



Traffic Services Section Michigan State Police Field Update #31

Providing Traffic Related Information and Services to Michigan Law Enforcement

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Traffic Fines, Costs, and Statutory Assessments

The primary purpose of traffic enforcement is to reduce traffic crashes by educating drivers about unsafe behavior. Motorists often complain, however, that revenue is a motivating factor for traffic enforcement. Compounding this perception are myriad laws in other states that allow for automated enforcement of speed and red light violations using cameras owned by private companies that often have a vested interest in the number of citations issued. While automated enforcement may sound like a sensible solution to some traffic safety problems, significant [abuse](#) has been documented across the country. Automated enforcement cameras [may not be used in Michigan](#). [MCL 257.742](#) allows a police officer to issue a civil infraction citation **only** if he/she observes a violation, investigates a crash, or receives authorization from the prosecutor pursuant to a citizen's complaint.

Money received by the court from a traffic citation is made up of three components: a fine, costs, and statutory assessments. [MCL 257.907](#) specifically governs fines, costs, and assessments. The [State Court Administrative Office](#) publishes an annual [list](#) of recommendations for fines and costs as a guideline to the district courts pursuant to subsection (8), although courts may establish their own lists pursuant to subsection (7). Many violations have a specific fine and/or cost set pursuant to subsection (2), including safety belt and child restraint violations.

Fines

Fines are the penalty portion of the citation money received by the court. Distribution of a civil infraction fine is governed by [MCL 257.909](#). For violations written under state law, usually by state troopers or county deputies, 100% of the fines are "applied to the support of public libraries and county law libraries..." For violations written under local ordinance, usually by municipal police officers or some county deputies assigned to townships pursuant to a contract, 30% of the fines are applied to the library fund, while 70% are given back to the municipality.

Costs

Costs are the portion of the citation money used to pay the expenses to prosecute the citation as authorized by [MCL 257.907\(4\)](#). Costs are capped at \$100 unless specifically set by subsection (2).

Statutory Assessments

Statutory assessments are additional charges applied to most violations pursuant to [MCL 257.907\(14\)](#) to fund specific programs deemed important by the Legislature. A number of public acts that passed in 2003 consolidated the previously existing assessments into a single Justice System Assessment, and provided a new formula for their distribution. There is a great deal of confusion about these "restricted" funds, both among the general public and law enforcement. Some of these funds "pass through" the Michigan State Police (MSP) budget, but are eventually distributed to other law enforcement agencies as grants. The breakdown of the \$40 statutory assessment on a typical civil infraction citation appears below. Other violations, including misdemeanors, felonies, and non-traffic civil infractions, have a [slightly different formula](#). Contact [Sgt. Lance Cook](#) at (517) 336-6660 for additional information.

Secondary Road Patrol (sheriff departments for county secondary road traffic enforcement)	\$10.00
Highway Safety Fund (MSP for recruit schools and traffic enforcement)	\$7.44
Jail Reimbursement Program Fund (sheriff departments to house felons for state)	\$3.72
Michigan Justice Training Fund (all police agencies and prosecutors for in-service training)	\$3.72
Legislative Retirement System	\$0.345
Drug Treatment Courts Fund	\$0.855
State Forensic Lab Fund	\$1.68
State Court Fund	\$3.99
Court Equity Fund	\$7.65
State Treasurer (for monitoring)	\$0.30
State Court Administrative Office (for collections and audits)	\$0.30

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