Massachusetts RMV OUI Study Guide

Alcohol, Drugs, and the Law — The Facts You Need to Pass.

EXAM PARAMETERS	
Test length:	25 Questions
Time limit:	25 Minutes
To pass:	18 Correct

OUI: Operating Under the Influence (MGL c. 90, § 24)

Why “Operating”?

It is deliberately broader than “driving.” Operating covers a vehicle on ANY way or place the public has access.



The 5 Substances

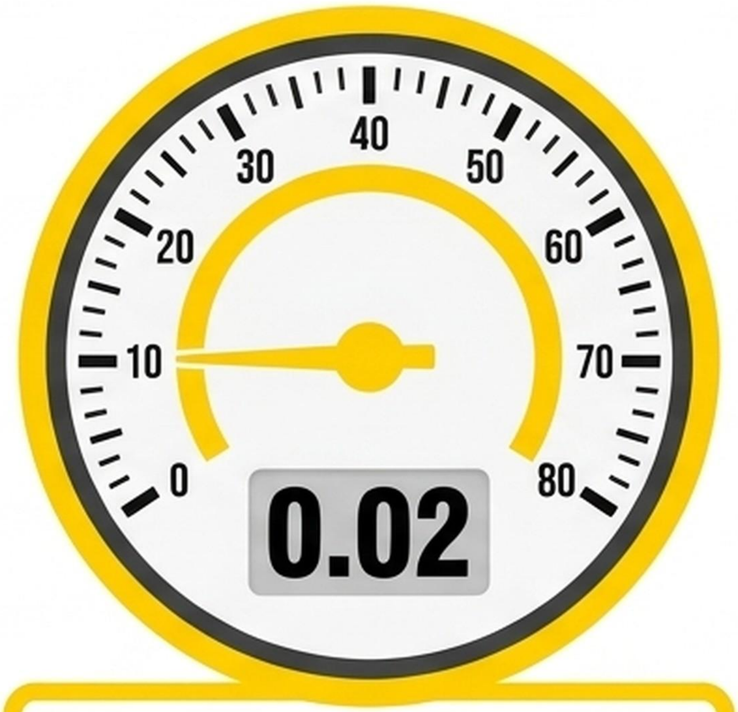
- Intoxicating liquor
- Marijuana
- Narcotic drugs
- Depressants or stimulants
- Toxic-vapor inhalants

Blood Alcohol Concentration (BAC) Limits



The Per Se Crime Line (Age 21+)

- Automatic guilt. Note: A driver can still be convicted below 0.08 on evidence of impairment.



The Under-21 Administrative Tripwire

- Sets immediate license action in motion. (Not the criminal per se standard).



The CDL Disqualifier

- Operating a commercial vehicle at this level brings at least a 1-year disqualification for 1st offense, life for a 2nd.

Under 21: The 0.02+ Administrative Suspensions

Failed Test 0.02+

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Base Penalty: 30-day suspension.

+

YAP Add-on (Runs AFTER the 30 days)

- **Under 18: 1 Year**
- **Ages 18–20: 180 Days**

Reduction Option: YAP can be reduced by 6 months via the 24D Driver Alcohol Education Program.

Other Under-21 Alcohol Laws	
Buying/attempting to buy:	180 days
Possessing/ transporting (unaccompanied by parent/guardian):	90 days
Procuring for someone under 21:	180 days

Implied Consent: Your License Goes at the Arrest



Implied Consent:
Every licensed driver is deemed to have consented to a breath/blood test.



The Action:
If you refuse or blow over the limit, the officer takes your license immediately.



The Aftermath:
Vehicle impounded for 12 hours. RMV notified within 24 hours.

Refusal suspensions run CONSECUTIVELY with conviction suspensions. Refusal is an administrative suspension, not a criminal offense.

Refusal Suspensions at Age 21+

0 Prior OUIs	180 days
1 Prior	3 years
2 Priors	5 years
3+ Priors	Lifetime

The OUI Conviction Ladder

Melanie's Law: Lifetime Lookback — Imposes a lifetime lookback. The RMV counts ALL OUI convictions and program assignments (even out-of-state, however old) forever. No washing out priors.

	Fine	Jail	License
1st Offense	$500–$5,000	Up to 2½ yrs jail	1 year
2nd Offense	$600–$10,000	30 days–2½ yrs jail	2 years
3rd Offense (Felony)	$1,000–$15,000	150 days–5 yrs jail	8 years
4th Offense (Felony)	$1,500–$25,000	1 yr–5 yrs jail	10 years
5th Offense (Felony)	$2,000–$50,000	2 yrs–5 yrs jail	Lifetime

First-Offense Realities: The § 24D Alternative

A first offense has two potential paths based on court disposition. Both count as a prior forever.

Path A: Standard Track

1 Year license suspension.

Path B: § 24D Probation Track

- **Eligible offenders consent to probation & Driver Alcohol Education Program.**
- **Age 21+: Suspension reduced to 45–90 days.**
- **Under 21: Suspension reduced to 210 days (requires 2-week residential in-house program if BAC was 0.02+).**

Reinstatement & Ignition Interlock (MGL c. 90, § 24½)

Ignition Interlock Device (IID)

- Required for 2 or more OUI convictions/assignments. (Not required after a standard first offense).
- Installed at driver's expense.
- Hardship Rule: Must be used for the entire hardship period PLUS 2 additional years after full reinstatement.



Testing Hurdle

Reinstatement after 2nd, 3rd, or 4th offense requires a NEW permit exam and a NEW road test.

Reinstatement Fees

$500 (1st offense)	**$700** (2nd offense)
$1,200 (3rd offense)	**$1,200** (4th offense)

Open Container Laws



The Rule

Drinking alcohol while driving, OR possessing an open alcoholic drink in the vehicle is strictly prohibited.

The Catch

Applies EVEN IF SOMEONE ELSE HOLDS THE DRINK.

The Penalty

Fine of $100–$500.

Under-21 Add-on

An underage driver will be arrested, fined, and suspended for this offense.

Final Review: The Numbers You Must Know

BAC Levels

0.08 (21+ crime)

0.02 (<21 admin trigger)

0.04 (CDL disqualifier)

Refusal (21+)

180 days (0 priors)

3 yrs (1 prior)

5 yrs (2 priors)

Lifetime (3+ priors)

Vehicle impound: 12 hours

Convictions

1 · 2 · 8 · 10 · Life

(Years suspended, 1st–5th offense).

§ 24D Alternative

45–90 days (21+)

210 days (<21)

RMV Permit Self-Check (5 Questions)

Q **Q1: What does OUI stand for, why does Massachusetts say “operating,” and what substances does it cover?**

Q **Q2: Distinguish 0.08, 0.02, and 0.04 — precisely.**

Q **Q3: A driver with two prior OUIs refuses a chemical test. What suspension follows, and does the refusal itself add a criminal charge?**

Q **Q4: State the conviction suspension ladder, and the rule that makes old priors count.**

Q **Q5: Correct this claim: “A first OUI in Massachusetts always means one year without a license.”**

Self-Check: Answer Key

A	A1: Operating Under the Influence. Covers any way public has access (broader than driving). Substances: liquor, marijuana, narcotic drugs, depressants/stimulants, inhalants.
A	A2: 0.08 = Criminal per se (21+). 0.02 = Admin trigger (<21). 0.04 = CDL disqualifier.
A	A3: 5-year suspension, consecutive to conviction. Refusal is NOT a crime (administrative); 12-hour vehicle impound.
A	A4: 1, 2, 8, 10 years, lifetime. Melanie's Law (lifetime lookback for all priors/assignments everywhere).
A	A5: False. Eligible 1st offenders can use § 24D for 45–90 days (21+) or 210 days (<21). 1-year is standard track only.

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drivinglicensetest.org/ma

Sources verified November 14, 2026