MASSACHUSETTS · OUI CHECKLIST

Massachusetts OUI Checklist

What to do today, this week, and before your court date. Print it. Check things off. One step at a time.

YOUR FIRST DEADLINE

15 days to act on your RMV Chemical Test Refusal / Breath Test Failure Suspension

Refusals only: under §24(1)(g) you are entitled to an RMV hearing within 15 days of the suspension, which takes effect immediately when you refuse. The RMV describes this as 15 days from the refusal. A breath-test failure (0.08 or more) has no RMV hearing; instead you can ask within 10 days of that suspension for a court hearing limited to whether a blood test shows the breath result was wrong. Hearings are walk-in only at the Boston (Haymarket) RMV Service Center, 9 am to 3 pm. After the RMV decides, you have 30 days to appeal to the district court hearing your OUI case.

Who: Massachusetts Registry of Motor Vehicles (RMV)

KEY FACTS

SUSPENSION, 1ST FAILED TEST

30 days (BAC 0.08 or more, age 21+), unless the case is resolved under a §24D first-offender disposition

SUSPENSION, 1ST REFUSAL

180 days (age 21+, no prior OUI)

1ST OFFENSE CHARGE

Misdemeanor

1ST OFFENSE FINE

$500 to $5,000

1ST OFFENSE JAIL

Up to 2½ years in a house of correction

INSURANCE FILING

No special filing required

PRIOR OFFENSES

No time limit. All prior offenses count.

IGNITION INTERLOCK

Under Melanie's Law (c. 90 §24½), an interlock is required for anyone with two or more OUI convictions or alcohol-education assignments who gets a hardship license or has their license reinstated.

1 First 24 Hours

- [ ] **RMV Chemical Test Refusal / Breath Test Failure Suspension: act within 15 days. Refusals only: under §24(1)(g) you are entitled to an RMV hearing within 15 days of the suspension, which takes effect immediately when you refuse. The RMV describes this as 15 days from the refusal. A breath-test failure (0.08 or more) has no RMV hearing; instead you can ask within 10 days of that suspension for a court hearing limited to whether a blood test shows the breath result was wrong. Hearings are walk-in only at the Boston (Haymarket) RMV Service Center, 9 am to 3 pm. After the RMV decides, you have 30 days to appeal to the district court hearing your OUI case.**

- [ ] Find your written notice of suspension — If you refused or failed the breath test, the officer kept your Massachusetts license and gave you written notice. The suspension is already in effect. There is no temporary license.
- [ ] Go to the RMV refusal hearing within 15 days — If you refused, you can challenge it at a walk-in hearing at the Boston (Haymarket) RMV Service Center, 9 am to 3 pm, within 15 days of the refusal. Only three issues are heard: reasonable grounds, arrest, and refusal.
- [ ] Note your district court arraignment date — The OUI case is in the district court for where you were stopped. That court is also where you appeal an RMV refusal decision, within 30 days of it.
- [ ] Ask about a §24D disposition — If this is your first OUI, or your only prior was 10+ years ago, you may qualify for a 24D alcohol education program with a 45- to 90-day license loss instead of a year.
- [ ] Write down what happened and talk to a lawyer — Record where you were stopped, what you drank and when, and what the officer said about the breath test. Talk to a lawyer before the hearing or arraignment.

2 Court

- [ ] Arrest and booking — The officer files an OUI complaint under c. 90 §24. The RMV suspension starts separately.
- [ ] Arraignment — You appear in the court for where you were stopped. The court sets a pretrial conference and a pretrial hearing date.
- [ ] Pretrial conference — Your lawyer meets the assistant district attorney. The case is then set for a plea, a motion hearing, a bench trial, or a jury trial.
- [ ] Plea, admission, or trial — You can go to trial, plead guilty, or admit to sufficient facts. With an admission the court may continue the case without a finding and dismiss it later if you meet the terms.
- [ ] Disposition — Most first offenders get a §24D disposition: probation plus the Driver Alcohol Education Program, with a 45- to 90-day license loss. Otherwise a conviction brings a 1-year loss.

3 Getting Your License Back

- [ ] Driver Alcohol Education Program (24D program): Ordered by the court as a condition of probation under a §24D disposition. You must enroll and finish it at a licensed, court-approved impaired driving program. Repeat offenders may be placed on probation conditioned on at least 14 days in a residential alcohol treatment program (§24(1)(a)).

- [ ] Ignition interlock: Under Melanie's Law (c. 90 §24½), an interlock is required for anyone with two or more OUI convictions or alcohol-education assignments who gets a hardship license or has their license reinstated.
- [ ] Ask about a Hardship license: Ask the RMV for a hardship hearing. Bring proof of enrollment in the 24D program on program letterhead and an employer letter on letterhead, dated within 30 days, listing your work hours.

Your full Massachusetts OUI guide

Deadlines, penalties, the court process, license hearings, and FAQs, with links to the official sources.

https://dui911.org/massachusetts

Official source for your license deadline:
https://www.mass.gov/info-details/types-of-massachusetts-registry-of-motor-vehicles-rmv-suspension-hearings

This checklist is educational and is not legal advice. Laws, deadlines and fees change; confirm them with the agency or a licensed Massachusetts attorney before you rely on them. DUI911.org is not a law firm and is not affiliated with any law firm, interlock company or insurer.