

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**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:

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

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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**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  
4 *In tests for blood alcohol content conducted by state or municipal police on an instrument*  
5 *approved by the National Highway Traffic Safety Administration, the implied consent report*  
6 *form issued by the instrument at the completion of the test and indicating the breath test*  
7 *operator's certification dates, the simulator solution's certification dates, the instrument's*  
8 *certification dates, the results of two adequate breath samples, and the result of one standard*  
9 *calibration analysis shall be prima facie evidence of the facts contained therein.*

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