

Act No. 80  
Public Acts of 2000  
Approved by the Governor  
April 19, 2000  
Filed with the Secretary of State  
April 19, 2000

EFFECTIVE DATE: 91st day after final adjournment of 2000 Regular Session

**STATE OF MICHIGAN  
90TH LEGISLATURE  
REGULAR SESSION OF 2000**

Introduced by Senators Hoffman, Gast, North and Goschka

**ENROLLED SENATE BILL No. 876**

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 8801 (MCL 600.8801), as amended by 1996 PA 211.

*The People of the State of Michigan enact:*

Sec. 8801. (1) This chapter applies only to a state civil infraction action involving a violation of state law that is designated as a state civil infraction.

(2) This chapter does not apply to a civil infraction action involving a traffic or parking violation.

(3) As used in this chapter:

(a) "Citation" means a written complaint or notice to appear in court upon which a law enforcement officer records the occurrence or existence of 1 or more state civil infractions by the person cited.

(b) "Civil infraction determination" means a determination that a defendant is responsible for a state civil infraction by 1 of the following:

(i) An admission of responsibility for the state civil infraction.

(ii) An admission of responsibility for the state civil infraction, "with explanation".

(iii) A preponderance of the evidence at an informal hearing or formal hearing on the question under section 8819 or 8821, respectively.

(iv) A default judgment, for failing to appear as directed by a citation or other notice, at a scheduled appearance under section 8815(3)(b) or (4), at an informal hearing under section 8819, or at a formal hearing under section 8821.

(c) "Law enforcement officer" means any of the following:

(i) A sheriff or deputy sheriff.

(ii) An officer of the police department of a city, village, or township, or the marshal of a city, village, or township.

(iii) An officer of the Michigan state police.

(iv) A conservation officer.

(v) A security employee employed by the state pursuant to section 6c of Act No. 59 of the Public Acts of 1935, being section 28.6c of the Michigan Compiled Laws.

(vi) A motor carrier officer appointed pursuant to section 6d of 1935 PA 59, MCL 28.6d.

(vii) A public safety officer employed by a university as authorized by either of the following:

(A) 1965 PA 278, MCL 390.711 to 390.717.

(B) 1990 PA 120, MCL 390.1511 to 390.1514.

(viii) If authorized by the governing body of a political subdivision, a constable of the political subdivision.

(ix) A park and recreation officer commissioned pursuant to section 1606 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1606.

(x) A state forest officer commissioned pursuant to section 83107 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.83107.

*Carol Morey Viventi*

Secretary of the Senate.

*Jay E. Randall*

Clerk of the House of Representatives.

Approved .....

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Governor.