



The Commonwealth of Massachusetts

Department of State Police

Crime Laboratory

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NOTICE TO ALL AGENCIES IN POSSESSION OF EVIDENTIAL BREATH TEST INSTRUMENTS OR PORTABLE BREATH TEST DEVICES

Please be advised that if your agency is submitting an Alcotest 9510 Breath Test Instrument or portable breath testing device (PBT) to the Massachusetts State Police Crime Laboratory (MSPCL) for services, you are agreeing to and hereby acknowledge the following terms and conditions:

1. The MSPCL is responsible for conducting all tests and calibrations according to standard procedures within the scope of MSPCL capabilities.
2. By submitting an instrument to the MSPCL, you are authorizing the MSPCL to make all decisions regarding all necessary deviations from said procedures. All procedural deviations shall be documented in accordance with laboratory procedure, but notice of each such deviation need not be given to the agency.
3. Should the Alcotest 9510 Breath Test Instrument or PBT require transfer to another manufacturer-recommended facility for services or repair, your agency will be notified and/or contacted for authorization.
4. Records related to discoverable matters are available through the electronic discovery portal. These include records of certification events for Alcotest 9510 Breath Test Instruments, which are available shortly after completion. The electronic discovery portal is listed below:

<https://oatediscovery.chs.state.ma.us>

5. Records of calibration events for PBT devices are available shortly after completion and are available upon request from MSPCL. Please contact MSPCL for more information.
6. The MSPCL is committed to ensuring the protection of confidential information. As Laboratory records are subject to disclosure pursuant to the public records laws and in response to discovery requests, subpoenas and court orders, the Laboratory may be legally obligated to provide records associated with a submitted instrument to an external party. This provision of records may occur without additional notice to your agency.

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