

**Motor Vehicle Homicide Instructions Index**  
**G.L. c. 90, § 24G**

§ 24G (a): Felony

5.140: Motor Vehicle Homicide while Operating Under the Influence of Liquor and Recklessness

5.142: Motor Vehicle Homicide while Operating Under the Influence of Drugs and Recklessness

5.144: Motor Vehicle Homicide while Operating  $\geq$  .08 BAC and Recklessness

5.146: Motor Vehicle Homicide while Operating Under the Influence of Liquor and Negligence

5.148: Motor Vehicle Homicide while Operating Under the Influence of Drugs and Negligence

5.150: Motor Vehicle Homicide while Operating  $\geq$  .08 BAC and Negligence

Penalty:

- state prison not less than 2½ years nor more than 15 years and a fine of not more than \$5,000 or
- jail or house of correction for not less than 1 year nor more than 2½ years and a fine of not more than \$5,000.
- “The sentence imposed upon such person shall not be reduced to less than 1 year, nor suspended, nor shall any person convicted under this subsection be eligible for probation, parole, or furlough or receive any deduction from a sentence until such person has served at least 1 year of such sentence.”

§ 24G (c): Felony

5.156: Motor Vehicle Homicide and Reckless

Penalty:

- jail or house of correction for not more than 2½ years or
- state prison for not more than 5 years or
- fine of not more than \$3,000 dollars or
- by both such fine and imprisonment.

§ 24G (b): Misdemeanor

5.160: Motor Vehicle Homicide and Negligence

5.162: Motor Vehicle Homicide while Operating Under the Influence of Liquor

5.164: Motor Vehicle Homicide while Operating Under the Influence of Drugs

5.166: Motor Vehicle Homicide while Operating  $\geq$  .08 BAC

Penalty:

- jail or house of correction for not less than 30 days nor more than 2½ years or
- by a fine of not less than \$300 nor more than \$3,000 dollars or
- by both such fine and imprisonment.