

**MICHIGAN VEHICLE CODE (EXCERPT)**  
**Act 300 of 1949**

\*\*\*\*\* 257.749.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 28, 2019 \*\*\*\*\*

**257.749.amended Stopping nonresident for civil infraction; release personal recognizance; immediate hearing before magistrate; failure to appear; default judgment.**

Sec. 749. (1) When a nonresident is stopped under section 742 for a civil infraction, the police officer making the stop shall issue to that person a citation as provided in sections 727c and 742.

(2) The officer shall release the nonresident upon his or her personal recognizance.

(3) If a magistrate is available for an immediate appearance, upon demand of the person stopped, the officer immediately shall take the nonresident driver before the magistrate to answer to the civil infraction alleged. If the nonresident defendant requests a formal hearing, the hearing shall be scheduled as provided in section 747. .

(4) If the person who is released upon his or her personal recognizance as provided in subsection (2) fails to appear as required in the citation or for a scheduled formal hearing, the court having jurisdiction and venue over the civil infraction shall enter a default judgment against the person.

**History:** Add. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1984, Act 331, Imd. Eff. Dec. 26, 1984;—Am. 2008, Act 7, Imd. Eff. Feb. 15, 2008;—Am. 2018, Act 566, Eff. Mar. 28, 2019.