

STATE CIVIL INFRACTIONS
SCAO: Revised September
2016

<u>MCL</u>	<u>Description</u>
28.421b	Firearms. Firearms records may only be accessed and disclosed by a peace officer or authorized system user for the purposes specified. Maximum fine \$500. Effective 12/21/14.
28.422	Firearms. Purchaser failing to distribute copies of pistol sales record as required. Maximum fine \$250.00. Effective 6/24/14. (Amended and effective 2/22/16.)
28.422a(2)	Firearms. Purchaser failing to distribute copies of pistol sale record as required (exempts purchasers who are MCOLES certified). Maximum fine \$250. Effective 3/12/13. (Amended and effective 5/2/16.)
28.425f(1)	Concealed Pistol. Licensed individual failing to carry concealed weapon license and state issued identification in his/her possession at all times s/he is carrying the pistol or a portable device that uses electro-muscular disruption technology. Maximum fine \$100. Effective 8/6/12. (Amended and effective 12/1/15.)
28.425f(2)	Concealed Pistol. Licensed individual failing to show required documents upon request by a peace officer when s/he is carrying a concealed weapon pistol or a portable device that uses electro-muscular disruption technology. Maximum fine \$100. Effective 8/6/12. (Amended and effective 12/1/15.)
28.425f(3)	Concealed Pistol. Licensed individual who is carrying a concealed pistol or a portable device that uses electro-muscular disruption technology and stopped by a peace officer failing to immediately disclose that fact. Maximum fine: 1st violation - \$500 and 6 months suspension of license; or both subsequent violation within 3 years - \$1,000 and revocation of license. Effective 8/6/12. (Amended and effective 12/1/15.)
28.425k(2)(c)	Concealed Pistol. Having a BAC .02-.08 while carrying a concealed pistol or a portable device that uses electro-muscular disruption technology. Maximum fine \$100. License shall be suspended for 1 year by county clerk. Effective 8/6/12. (Amended and effective 12/1/15.)
28.425o(6)	Concealed Pistol. Carrying a concealed pistol or a portable device that uses electro-muscular disruption technology in a prohibited place, first offense. Maximum fine \$500. 6 months suspension of license. Effective 8/6/12. (Amended and effective 12/1/15.)
28.462(1)	Fireworks. Using consumer fireworks on public property or private property of another without permission. Maximum fine \$500. Effective 6/19/13.
28.519	Concealed Weapon. Carrying a concealed firearm while under the influence of alcoholic liquor or a controlled substance. Maximum fine \$100. Effective 3/31/09.

- 29.477 **Hazardous Waste.** Transporting hazardous waste without a permit. Maximum fine \$2,500. Effective 9/1/98.
- 35.442 **Veteran’s License to Sell Goods.** Violating license requirements and includes new definition of “veteran.” Maximum fine \$1,000. (Amended and effective 9/20/16.)
- 35.831 **Flag Holders & United States Flags for Veterans.** Upon a petition, the city, village, municipality, or township shall procure for and furnish a suitable flag holder and U.S. flag for the grave of each veteran. Flags must be purchased within the U.S. or the city, village, municipality, or township must post on their website that competitively priced and comparable quality flag holders and U.S. flags made in the U.S. were not available. Maximum fine \$500. Effective 5/26/14.
- 35.831a **Flag Holders & United States Flags for Veterans.** Upon a petition, the county may procure for and furnish a suitable flag holder and U.S. flag for the grave of each veteran. Flags and holders must be purchased within the U.S. or the county must post on their website that competitively priced and comparable quality flag holders and U.S. flags made in the U.S. were not available. Maximum fine \$500. Effective 5/26/14.
- 141.876 **Community Convention or Tourism Marketing Act.** Assessment revenues collected under this Act shall not be state funds and convention or tourism bureau must provide copies of audited financial statements. Maximum fine \$10,000. Effective 12/16/10.
- 141.1436 **Regional Convention and Tourism Promotion Act.** Assessment revenues collected under this Act shall not be state funds and convention or tourism bureau must provide copies of audited financial statements. Maximum fine \$10,000. Effective 12/14/10.
- 205.428 **Tobacco Products Tax Act.** Unlicensed person selling or possessing 180 or more but no more than 599 cigarettes or tobacco products contrary to this Act. Maximum fine \$100. Effective 6/9/09.
- 257.732b **Motor Vehicle Code.** Falsely verifying community service or falsely requesting verification of community service for driver responsibility fees. Maximum fine \$200. Effective 12/31/14.
- 257.1873 **Pupil Transportation Act.** Violating standards/requirements in act, unless otherwise designated. [MCL 257.1801 – 257.1877.] Maximum fine \$500. Effective 8/15/06.
- 259.179 **Aeronautics Code.** Hunting while on aircraft. Maximum fine \$500, 1 year prohibition of hunting license. [MCL 259.176.] Effective 7/3/96.
- 259.182 **Aeronautics Code.** Allowing domestic animals or fowl on airport facility. Maximum fine \$500. [MCL 259.176.] Effective 7/3/96.
- 286.218(b) **Insect Pest and Plant Disease Act.** Failing to obtain permit, unless violation is knowing or intentional. Fine not less than \$1,000 or more than \$10,000 plus damages,

unless violation voluntarily reported, then maximum fine \$500 plus damages. [MCL 286.228.] Effective 9/1/05.

- 286.220 **Insect Pest and Plant Disease Act.** Failing to eradicate nuisance. Maximum fine \$1,000 plus expenses incurred by Department to abate the nuisance. [MCL 286.228.] Effective 9/1/05.
- 286.223 **Insect Pest and Plant Disease Act.** Violating quarantine requirements, unless violation is knowing or intentional. Fine not less than \$1,000 or more than \$10,000 plus damages, unless violation voluntarily reported, then maximum fine \$500 plus damages. [MCL 286.228.] Effective 9/1/05.
- 286.260(1) **Insect Pests and Plant Diseases.** Violating a rule or order that requires destruction of plant. Maximum fine \$1,000 plus expenses incurred by the department in destroying the plants. Effective 6/27/05.
- 286.260(2) **Insect Pests and Plant Diseases.** Violating a rule or order that requires quarantine of plant, unless violation is knowing or intentional. Fine not less than \$1,000 or more than \$10,000 plus damages, unless violation voluntarily reported, then maximum fine \$500 plus damages. Effective 6/27/05.
- 324.504 **Department of Natural Resources.** Violating a rule or order promulgated for protection of state lands. [R299.292; R299.921 – R299.933.] Maximum fine \$500. Effective 6/18/09.
- 324.8512b **Fertilizers.** Fertilizer containing phosphate. Maximum fine not more than \$1,000, unless as provided in subdivision (b). [MCL 324.8520.] Effective 12/16/10. (Amended and effective 11/5/13.)
- 324.8512f **Fertilizers.** Release of fertilizer on impervious turf, application of fertilizer on frozen or saturated turf. Maximum fine not more than \$1,000, unless as provided in subdivision (b). [MCL 324.8520.] Effective 12/16/10.
- 324.8902 **Littering.** Littering on public or private property. Fine based on volume or type of litter. Definition of “litter” amended to include an abandoned vessel as defined in section 80130F, an ORV that is considered abandoned under section 80130F as made applicable in section 81151, and a snowmobile that is considered abandoned under section 80130F as made applicable in section 82161. [MCL 324.8901, 324.8905a.] Effective 4/16/15.
- 324.9121 **Soil Erosion and Sedimentation Control.** Violating control measures. In general, maximum fine \$2,500. Maximum fine \$10,000 per day for knowingly violating or making false statement in an application or permit or in soil erosion and sedimentation control plan. Fine of not less than \$2,500 or more than \$25,000 per day for a person who knowingly violates after receiving a notice of determination. [See statute for direction on distribution of fine to state or local unit of government, depending upon who filed the action; distribution of costs follows MCL 600.8379.] Court may order respondent to restore areas damaged to their condition prior to the violation. Effective 1/11/01.

- 324.11522(4) **Solid Waste Management.** Open burning of certain household waste by individual. 1st violation within 3 years – warning. Maximum fine for 2nd violation within 3 years - \$75; 3rd violation within 3 years - \$150; 4th or subsequent violation within 3 years - \$300. Effective 4/19/12.
- 324.16903c **Scrap Tires.** Maintenance limiting mosquito breeding. Maximum fine \$400 plus costs. Effective 1/15/15.
- 324.41325 **Transgenic and Nonnative Organisms.** Placing boat, boating equipment, or boat trailer in Michigan waters if aquatic plant attached (except for wild rice). Maximum fine \$100. Effective 9/15/09.
- 324.74116 **State Parks System.** Entering state park without recreation passport fee being paid or without a valid park permit affixed, exceptions noted. Maximum fine \$100 [MCL 324.74122(2)]. Effective 5/1/14. (Amended and effective 4/25/16.)
- 324.74201(1) **Camping.** Camping on state-owned land without having first posted a camp registration card. Maximum fine \$500, and liability for any costs incurred in cleaning up the campsite, which shall be recoverable [MCL 324.74206.] Effective 4/16/16.
- 324.74202 **Camping.** Camp registration card shall be prominently and conspicuously posted before the camp is made and left posted upon departure. Maximum fine \$500, and liability for any costs incurred in cleaning up the campsite, which shall be recoverable [MCL 324.74206.] Effective 4/16/16.
- 324.74203 **Camping.** Disposal of all rubbish, papers, cans, containers, or other article or thing of any nature brought into or built upon the premises by the camping party. Maximum fine \$500, and liability for any costs incurred in cleaning up the campsite, which shall be recoverable [MCL 324.74206.] Effective 4/16/16.
- 324.76901 **Mackinac Island State Park Rules.** Violating a rule promulgated by the Mackinac Island State Park Commission under the Natural Resources and Environmental Protection Act. Maximum fine \$500. Effective 8/6/01.
- 324.78119 **Michigan State Waterways Commission.** Entering state-operated public boating access site without recreation passport fee being paid or without a valid pass affixed. Maximum fine \$100. Effective 5/1/14.
- 324.80114 **Marine Safety.** Violating a rule promulgated to establish performance or other safety standards relating to boat construction or the installation, use or carriage of associated equipment. [R281.1231 - R281.1252.] Maximum fine \$500. Effective 5/11/07.
- 324.80122(1) **Marine Safety.** No certificate on board that is in full force and effect, or decal or number displayed inappropriately on a vessel (including violating a rule promulgated to implement this section [R281.1201 – R281.1209]). Maximum fine \$500. Effective 5/11/07.

- 324.80124(15) **Marine Safety.** Improper decal display (including violating a rule promulgated to implement this subsection [R281.1206 & R281.1208]). Maximum fine \$500. Effective 8/1/12.
- 324.80124(17) **Marine Safety.** No decal issued for a vessel or expired decal. Maximum fine \$500. Effective 8/1/12.
- 324.80130f **Marine Safety.** Abandoned vessel. Violation as provided for in MCL 324.8905a. Effective 4/16/15.
- 324.80142 **Marine Safety.** Persons under 6 years of age not wearing a personal floatation device. Maximum fine \$100. Effective 4/18/96.
- 324.80143a **Marine Safety.** Persons not carrying, storing, maintaining, or using required marine safety equipment onboard. Maximum fine \$100. Effective 11/1/12.
- 324.80144 **Marine Safety.** Violating enumerated operation rules when there is risk of collision, 1st violation (2nd and subsequent violations remain misdemeanors). Maximum fine \$500. Effective 5/11/07.
- 324.80145 **Marine Safety.** Basic speed law violation. Maximum fine \$500. Effective 5/11/07.
- 324.80146 **Marine Safety.** Exceeding 55 mph speed limit or violating no-wake speed zone that does not constitute reckless operation (unless waived for authorized marine events). Maximum fine \$500. Exceptions noted. Effective 5/11/07.
- 324.80149 **Marine Safety.** Counterclockwise operation violation or 100-foot rule violation on any of the Great Lakes, Lake St. Clair, or the St. Clair River (violations on other bodies of water remain misdemeanors). Maximum fine \$500. Effective 5/11/07.
- 324.80151 **Marine Safety.** Towing a skier after dark. Maximum fine \$500. Effective 5/11/07.
- 324.80152(1)(a) **Marine Safety.** Failing to have a properly positioned observer onboard when towing a person. Maximum fine \$100. Effective 11/1/12.
- 324.80152(1)(b) **Marine Safety.** Failing to have a person being towed wear a proper personal flotation device. Maximum fine \$100. Effective 11/1/12.
- 324.80152(3)&(4) **Marine Safety.** A person who is 16 years of age or older failing to wear a proper personal flotation device while being towed. Maximum fine \$100. Effective 11/1/12.
- 324.80180(2)(e) **Marine Safety.** Refusing PBT. Maximum fine \$500. Effective 3/31/15.
- 324.80198b(1) **Marine Safety.** Buoys on a public beach. Maximum fine \$500. Effective 5/11/07.
- 324.80198b(2) **Marine Safety.** Swimming outside a buoyed swimming area. Maximum fine \$500. Effective 5/11/07.

- 324.80205(6) **Personal Watercraft.** 150-foot rule violation. Maximum fine \$500. Effective 11/1/12.
- 324.80205(7) **Personal Watercraft.** 2-foot rule violation. Maximum fine \$500. Effective 11/1/12.
- 324.80206 **Personal Watercraft.** Operating outside channel or where aquatic rooted vegetation visible above surface. Fine \$25. Effective 6/27/00.
- 324.80217 **Personal Watercraft.** Dealer failing to advise customers of boating safety courses in area. Fine \$100. Effective 6/27/00.
- 324.80218 **Personal Watercraft.** Dealer failing to provide customers with DNR documents containing PWC laws and safety features. Fine \$100. Effective 6/27/00.
- 324.81105 **Off-Road Vehicles.** Failing to deliver or obtain certificate of title upon sale or assignment to person. Maximum fine \$500. (See MCL 324.81147.) Effective 6/4/14.
- 324.81107 **Off-Road Vehicles.** Failing to deliver or obtain manufacturer's certificate of origin upon sale or transfer to dealer. Maximum fine \$500. (See MCL 324.81147.) Effective 6/4/14.
- 324.81109 **Off-Road Vehicles.** Failing to apply for certificate of title. Maximum fine \$100. Effective 4/18/96.
- 324.81115 **Off-Road Vehicles.** Operating unlicensed ORV. Maximum fine \$500. (See MCL 324.81147.) Effective 6/4/14.
- 324.81116 **Off-Road Vehicles.** Providing false information on application for license. Maximum fine \$500. (See MCL 324.81147.) Effective 6/4/14.
- 324.81121 **Off-Road Vehicles.** Violating dealer rental regulations. Maximum fine \$500. (See MCL 324.81147.) Effective 6/4/14.
- 324.81130 **Off-Road Vehicles.** Failing to complete ORV safety education course. Maximum fine \$500. (See MCL 324.81147.) Effective 6/4/14.
- 324.81131 **Off-Road Vehicles.** Violating an ordinance issued by a local unit of government to operate ORVs on a highway, other than an interstate highway. Maximum fine \$500. Effective 9/25/13.
- 324.81133(1),(2) **Off-Road Vehicles.** (1) Operating: (b) without tail and head lights as required; (c) without adequate braking system, brake lights, or throttle that does not idle when released; (e) on a frozen surface in violation of 100-foot rule; (f) without adequate muffler; (g) within 100 feet of a dwelling at prohibited speed; (i) at designated times on land open to hunting during firearm deer season, with exceptions; (k) on or across cemetery, burial ground or land used as airport; or (l) within 100 feet of slide, ski, or skating area, with exceptions. (2) Operating without approved helmet and protective eye wear. Maximum fine \$500. (See MCL 324.81147.) Effective 6/4/14.

- 324.81141(5) **Off-Road Vehicles.** Refusing PBT. Maximum fine \$500. Effective 3/31/15.
- 324.81151 **Off-Road Vehicles.** Abandoned ORV. Violation as provided for in MCL 324.8905a. Effective 4/16/15.
- 324.82118 **Snowmobiles.** Failing to obtain snowmobile trail permit sticker or affix properly. Maximum fine \$100. Effective 12/22/10.
- 324.82126(2) **Snowmobiles.** Muffler violations. Fine not less than \$100 or more than \$250. Effective 1/6/09.
- 324.82126a **Snowmobiles.** Careless or negligent operation. No fine listed. Effective 3/23/99.
- 324.82136 **Snowmobiles.** Refusal to submit to preliminary chemical breath analysis. Maximum fine \$500. Effective 3/31/2015.
- 324.82161 **Snowmobiles.** Abandoned snowmobile. Violation as provided for in MCL 324.8905a. Effective 4/16/15.
- 324.83109 **State Forest Recreation.** Violating state forest use regulation. Maximum fine \$500. Effective 12/29/98.
- 333.2854 **Remains.** Failing to dispose of fetal remains from an abortion or failing to obtain the proper disposition of a dead body. Maximum fine \$1,000. Effective 3/31/13.
- 333.13110 **Body Art Facilities.** Giving/selling body piercing kit or device to minor. Maximum fine \$500. Effective 12/22/10.
- 333.17766e **Pharmacy Practice and Drug Control.** Violating requirements for retail sale of ephedrine or pseudoephedrine. Maximum fine \$500. Effective 7/15/11.
- 333.17766f. **Pharmacy Practice and Drug Control.** Sales of products that contain compound, mixture or preparation containing detectable quantity of ephedrine or pseudoephedrine. Maximum fine \$500 per violation. Effective 1/1/15.
- 333.26312 **Medical Emergencies in Health Clubs.** Failing to employ person trained in basic first aid, basic CPR, and AED use, failure to have accessible AED, and failure to develop and implement emergency plan. [Penalty in MCL 333.26314.] Maximum fine: 1st violation - \$250; 2nd violation - \$500; 3rd or subsequent violation - \$1,000. Effective 2/16/06.
- 388.852 **Construction of School Buildings.** Architect or engineer failing to provide for sufficient structural strength and fire resistance, unless otherwise designated. Maximum fine \$10,000. Effective 12/23/02.
- 408.684 **Playground Equipment Safety.** Violating safety standards. [Penalty in MCL 408.685.] Manufacture: maximum fine \$10,000. Assembly: maximum fine \$1,000.

Civil fine designated for Children's Trust Fund, MCL 21.171. (This is contrary to MCL 600.8831 establishing state civil infraction fines for support of libraries.) Effective 6/5/02.

- 436.1701(1) **Michigan Liquor Control Code.** Selling/furnishing alcohol to a minor as part of a “sting” operation. Maximum fine \$100. Effective 6/30/11.
- 436.1703(7) **Michigan Liquor Control Code.** Minor refusing preliminary breath test. Maximum fine \$100. **Declared unconstitutional and enforcement enjoined in the court case of *Platte v Thomas Twp.*, 504 F Supp 2d 227 (ED Mich, 2007).** Effective 6/1/12.
- 436.1909 **Michigan Liquor Control Code.** Selling, delivering, importing spirits in violation of section 901(4) in the amount of less than 8,000 milliliters. Maximum fine \$1,000. Effective 9/30/10.
- 445.426 **Nonferrous Metal Regulatory Act.** Failing to subscribe to the database or failing to electronically report the purchase of the item to the database by noon of the next business day after a purchase transaction. [Penalty in MCL 445.435(2).] Maximum fine \$500. Effective 7/1/14.
- 445.435(1) **Nonferrous Metal Regulatory Act.** Violating the act except for a violation of MCL 445.427(1) or 445.429. Maximum fine \$5,000. Effective 7/1/14.
- 445.2083 **Plastic Bulk Merchandise Container Act.** Violating dealer purchase or seller requirements. Maximum fine \$5,000. Effective 12/18/12.
- 446.72 **Restroom Access for Persons with Medical Conditions.** Violation by establishment or employee of establishment. [MCL 446.74.] Maximum fine \$100. Effective 3/31/09.
- 480.17 **Motor Carrier Safety Act.** Violating the act or a rule promulgated under the act unless otherwise designated. Maximum fine \$250. Effective 10/20/05.¹
- 480.17b **Motor Carrier Safety Act.** Serious safety defect violations. Maximum fine \$500.³ Effective 10/20/05.²
- 480.17c **Motor Carrier Safety Act.** Operating or requiring/permitting a person to operate in violation of the act or a rule promulgated under the act if the vehicle is transporting a package required to be marked or labeled under 49 CFR parts 100 to 180, unless otherwise designated. Maximum fine \$500. Effective 10/20/05.
- 600.586 **Court Officers.** Sheriff, deputy sheriff or medical examiner licensed to practice law violating limits on their practice of law. Maximum fine \$500. Effective 4/18/96.

¹ Amended from “civil infraction” to “state civil infraction” effective 10/20/05.

² Maximum fine increased from \$300 to \$500, and amended from “civil infraction” to “state civil infraction” effective 10/20/05.

- 600.2964 **Provisions Concerning Specific Actions.** Shall not require a SSN or credit card number be written on a check as a condition of acceptance of that check. Maximum fine \$500. Effective 1/1/98.
- 722.687 **Ultra-Violent Explicit Video Games.** Knowing dissemination to minor of ultra-violent explicit video game harmful to minors. Maximum fine: 1st violation - \$5,000; 2nd violation - \$15,000; 3rd or subsequent violation - \$40,000. Effective 12/1/05.
- 750.143a **Penal Code – Children.** Failing to prominently post video game rating system sign (or notify consumers that a rating system is available) and make information available to consumers upon request. Maximum fine \$1,000. Effective 12/1/05.
- 750.224b **Short-barreled shotgun or rifle.** Failing to present federal registration of the short-barreled shotgun or rifle (greater than 26 inches) during transportation or use. Maximum fine \$100. Effective 3/27/14.
- 801.4b **County Jails.** Failing to pay \$12 fee to county sheriff. Fine \$100. Effective 10/1/03.
- 801.10(2) **County Jails.** Sheriff misusing prisoner labor. Maximum fine \$500. Effective 4/18/96.
- 801.10(3) **County Jails.** A sheriff shall not derive any private benefit or financial gain from provision of food to prisoners in the jail. Maximum fine \$500. Effective 4/18/96.

All state civil infractions are eligible to be reported as “FCPV” to SOS for Failure to Comply with Judgment using Offense Code 9300. SOS will place a hold on renewal of the driver license of the defendant.