

BAIL FOR TRAFFIC OFFENSES OR MISDEMEANORS (EXCERPT)
Act 257 of 1966

780.64 Amount of bail; surrender by defendant of operator's or chauffeur's license as security; receipt; expiration date; extension; written notice; return of license.

Sec. 4.

(1) The amount of bail shall be:

(a) Sufficient to assure compliance with the conditions set forth in the bail bond.

(b) Not oppressive.

(c) Commensurate with the nature of the offense charged.

(d) Considerate of the past criminal acts and conduct of the defendant.

(e) Considerate of the financial ability of the accused.

(f) Uniform whether the bail bond be executed by the person for whom bail has been set or by a surety.

(2) If a person is charged with an offense punishable by a fine only, the amount of the bail shall not exceed double the amount of the maximum penalty.

(3) If a person has been convicted of an offense and only a fine has been imposed, the amount of the bail shall not exceed double the amount of the fine.

(4) If a person is arrested for an ordinance violation or a misdemeanor punishable by imprisonment for not more than 1 year or a fine, or both, and if the defendant's operator's or chauffeur's license is not expired, suspended, revoked, or canceled, then the court may require the defendant, in place of other security for the defendant's appearance in court for trial or sentencing or, in addition, to release of the defendant on personal recognizance, to surrender to the court his or her operator's or chauffeur's license. The court shall issue to the defendant a receipt for the license as provided in section 311a of the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being section 257.311a of the Michigan Compiled Laws. If the trial date is set at the arraignment, the court shall specify on the receipt the date on which the defendant is required to appear for trial. If a trial date is not set at the arraignment, the court shall specify on the receipt a date on which the receipt expires. By written notice, which shall instruct a person who has surrendered a license as security under this subsection to attach the notice to the receipt issued under this subsection, the court may extend the expiration date of the receipt, as needed, to secure the defendant's appearance for trial and sentencing. Upon its attachment to the receipt, the written notice shall be considered a part of the receipt for purposes of determining the expiration date. At the conclusion of the trial or imposition of sentence, as applicable, the court shall return the license to the defendant unless other disposition of the license is authorized by law.

History: 1966, Act 257, Eff. Mar. 10, 1967 ;-- Am. 1969, Act 221, Imd. Eff. Aug. 6, 1969 ;-- Am. 1983, Act 57, Eff. Mar. 29, 1984