

DISABLING AN IGNITION INTERLOCK DEVICE

G.L. c. 90, § 24T(a)

The defendant is charged with (interfering with) (tampering with) an ignition interlock device.

In order to prove the defendant guilty of this offense, the Commonwealth must prove four things beyond a reasonable doubt:

***First:* That a vehicle was equipped with an ignition interlock device;**

***Second:* That the device was certified;**

***Third:* That the defendant intentionally (interfered with) (tampered with) the device; and**

***Fourth:* That the defendant did so with the intent to disable the device.**

The term “certified ignition interlock device” means an alcohol breath screening device that prevents a vehicle from starting if it detects a blood alcohol concentration over a preset limit of .02 or 20 mg of alcohol per 100 ml of blood.

See Instruction 3.120 (Specific Intent).

NOTES:

1. **Statutory definition of “certified ignition interlock device.”** A “certified ignition interlock device” shall mean “an alcohol breath screening device that prevents a vehicle from starting if it detects a blood alcohol concentration over a preset limit of .02 or 20 mg of alcohol per 100 ml of blood.” G.L. c. 90, § 24T(b).

2. Certification of ignition interlock devices is entrusted to the Registrar of Motor Vehicles, who publishes a list of certified types of devices. 540 C.M.R. § 25.05.