

Comparison of Civil Infractions

The following table summarizes the applicability of various procedures and sanctions to traffic, municipal, and state civil infractions.

| Activity | Traffic Civil Infraction | Municipal Civil Infraction | State Civil Infraction |
|---|---|---|---|
| Case type codes ¹ | SI (statute civil infraction traffic); OI (ordinance civil infraction traffic); SK (statute parking); or OK (ordinance parking). | ON (ordinance civil infraction nontraffic). | SN (statute civil infraction nontraffic) or ON (ordinance civil infraction nontraffic). |
| Notice issued to appear at Municipal Ordinance Violations Bureau | No. | Optional under MCL 600.8396 . | No. |
| Citation issued to appear in court | Yes. MCL 257.728(1) . | Yes. MCL 600.8703 . | Yes. MCL 600.8803 . |
| May admit or deny in person or in writing | Yes. MCL 257.745 . | Yes. MCL 600.8709 ; MCL 600.8715 . ² | Yes. MCL 600.8815 . |
| Bond required to request to withdraw admission of responsibility | Yes. MCR 4.101(H)(3) . | Yes. MCR 4.101(H)(3) . | Yes. MCR 4.101(H)(3) . |
| Informal hearing permitted | Yes. MCL 257.746 . | Yes, except certain railway municipal civil infractions. MCL 600.8709 ; MCL 600.8719 . ³ | Yes. MCL 600.8819 . |
| Formal hearing permitted | Yes. MCL 257.747 . | Yes. MCL 600.8717 ; MCL 600.8721 | Yes. MCL 600.8821 . |
| Bond required to appeal after informal hearing for defendant | Yes. MCR 4.101(H)(2)(a) . | Yes. MCR 4.101(H)(2)(a) . | Yes. MCR 4.101(H)(2)(a) . |
| Default judgment entered if fail to answer citation or appear for hearing | Yes. MCL 257.748 . | Yes. MCL 600.8723 . | Yes. MCL 600.8823 . |
| Maximum fine | Generally ⁴ \$100, or \$250 if Commercial Motor Vehicle. MCL 257.907(2)(a) ; MCL 257.907(3) . | As provided by local ordinance. MCL 600.8727(2) . | As provided by state law. MCL 600.8827(2) . |

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| Costs ⁵ | \$100 maximum. MCL 257.907(4) . | \$500 maximum. MCL 600.8727(3) . | \$500 maximum. MCL 600.8827(3) . |
| Justice system assessment | \$40. MCL 257.907(12) . | \$10. MCL 600.8727(4) . | \$10. MCL 600.8827(4) . |
| Cost to compel appearance may be assessed | Yes. MCL 257.729 . | Yes. MCL 600.8735 . | Yes. MCL 600.8835 . |
| Abstract of conviction sent to Michigan Secretary of State | Yes. MCL 257.732(1)(a) . | No. | No. |
| Bond required for motion to set aside default judgment | Yes. MCR 4.101(D)(1)(e) . | Yes. MCR 4.101(D)(1)(e) . | Yes. MCR 4.101(D)(1)(e) . |
| 14-day notice 28 days after unpaid judgment required | Generally, yes. MCL 257.321a(1) . ⁶ | No. | No. |
| Licensing sanctions applied 14 days after the 14-day notice | Generally yes, suspension. MCL 257.321a(1)-(2) . ⁷ | No. | No. |
| Show cause or bench warrant issuable for default | Yes. MCL 257.908(1) . | Yes. MCL 600.8729(1) . | Yes. MCL 600.8829(1) . |
| Civil contempt fines | \$10/day. MCL 257.908(5) . | \$30/day. MCL 600.8729(5) . | \$30/day. MCL 600.8829(5) . |
| Equitable jurisdiction and authority | No. | Yes. MCL 600.8302(4) . | No. |
| Lien against land, building, or structure obtainable by plaintiff | No. | Yes. MCL 600.8731 . | No. |
| Impounded vehicle, lien, bond | Yes. MCL 257.724(2) (overweight vehicles). | Yes. MCL 600.8733 . | No. |

1. The case-type code list is available [here](#).
2. A formal hearing is required for any railway municipal civil infraction that caused damage to a natural resource of facility or when an authorized local official impounds the vehicle. [MCL 600.8709\(5\)](#).
3. A formal hearing is required for any railway municipal civil infraction that caused damage to a natural resource of facility or when an authorized local official impounds the vehicle. [MCL 600.8709\(5\)](#).
4. [MCL 257.907\(2\)\(b\)-\(n\)](#) lists some specific exceptions to the \$100 maximum regarding certain specified offenses and subsequent offenses.
5. Costs are not limited to the costs taxable in an ordinary civil action and may include all expenses, direct and indirect, to which the plaintiff has been put in connection with the civil infraction, up to the entry of judgment. [MCL 257.907\(4\)](#); [MCL 600.8727\(3\)](#); [MCL 600.8827\(3\)](#).
6. 14-day notice 7 days after failure to answer a citation, appear, or comply with an order or judgment for individuals charged with or convicted of specified serious violations. [MCL 257.321a\(2\)](#).
7. Appearance within 7 days of notice is required to avoid suspension for certain specified serious violations. [MCL 257.321a\(2\)](#).