



## First Offense (24D) OUI Hardship License Criteria

Before applying for a hardship license at the Registry of Motor Vehicles, please review the requirements below to determine if you are eligible. Although you may meet all requirements below, issuance of a hardship license is only granted at the reasonable discretion of the RMV, based on the facts of the case.

- There is **NO** evidence of any operation of a motor vehicle since the effective date of suspension/revocation of either the OUI (24D), the Admin Per Se (Breath test failure), or the Chemical Test Refusal (CTR) suspensions.
- You qualify for an OUI (24D) disposition. A hardship license is available for “2nd chance” 24D assignments, providing the prior OUI finding (or conviction) is over 10 years from the most recent incident date.
- All **other** active suspension/revocation periods have been COMPLETED, excluding Chemical Test Refusal (CTRs), Youth Alcohol Program (YAPs), and suspensions under MGL Ch. 90 Sec. 24P Sec. 2.
- You have documented entry or enrollment, on program letterhead, verifying that you are enrolled in the court-ordered 90 24D Program, also called the Driver Alcohol Education Program. **Note:** The court may assign you to an out-of-state program, providing that you are legally domiciled out-of-state or are a full-time student residing out-of-state.
- You have documented a legitimate hardship. You must provide a letter from your employer, on letterhead, which cannot be more than 30 days old. The letter must state your need for a hardship license and the work hours. **Note:** The RMV may only grant an identical 12-hour, 7 day license.
- If you are self-employed, you must present proof of self-employment. Acceptable forms of proof consist of a business certificate, tax forms indicating self-employment, and/or a current professional license. You must also present a letter on your own behalf explaining your need for a hardship license and the hours requested. **Note:** The RMV may only grant an identical 12-hour, 7 day license.
- If you are applying for a hardship license for other purposes (i.e. education, medical treatments), the RMV requires third party documentation of the hardship. **Note:** The RMV may only grant an identical 12-hour, 7 day license.
- You are responsible for providing proof regarding the availability of public transportation. This proof may be included within your employer’s letter. You may also provide local bus/transit routes, MapQuest etc. Hardship requests may be denied if you access employment, school, or medical treatments via public transportation unless the proof of hardship articulates public transportation will not satisfy the request and the reason therefore.
- Ignition Interlock Devices are required for 2nd charges of Operating Under the Influence pursuant to MGL Ch. 90 Sec. 24D** and for certain first offenders who, at the time of arrest, had a Blood Alcohol Concentration which registered at or above .15. Multiple offenders are required to maintain the device in a vehicle for two years following removal of the hardship restriction. See <https://www.mass.gov/guides/ignition-interlock-device-program> for further details.

If you are required to install an Ignition Interlock Device, please visit <https://www.mass.gov/guides/ignition-interlock-device-program> to review whether you are eligible to apply for indigency status. Approval includes waived costs for installation, device, monitoring, and service, but not costs related to violations or any RMV fees or services.

**NOTE:** Reinstatement is only allowed once the proof of installation of the Ignition Interlock Device and affidavits have been returned to an RMV Hearings Officer. A learner’s permit exam and road test may be required if you have been suspended or otherwise inactive for more than two years.

**Application for a hardship license will be subject to the requirements in place on the date of application.**

**These requirements are subject to change at the RMV’s discretion.**