

FALSE STATEMENT IN LICENSE APPLICATION

The defendant is charged with making a false statement in his (her) application for a (driver's license) (learner's permit).

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

First: That the defendant made an application for a (driver's license) (learner's permit) to operate motor vehicles in the Commonwealth of Massachusetts;

Second: That in that application the defendant made a statement which was false; and

Third: That the defendant knew that the statement was false when he (she) made it.

See Instruction 3.140 (Knowledge).

G.L. c. 90, § 24(2)(a); *Commonwealth v. Kraatz*, 2 Mass. App. Ct. 196, 201-202, 310 N.E.2d 368, 371-372 (1974) (offense requires scienter).