



# HOUSE BILL No. 5257

October 12, 1995, Introduced by Rep. Nye and referred to the Committee on Transportation.

A bill to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14a, 15, 16, 17, 18, 19, 20, 21, 21a, 21b, 22, 23, 24, 25, 51, 76a, 77, 79, 82, 83, 84a, 85, 86, 89, 101, 102, 105, 107, 127, 133, 136, 151, 153, 155, 176, 179, 180, 181, 182, 183, 184, 201, 202, and 203 of Act No. 327 of the Public Acts of 1945, entitled as amended

"Aeronautics code of the state of Michigan,"

section 51 as amended by Act No. 385 of the Public Acts of 1982, section 77 as amended by Act No. 391 of the Public Acts of 1988, and section 86 as amended by Act No. 466 of the Public Acts of 1982, being sections 259.2, 259.3, 259.4, 259.5, 259.6, 259.7, 259.8, 259.9, 259.10, 259.11, 259.14a, 259.15, 259.16, 259.17, 259.18, 259.19, 259.20, 259.21, 259.21a, 259.21b, 259.22, 259.23, 259.24, 259.25, 259.51, 259.76a, 259.77, 259.79, 259.82, 259.83, 259.84a, 259.85, 259.86, 259.89, 259.101, 259.102, 259.105,

259.107, 259.127, 259.133, 259.136, 259.151, 259.153, 259.155, 259.176, 259.179, 259.180, 259.181, 259.182, 259.183, 259.184, 259.201, 259.202, and 259.203 of the Michigan Compiled Laws; to add sections 17a, 17b, 20a, 20b, 20c, 24a, 24b, 25a, 25b, 25c, 25d, 25e, 79a, 80a, 80b, 80c, 80d, 80e, 86a, 86b, 86c, 91, 126b, 126c, and 176a; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Section 1. Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14a,  
 2 15, 16, 17, 18, 19, 20, 21, 21a, 21b, 22, 23, 24, 25, 51, 76a,  
 3 77, 79, 82, 83, 84a, 85, 86, 89, 101, 102, 105, 107, 127, 133,  
 4 136, 151, 153, 155, 176, 179, 180, 181, 182, 183, 184, 201, 202,  
 5 and 203 of Act No. 327 of the Public Acts of 1945, section 51 as  
 6 amended by Act No. 385 of the Public Acts of 1982, section 77 as  
 7 amended by Act No. 391 of the Public Acts of 1988, and section 86  
 8 as amended by Act No. 466 of the Public Acts of 1982, being sec-  
 9 tions 259.2, 259.3, 259.4, 259.5, 259.6, 259.7, 259.8, 259.9,  
 10 259.10, 259.11, 259.14a, 259.15, 259.16, 259.17, 259.18, 259.19  
 11 259.20, 259.21, 259.21a, 259.21b, 259.22, 259.23, 259.24, 259.25,  
 12 259.51, 259.76a, 259.77, 259.79, 259.82, 259.83, 259.84a, 259.85,  
 13 259.86, 259.89, 259.101, 259.102, 259.105, 259.107, 259.127,  
 14 259.133, 259.136, 259.151, 259.153, 259.155, 259.176, 259.179,  
 15 259.180, 259.181, 259.182, 259.183, 259.184, 259.201, 259.202,  
 16 and 259.203 of the Michigan Compiled Laws, are amended and sec-  
 17 tions 17a, 17b, 20a, 20b, 20c, 24a, 24b, 25a, 25b, 25c, 25d, 25e,  
 18 79a, 80a, 80b, 80c, 80d, 80e, 86a, 86b, 86c, 91, 126b, 126c, and  
 19 176a are added to read as follows:

1       Sec. 2. "Aeronautics" ~~. Any~~ MEANS ANY and all acts or  
2 matters ~~which~~ THAT treat or deal with flight in the airspace.

3       Sec. 3. "Aeronautical facilities" ~~. Any~~ MEANS ANY or all  
4 devices, physical or otherwise, objects of nature or ~~man made~~  
5 HUMAN-MADE, which aid and are used in aeronautics.

6       Sec. 4. "Aircraft" ~~. Any~~ MEANS ANY contrivance ~~now~~  
7 ~~known, or hereafter invented,~~ used ~~,~~ or designed for naviga-  
8 tion of or flight in the air.

9       Sec. 5. "Aircraft, civil" ~~. Any~~ MEANS ANY aircraft other  
10 than a public aircraft.

11       Sec. 6. "Aircraft, public" ~~. Any~~ MEANS ANY aircraft used  
12 exclusively in the service of any government or of any political  
13 subdivision ~~thereof~~ OF A GOVERNMENT, including the government  
14 of any state, territory, or possession of the United States, or  
15 the District of Columbia, but not including any government-owned  
16 aircraft engaged in carrying persons or property for commercial  
17 purposes.

18       Sec. 7. "Airman" ~~. Any person~~ MEANS ANY INDIVIDUAL,  
19 including the ~~one~~ 1 in command, and any pilot, mechanic, or  
20 member of the crew, who engages in the navigation of aircraft  
21 while under way, and any ~~person~~ INDIVIDUAL who is in charge of  
22 the inspection, overhauling, or repair of aircraft, and any indi-  
23 vidual who serves in the capacity of aircraft dispatcher or air  
24 traffic control tower operator.

25       Sec. 8. "Air navigation" ~~. The~~ MEANS THE operation or  
26 navigation of aircraft in the airspace over the ~~lands~~ LAND and  
27 waters of the state. ~~of Michigan.~~

1       Sec. 9. "Airport" ~~Any~~ MEANS ANY location, either on  
2 land or water, ~~which~~ THAT is used for the landing or take-off  
3 of aircraft, ~~which provides facilities for the shelter, supply~~  
4 ~~or care of aircraft, or for receiving or discharging passengers~~  
5 ~~or cargo, and all appurtenant areas used or suitable for airport~~  
6 ~~buildings or other airport facilities, and all appurtenant rights~~  
7 ~~of way, whether heretofore or hereafter established~~ AND INCLUDES  
8 THE BUILDINGS AND FACILITIES, IF ANY, ON THAT LOCATION.

9       Sec. 10. "Airport ~~managers~~". ~~Any person~~ MANAGER" MEANS  
10 ANY INDIVIDUAL who is properly appointed and designated by the  
11 airport owner as ~~such~~ THE airport manager, and who is ~~made~~  
12 responsible for the supervision and operation of the airport to  
13 the airport owner.

14       Sec. 11. "Airspace, navigable" ~~Space in the air over~~  
15 ~~the lands and waters of the state of Michigan, above the minimum~~  
16 ~~altitudes of flight prescribed by the laws of this state or by~~  
17 ~~the rules and regulations of the Michigan department of~~  
18 ~~aeronautics.~~ MEANS AIRSPACE AT AND ABOVE THE MINIMUM FLIGHT  
19 ALTITUDES PRESCRIBED IN THE FEDERAL AIR REGULATIONS INCLUDING  
20 AIRSPACE NEEDED FOR SAFE TAKEOFF AND LANDING.

21       Sec. 14a. "Commercial activity or operations" means an  
22 activity or operation such as the sale of gasoline or oil, the  
23 soliciting or engaging in charter flying or ~~student~~ FLIGHT  
24 instruction, the provision of shelter or the tie-down of an air-  
25 craft, the overhaul or repair of an aircraft or of engines, or  
26 ~~otherwise offering~~ OTHER ACTIVITY OR OPERATION THAT OFFERS  
27 aeronautic facilities or services to the public.

1       Sec. 15. "Commission" ~~—~~ MEANS THE Michigan aeronautics  
2 commission.

3       Sec. 16. "Department" ~~— Michigan~~ MEANS THE STATE  
4 TRANSPORTATION department, BUREAU of aeronautics.

5       Sec. 17. "Director" ~~— Director~~ MEANS THE DEPUTY DIRECTOR  
6 OF THE DEPARTMENT, BUREAU of aeronautics.

7       SEC. 17A. "FLIGHT INSTRUCTOR" MEANS ANY PERSON WHO POS-  
8 SESSES A VALID FLIGHT INSTRUCTOR CERTIFICATE OR OTHER AIRMAN CER-  
9 TIFICATE ISSUED BY THE FEDERAL AVIATION ADMINISTRATION AUTHORIZ-  
10 ING THAT INDIVIDUAL TO INSTRUCT IN AIRCRAFT.

11       SEC. 17B. "FLIGHT SCHOOL" MEANS ANY PERSON PROVIDING OR  
12 OFFERING TO PROVIDE FLIGHT TRAINING LEADING TO PILOT OR FLIGHT  
13 INSTRUCTOR CERTIFICATION, FOR HIRE OR COMPENSATION, AND ENGAGED  
14 IN ANY OF THE FOLLOWING:

15       (A) ADVERTISING OR CALLING ONESELF A FLIGHT SCHOOL OR ANY-  
16 THING EQUIVALENT TO A FLIGHT SCHOOL.

17       (B) HIRING, CONTRACTING, OR OTHERWISE USING 1 OR MORE FLIGHT  
18 INSTRUCTORS IN AN ENDEAVOR DESCRIBED IN THIS SECTION.

19       (C) PROVIDING AIRCRAFT FOR THE PURPOSES OF FLIGHT TRAINING.

20       Sec. 18. "Flying club" ~~— Any~~ MEANS ANY group of persons  
21 owning, leasing, or operating ~~—~~ 1 or more aircraft, not for  
22 profit or reward, and using ~~such~~ THE aircraft for the purpose  
23 of ~~giving flight instructions to~~ PROVIDING its members WITH AN  
24 AIRCRAFT FOR THEIR PERSONAL USE AND ENJOYMENT.

25       Sec. 19. "Fuel" ~~— Any~~ MEANS ANY or all gasoline, distil-  
26 lates, benzine, naphtha, benzol, and other volatile and  
27 inflammable liquids produced, ~~or which may hereafter be~~

1 ~~invented, produced,~~ compounded, and used for propelling  
2 aircraft.

3       Sec. 20. "Hazards to air navigation" ~~. Any~~ MEANS ANY  
4 obstruction of whatever character, object of natural growth, or  
5 use of land, upon or surrounding or adjacent to an airport, land-  
6 ing field, or other aeronautical facility, ~~which~~ THAT prevents  
7 the safe use of ~~such~~ THE facilities for the take-off or landing  
8 of aircraft.

9       SEC. 20A. "HELIPORT" MEANS AN AREA OF LAND, WATER, OR A  
10 FIXED STRUCTURE USED OR INTENDED TO BE USED FOR THE LANDING AND  
11 TAKEOFF OF HELICOPTERS OR OTHER ROTARY WING AIRCRAFT.

12       SEC. 20B. "HELIPORT APPROACH SURFACE" MEANS AN IMAGINARY  
13 PLANE BEGINNING AT THE END OF THE HELIPORT LANDING AREA WITH THE  
14 SAME WIDTH AS THE LANDING AREA AND EXTENDING OUTWARD AND UPWARD  
15 FOR A HORIZONTAL DISTANCE OF 4,000 FEET WHERE ITS WIDTH IS 500  
16 FEET. THE SLOPE OF THE APPROACH SURFACE IS 8 TO 1.

17       SEC. 20C. "HOSPITAL HELIPORT" MEANS A HELIPORT LIMITED TO  
18 SERVING HELICOPTERS ENGAGED IN AIR AMBULANCE OR OTHER HOSPITAL  
19 RELATED FUNCTIONS.

20       Sec. 21. "Landing field" ~~. Any~~ MEANS ANY location,  
21 either on land or water, ~~which shall be~~ THAT IS used for the  
22 landing or take-off of aircraft. ~~with safety, but which is not~~  
23 ~~equipped with facilities for the shelter, supply and repair of~~  
24 ~~aircraft.~~

25       Sec. 21a. "Landing area" means an area of an airport, ~~or~~  
26 landing field, OR OTHER AERONAUTICAL FACILITY used or intended  
27 for use in landing, taking off, or taxiing of aircraft, excluding

1 area and facilities for shelter, servicing, or repair of aircraft  
2 or for receiving or discharging passengers or cargo.

3 Sec. 21b. "Manufacturer" means a person ~~, firm, corpora-~~  
4 ~~tion, or association~~ engaged in the business of manufacturing  
5 aircraft, aircraft engines, propellers, component parts, appli-  
6 ances, or accessories.

7 Sec. 22. "Operation of aircraft" or "operate aircraft" ~~—~~  
8 ~~Use~~ MEANS USE of aircraft for the purpose of air navigation,  
9 including the navigation or piloting of aircraft. Any person who  
10 causes or authorizes the operation of aircraft, whether with or  
11 without the right of legal control ~~(~~ in the capacity of owner,  
12 lessee, or otherwise, ~~)~~ of the aircraft, ~~shall be deemed to be~~  
13 ~~engaged~~ IS ENGAGING in the operation of aircraft within the  
14 meaning of the statutes of this state.

15 Sec. 23. "Person" ~~— Any individual, firm, partnership,~~  
16 ~~corporation, company, association, joint stock association, or~~  
17 ~~body politic, and includes any trustee, receiver, assignee, or~~  
18 ~~other similar representative thereof.~~ MEANS AN INDIVIDUAL, PART-  
19 NERSHIP, CORPORATION, ASSOCIATION, GOVERNMENTAL ENTITY, OR OTHER  
20 LEGAL ENTITY.

21 Sec. 24. "Political subdivision" ~~— Any~~ MEANS A county,  
22 city, village, or township of this state, and any other political  
23 subdivision, public corporation, authority, or district in this  
24 state which is or may be authorized by law to acquire, establish,  
25 construct, maintain, improve, and operate airports, landing  
26 fields, and other aeronautical facilities.

1           SEC. 24A. "PRIVATE LANDING AREA" MEANS ANY LOCATION, EITHER  
2 ON LAND OR WATER, THAT IS USED FOR THE TAKE-OFF OR LANDING OF  
3 AIRCRAFT, AND IS TO BE USED BY THE OWNER OR PERSONS AUTHORIZED BY  
4 THE OWNER. COMMERCIAL OPERATIONS SHALL NOT BE CONDUCTED ON PRI-  
5 VATE LANDING AREAS.

6           SEC. 24B. "PUBLIC USE FACILITY" MEANS AN AIRPORT, LANDING  
7 FIELD, OR OTHER AERONAUTICAL FACILITY THAT IS AVAILABLE FOR USE  
8 BY THE GENERAL PUBLIC WITHOUT PRIOR APPROVAL OF THE OWNER OR  
9 OPERATOR.

10          Sec. 25. ~~Rules and regulations. Any or all rules and reg-~~  
11 ~~ulations issued under this act by the Michigan department of~~  
12 ~~aeronautics, or which may hereafter be issued under any amend-~~  
13 ~~ments thereto.~~ "RULE" MEANS A RULE PROMULGATED PURSUANT TO THE  
14 ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT NO. 306 OF THE PUBLIC  
15 ACTS OF 1969, BEING SECTIONS 24.201 TO 24.328 OF THE MICHIGAN  
16 COMPILED LAWS.

17          SEC. 25A. "SEAPLANE BASE" MEANS AN AREA OF WATER USED OR  
18 INTENDED TO BE USED FOR THE LANDING AND TAKEOFF OF AIRCRAFT,  
19 TOGETHER WITH APPURTENANT SHORESIDE BUILDINGS AND FACILITIES.

20          SEC. 25B. "STATE APPROACH SURFACE" MEANS AN IMAGINARY PLANE  
21 LONGITUDINALLY CENTERED ON THE EXTENDED RUNWAY CENTERLINE AND  
22 EXTENDING OUTWARD AND UPWARD FROM EACH END OF THE STATE PRIMARY  
23 SURFACE.

24          SEC. 25C. "STATE PRIMARY SURFACE" MEANS A SURFACE LONGITU-  
25 DINALLY CENTERED ON A RUNWAY. FOR A PAVED RUNWAY, THE STATE PRI-  
26 MARY SURFACE EXTENDS 200 FEET BEYOND EACH END OF THAT RUNWAY FOR  
27 AN UNPAVED RUNWAY OR A PLANNED PAVED RUNWAY, THE STATE PRIMARY



1 SURFACE ENDS AT EACH END OF THAT RUNWAY. THE ELEVATION OF ANY  
2 POINT ON THE STATE PRIMARY SURFACE IS THE SAME AS THE ELEVATION  
3 OF THE NEAREST POINT ON THE RUNWAY CENTERLINE. THE WIDTH OF A  
4 STATE PRIMARY SURFACE IS AS FOLLOWS:

5 (A) ONE HUNDRED FEET FOR BASIC UTILITY AIRPORTS.

6 (B) TWO HUNDRED AND FIFTY FEET FOR GENERAL UTILITY AIRPORTS.

7 SEC. 25D. "TEMPORARY COMMERCIAL OPERATIONS" MEANS ANY COM-  
8 Mercial operation conducted for a period not to exceed 120 days  
9 per calendar year.

10 SEC. 25E. "ULTRALIGHT" MEANS AN AIRCRAFT MEETING REQUIRE-  
11 MENTS OF 14 C.F.R. PART 103.

12 Sec. 51. (1) The commission has general supervision over  
13 aeronautics within this state. ~~It~~ THE COMMISSION shall encour-  
14 age, foster, and participate with and ~~grant state money~~ PROVIDE  
15 GRANTS to the political subdivisions of this state in the devel-  
16 opment of aeronautics within this state. ~~It~~ THE COMMISSION  
17 shall establish and encourage the establishment of airports,  
18 landing fields, and other aeronautical facilities. ~~It~~ THE  
19 COMMISSION shall promulgate rules ~~pursuant to Act No. 306 of the~~  
20 ~~Public Acts of 1969, as amended, being sections 24.201 to 24.315~~  
21 ~~of the Michigan Compiled Laws,~~ THAT it ~~deems~~ CONSIDERS neces-  
22 sary and advisable for the public safety governing the designing,  
23 laying out, location, building, equipping, and operation of air-  
24 ports and landing fields. ~~The commission is empowered to estab-~~  
25 ~~lish programs of grant assistance and participation with politi-~~  
26 ~~cal subdivisions and agencies of this state as the commission~~  
27 ~~determines is necessary to carry out this act. It~~ IN ORDER TO

1 IMPLEMENT THIS ACT, THE COMMISSION MAY ESTABLISH PROGRAMS OF  
2 STATE FINANCIAL ASSISTANCE IN THE FORM OF GRANTS, LEASES, LOANS,  
3 AND PURCHASES, OR A COMBINATION OF GRANTS, LEASES, LOANS, AND  
4 PURCHASES, FOR ASSISTING POLITICAL SUBDIVISIONS OR OTHER  
5 PERSONS. THE COMMISSION shall not grant an exclusive right for  
6 the use of an aeronautical facility. The commission may by the  
7 issuance of appropriate and effective rules ~~thereon~~ register  
8 pilot's certificates issued by the civil aeronautics authority or  
9 other similar federal authority to resident pilots of the state  
10 for which it may charge a fee not to exceed \$5.00; govern and  
11 regulate commercial operations in intrastate commerce for which  
12 it may charge a fee of not more than \$25.00; and provide for the  
13 licensing of aircraft ~~manufacturers and~~ dealers for which it  
14 may charge a fee of not more than \$25.00.

15 (2) The commission shall cooperate with and assist the fed-  
16 eral government, state governments, authorities of political sub-  
17 divisions, and individuals engaged in aeronautics or the develop-  
18 ment of aeronautics, and shall seek to coordinate the aeronauti-  
19 cal activities of these ~~bodies~~ ENTITIES. The commission may  
20 confer with or hold joint hearings with any federal or state gov-  
21 ernments, their agencies, the authorities of political subdivi-  
22 sions, and individuals, in connection with any matter arising  
23 under this act, and avail itself of the cooperation, services,  
24 records, and facilities of those agencies in the administration  
25 and enforcement of this act. ~~It~~ THE COMMISSION shall recipro-  
26 cate by furnishing governments and their agencies its

1 cooperation, services, records, and facilities, insofar as may be  
2 practicable.

3 (3) The commission may perform acts, issue and amend orders,  
4 and make, promulgate, and amend reasonable general or special  
5 rules and procedures, and establish minimum standards, consistent  
6 with this act, which it ~~deems~~ CONSIDERS necessary to ~~carry~~  
7 ~~out~~ IMPLEMENT this act and to perform its duties under this act,  
8 all commensurate with and for the purpose of protecting and  
9 insuring the general public interest, health, welfare, and  
10 safety. The commission may adopt and enforce the provisions of  
11 the currently effective federal legislation governing  
12 aeronautics. The commission shall promulgate rules ~~pursuant to~~  
13 ~~Act No. 306 of the Public Acts of 1969, as amended, being sec-~~  
14 ~~tions 24.201 to 24.315 of the Michigan Compiled Laws~~ TO IMPLE-  
15 MENT THIS ACT. The commission may deviate from or add to rules  
16 ~~when~~ IF necessary for the public safety and for the safety of  
17 aircraft and airmen within the state. A rule of the commission  
18 shall not apply to aeronautical facilities owned by the federal  
19 government.

20 (4) For the safety of aircraft and airmen within this state  
21 the commission may designate, establish, or modify a state air-  
22 ways system. ~~It~~ THE COMMISSION may publish and distribute  
23 maps, charts, and information relating to that system.

24 (5) The commission, a commission member or employee, the  
25 director, and every state, county, and municipal officer charged  
26 with the enforcement of state and municipal laws shall enforce  
27 and assist in the enforcement of this act and of rules ~~issued~~

1 ~~pursuant to~~ PROMULGATED UNDER this act, and of all other laws of  
2 this state relating to aeronautics. In the aid of enforcement,  
3 general police powers are conferred upon the commission, each of  
4 its members, the director, and the officers and employees of the  
5 commission designated by the commission to exercise those  
6 powers. The commission is further authorized to enforce this act  
7 and rules promulgated ~~pursuant to~~ UNDER this act by injunction  
8 in the circuit court. The prosecuting attorney of the county in  
9 which an offense is committed shall prosecute offenders against  
10 this act and other aeronautical laws of this state, or any rule  
11 promulgated UNDER THIS ACT or order issued by the commission.  
12 When a complaint is made before the recorder's court in the city  
13 of Detroit, a municipal court in a city having such a court, or  
14 the district court in the county, district, or political subdivi-  
15 sion in which venue is proper, that court may take cognizance,  
16 hear, try, and determine such matters and pass sentence upon  
17 offenders in accordance with law.

18 (6) The commission, a commission member, the director, or an  
19 employee designated by the commission may hold investigations,  
20 inquiries, and hearings concerning matters covered by this act,  
21 aircraft accidents, or orders and rules of the commission. Each  
22 person designated may administer oaths and affirmations, certify  
23 to official acts, issue subpoenas, and compel the attendance and  
24 testimony of witnesses, and the production of papers, books, and  
25 documents. In case of failure to comply with a subpoena or order  
26 issued under ~~authority of~~ this act, the commission, or its  
27 authorized representative, may invoke the aid of a court of

1 general jurisdiction. The court may order the witness to comply  
2 with the requirements of the subpoena or order, or to give evi-  
3 dence touching the matter in question. Failure to obey the order  
4 of the court may be punished by the court as contempt.

5 (7) In order to facilitate investigations by the commission  
6 in the interest of public safety and development of aeronautics,  
7 the reports of investigations or hearings, or any part of them,  
8 shall not be admitted in evidence or used for any purpose in an  
9 action or proceeding growing out of a matter referred to in the  
10 investigation, hearing, or report, except in case of criminal or  
11 other proceedings instituted in behalf of the state under ~~the~~  
12 ~~provisions of~~ this act or any other law of this state relating  
13 to aeronautics. A commissioner, director, or an officer or  
14 employee of the commission shall not be required to testify to  
15 facts ascertained in, or information gained by reason of, his or  
16 her official capacity, or be required to testify as an expert  
17 witness in an action or proceeding involving an aircraft.

18 ~~Subject to the foregoing provisions~~ EXCEPT AS OTHERWISE PRO-  
19 VIDED IN THIS SECTION, the commission may make available to  
20 appropriate federal and state agencies information and material  
21 developed in the course of its hearings and investigations.

22 (8) For the purposes of executing its powers and duties  
23 under this act, the commission, upon recommendations to the state  
24 administrative board, may enter into necessary contracts.

25 Sec. 76a. (1) A person shall not operate nor shall an owner  
26 knowingly permit to be operated, except as provided in this  
27 ~~chapter~~ ACT, an aircraft of a type required to be registered,

1 which is not registered or for which a current certificate of  
2 registration has not been issued, or for which the current fee  
3 has not been paid.

4 (2) A person shall not operate nor shall an owner knowingly  
5 permit to be operated, except as provided in this ~~chapter~~ ACT,  
6 an aircraft of a type required to be registered, unless there is  
7 carried in, ~~attached thereto, and displayed thereon,~~ as  
8 required by this ~~chapter~~ ACT, a valid registration certificate  
9 ~~and registration decal plates~~ issued by the commission for the  
10 current registration year.

11 (3) AN APPLICATION FOR REGISTRATION SHALL BE MADE ON FORMS  
12 PROVIDED BY THE COMMISSION, AND SHALL BE SIGNED AND SWORN TO BY  
13 THE APPLICANT. THE REGISTRATION SHALL BE ISSUED SUBJECT TO  
14 APPROVAL OF THE COMMISSION. FEES SHALL BE PAID TO THE COMMISSION  
15 IN THE FORM OF CASH PAID IN PERSON OR IN THE FORM OF A CHECK,  
16 MONEY ORDER, OR BANK DRAFT MADE PAYABLE TO THE STATE OF MICHIGAN.

17 Sec. 77. (1) If an aircraft is registered under this act,  
18 the commission shall send an application for renewal registration  
19 to the owner of the aircraft on or after ~~June~~ NOVEMBER 1 pre-  
20 ceding the year to be designated on the registration. ~~and~~  
21 ~~decal~~s. The registration application shall be executed and  
22 returned to the commission with payment of the registration fee  
23 as provided by this section before the expiration date of the  
24 prior registration. ~~Decals will not be issued until receipt of~~  
25 ~~payment.~~ If an owner of an aircraft fails to receive a registra-  
26 tion application form by ~~July~~ DECEMBER 1, he or she shall  
27 inform the commission.

1 (2) The owner of an aircraft that had not been previously  
2 subject to registration under this act but has become subject to  
3 registration under this act shall inform the commission within 30  
4 days after becoming subject to registration, shall register the  
5 aircraft, and shall pay the appropriate fee as provided by this  
6 section.

7 (3) A registration fee shall be payable annually on or  
8 before ~~August 1~~ DECEMBER 31. However, for an aircraft being  
9 registered for the first time, a registration certificate issued  
10 after ~~February~~ JULY 1 shall be issued at the rate of 50% of the  
11 annual fee. All aircraft registrations ~~and decals~~ shall expire  
12 on ~~July 31~~ JANUARY 1 of each year.

13 (4) A registration fee shall be in lieu of all property  
14 taxes on the aircraft, either general or local.

15 (5) A registration fee shall be paid at the rate of 1 cent  
16 per pound of either maximum gross weight or maximum takeoff  
17 weight, whichever is greater, for which the aircraft is  
18 ~~certificated~~ CERTIFIED under the federal aviation administra-  
19 tion airworthiness certificate.

20 (6) If an aircraft owner fails to register or pay the air-  
21 craft registration fee due under this act by the time specified,  
22 a penalty of \$50.00 shall be added if the failure is not more  
23 than 1 month, with an additional ~~\$5.00~~ \$10.00 penalty for each  
24 additional month or fraction of a month during which the regis-  
25 tration fee and penalty are not paid.

26 (7) If an aircraft registration fee is not paid within the  
27 time specified and it is shown to the satisfaction of the

1 commission that the failure or refusal was due to reasonable  
2 cause and not willful neglect, the penalty may be waived at the  
3 discretion of the director of the ~~Michigan department of~~ STATE  
4 transportation DEPARTMENT or his or her designated  
5 representative. ~~Under no circumstances shall the~~ THE period  
6 for which a penalty is assessed SHALL NOT exceed 1 year.

7 (8) If an aircraft registration fee is paid by mail, the  
8 postmark date is the date of payment.

9 Sec. 79. (1) The state registration certificate issued by  
10 the commission shall be carried ~~in a conspicuous place~~ in the  
11 aircraft at all times. Each aircraft shall display the number  
12 assigned to it by the United States or a foreign country. ~~The~~  
13 ~~decal plates issued by the commission shall be affixed near the~~  
14 ~~top of each side of the vertical stabilizers. On an aircraft~~  
15 ~~with multiple stabilizers, decal plates shall be placed on the~~  
16 ~~outboard side of each stabilizer and on helicopters the plates~~  
17 ~~shall be placed adjacent to the United States registration~~  
18 ~~number.~~

19 (2) A person shall not carry or display upon an aircraft a  
20 registration certificate ~~or decal plate~~ not issued for the air-  
21 craft or not otherwise lawfully used ~~thereon~~ ON THE AIRCRAFT.

22 (3) Historic or restored aircraft or an authentic replica of  
23 a historic aircraft ~~shall~~ ARE not ~~be~~ required to display  
24 ~~decal plates as required in this section~~ ANY EXTERNAL  
25 STATE-REQUIRED REGISTRATION MARKINGS.

26 SEC. 79A. THE COMMISSION MAY CAUSE AN AIRCRAFT TO BE  
27 INSPECTED AT ANY TIME TO DETERMINE ITS COMPLIANCE WITH THE



1 REGISTRATION REQUIREMENTS OF THIS ACT. THE OWNER, OPERATING  
2 AGENCY, OR AIRMAN SHALL GIVE THE INSPECTOR OR OFFICER REPRESENT-  
3 ING THE COMMISSION UNHINDERED AND UNINTERRUPTED ACCESS TO THE  
4 AIRCRAFT AND TO THE SHELTER OR FIELD WHERE THE AIRCRAFT IS  
5 LOCATED IN ORDER TO CONDUCT THE INSPECTION PROVIDED FOR IN THIS  
6 SECTION.

7 SEC. 80A. (1) A PERSON SHALL NOT NAVIGATE AN AIRCRAFT OVER;  
8 LAND UPON; OR FLY FROM; OR SERVICE, MAINTAIN, OR REPAIR AN AIR-  
9 CRAFT OR AN AIRPORT, LANDING FIELD, OR OTHER AERONAUTICAL FACILI-  
10 TY; OR CONDUCT AN AIRCRAFT OPERATION FROM AN AIRPORT, LANDING  
11 FIELD, OR OTHER AERONAUTICAL FACILITY IN THIS STATE EXCEPT IN  
12 CONFORMITY WITH THIS ACT.

13 (2) A PERSON SHALL NOT USE A LICENSED AERONAUTICAL FACILITY  
14 AS A BASE OR TERMINAL FOR A COMMERCIAL ACTIVITY WITHOUT FIRST  
15 SECURING A WRITTEN AGREEMENT FROM THE AIRPORT MANAGER OR HIS OR  
16 HER DESIGNATED REPRESENTATIVE AND PAYING THE FEES AND CHARGES  
17 PRESCRIBED.

18 (3) AN AIRPORT MANAGER OR HIS OR HER DESIGNATED REPRESENTA-  
19 TIVE AT ALL TIMES MAY TAKE SUCH ACTION AUTHORIZED BY LAW AS MAY  
20 BE NECESSARY IN THE HANDLING, CONDUCT, AND MANAGEMENT OF THE  
21 PUBLIC IN ATTENDANCE AT THE LICENSED AERONAUTICAL FACILITY.

22 (4) A PERSON DEALING, AT WHOLESALE OR RETAIL, IN AVIATION  
23 FUEL SHALL ACQUIRE AND DISPENSE THE FUEL IN ACCORDANCE WITH THE  
24 LAWS OF THIS STATE. A PERSON SHALL NOT DISPENSE FUELS OF DIFFER-  
25 ENT OCTANE FROM THE SAME PUMP.

1 SEC. 80B. (1) A PERSON OPERATING AN AIRCRAFT SHALL CONFORM  
2 TO STANDARD TRAFFIC PATTERNS RECOMMENDED BY FEDERAL AIR  
3 REGULATIONS EXCEPT AS FOLLOWS:

4 (A) WHEN METEOROLOGICAL CONDITIONS ARE SUCH THAT COMPLIANCE  
5 WITH VISUAL FLIGHT RULES AS PRESCRIBED BY FEDERAL AIR REGULATIONS  
6 IS IMPOSSIBLE AT THE PRESCRIBED TRAFFIC PATTERN ALTITUDES, ALTI-  
7 TUDES MAY BE REDUCED AS NECESSARY DOWN TO BUT NO LOWER THAN ALTI-  
8 TUDES IN ACCORDANCE WITH THE APPROPRIATE FEDERAL AIR REGULATIONS,  
9 THIS ACT, AND THE RULES PROMULGATED UNDER THIS ACT.

10 (B) IF LOCAL CONDITIONS REQUIRE, AND THE TRAFFIC PATTERN HAS  
11 BEEN ALTERED TO FIT THESE CONDITIONS AND APPROVED BY THE  
12 COMMISSION.

13 (2) AIRCRAFT SHALL CONFORM WITH PROPERLY ESTABLISHED LOCAL  
14 NOISE ABATEMENT PROCEDURES.

15 (3) A PERSON SHALL NOT FLY AN AIRCRAFT ACROBATICALLY OVER A  
16 LICENSED AERONAUTICAL FACILITY EXCEPT UPON WRITTEN AUTHORITY OF  
17 THE AIRPORT MANAGER, AND THEN ONLY WHEN THE SITE IS CLOSED TO  
18 TRAFFIC.

19 (4) AIRMEN, BEFORE DEPARTING FROM A LICENSED AERONAUTICAL  
20 FACILITY, SHALL MAKE SATISFACTORY ARRANGEMENTS FOR THE PAYMENT OF  
21 STORAGE, REPAIR, AND SUPPLY CHARGES.

22 (5) THE OWNER, OPERATOR, OR PILOT OF AN AIRCRAFT, OR A  
23 PERSON TO WHOM HE OR SHE HAS GIVEN PERMISSION TO USE THE AIR-  
24 CRAFT, IS DIRECTLY RESPONSIBLE FOR ITS SAFE OPERATION.

25 (6) WHEN AN AIRCRAFT IS INVOLVED IN AN ACCIDENT IN THIS  
26 STATE THAT CAUSES INJURY OR DEATH, THE OWNER OR PERSON IN CONTROL

1 OF THE AIRCRAFT SHALL IMMEDIATELY REPORT THE ACCIDENT TO THE  
2 NEAREST STATE POLICE POST.

3 (7) A PERSON SHALL NOT OPERATE AN AIRCRAFT IN A CARELESS OR  
4 RECKLESS MANNER SO AS TO ENDANGER, OR BE LIKELY TO ENDANGER, THE  
5 LIFE OR PROPERTY OF ANOTHER. OTHER THAN AT A LICENSED OR  
6 APPROVED LANDING AREA, A PERSON SHALL NOT FLY AN AIRCRAFT LESS  
7 THAN 25 FEET (7.6 METERS) ABOVE THE GROUND AT THE FIELD BOUNDARY,  
8 OR CLOSER THAN 25 FEET (7.6 METERS) TO ANY OBJECT OR STRUCTURE  
9 WHILE LANDING OR TAKING OFF.

10 (8) A PERSON SHALL NOT FLY AN AIRCRAFT WITHIN 500 FEET (153  
11 METERS) OF ANOTHER AIRCRAFT, EXCEPT BY PREARRANGEMENT OF EACH  
12 AIRCRAFT'S PILOT IN COMMAND.

13 SEC. 80C. (1) AN AIRCRAFT OWNER, PILOT, OR AUTHORIZED AGENT  
14 IS RESPONSIBLE FOR THE PROMPT DISPOSAL OF A WRECKED AIRCRAFT AND  
15 ITS PARTS TO AVOID INTERFERENCE WITH AIRCRAFT OPERATIONS, UNLESS  
16 SPECIFICALLY DIRECTED BY THE AIRPORT MANAGER, COMMISSION, STATE  
17 POLICE, OR APPROPRIATE FEDERAL AGENCY TO DELAY REMOVAL PENDING  
18 INVESTIGATION.

19 (2) PARTICIPANTS IN AN ACCIDENT AT OR NEAR A LICENSED AERO-  
20 NAUTICAL FACILITY SHALL REPORT TO THE AIRPORT MANAGER OR RESPON-  
21 SIBLE AUTHORITIES AS SOON AFTER AN ACCIDENT AS POSSIBLE, FURNISH-  
22 ING THEIR NAMES, ADDRESSES, AND RENDERING REQUIRED REPORTS.

23 (3) REPORTS OF INVESTIGATIONS OR HEARINGS, OR ANY PART OF  
24 INVESTIGATIONS OR HEARINGS, SHALL NOT BE ADMITTED IN EVIDENCE OR  
25 USED FOR ANY PURPOSE PERTAINING TO A MATTER REFERRED TO IN AN  
26 INVESTIGATION, HEARING, OR REPORT, EXCEPT IN CASE OF CRIMINAL OR  
27 OTHER PROCEEDINGS IN BEHALF OF THE COMMISSION.

1 (4) AN OFFICER OR EMPLOYEE OF THE COMMISSION OR THE STATE  
2 TRANSPORTATION DEPARTMENT SHALL NOT BE REQUIRED TO TESTIFY AS AN  
3 EXPERT WITNESS IN AN ACTION INVOLVING AN AIRCRAFT.

4 SEC. 80D. (1) AN AIRCRAFT SHALL NOT LAND, EXCEPT IN AN  
5 EMERGENCY, ON PRIVATE PROPERTY, OTHER THAN UPON RECOGNIZED LAND-  
6 ING AREAS, UNLESS EXPRESS PERMISSION IS SECURED FROM THE OWNER OR  
7 LESSEE.

8 (2) A PERSON SHALL NOT LAND AN AIRCRAFT ON A PUBLIC HIGHWAY,  
9 EXCEPT IN AN EMERGENCY. A PERSON SHALL NOT OPERATE AN AIRCRAFT  
10 ON A PUBLIC HIGHWAY UNLESS TRAFFIC IS CONTROLLED BY LAW ENFORCE-  
11 MENT OFFICIALS. LIGHTER-THAN-AIR AND EMERGENCY EVACUATION AIR-  
12 CRAFT MAY TAKE OFF AND LAND ON ANY PUBLIC HIGHWAY WITH PREAR-  
13 RANGED TRAFFIC CONTROL.

14 SEC. 80E. (1) EXCEPT WHEN NECESSARY FOR TAKEOFF OR LANDING,  
15 AN AIRCRAFT SHALL NOT BE FLOWN AT THE FOLLOWING LOCATIONS:

16 (A) OVER ANY CONGESTED AREA OF A CITY OR VILLAGE AT AN ALTI-  
17 TUDE BELOW THAT WHICH, IF A POWER UNIT FAILS, WILL PERMIT AN  
18 EMERGENCY LANDING WITHOUT UNDUE HAZARD TO PERSONS OR PROPERTY ON  
19 THE SURFACE, AND IN NO CASE LESS THAN 1,000 FEET ABOVE THE HIGH-  
20 EST OBSTACLE WITHIN A HORIZONTAL RADIUS OF 2,000 FEET FROM THE  
21 AIRCRAFT.

22 (B) OVER ANY OTHER AREA AT AN ALTITUDE OF LESS THAN 500 FEET  
23 (153 METERS) ABOVE THE SURFACE, EXCEPT OVER OPEN WATER OR  
24 SPARSELY POPULATED AREAS, IN WHICH CASE THE AIRCRAFT SHALL NOT BE  
25 OPERATED LESS THAN 500 FEET FROM ANY PERSON, VESSEL, VEHICLE, OR  
26 STRUCTURE.

1 (2) A HELICOPTER MAY BE FLOWN AT ALTITUDES LESS THAN THE  
2 MINIMUMS PRESCRIBED IN SUBSECTION (1), IF THE OPERATION IS  
3 CONDUCTED WITHOUT HAZARD TO PERSONS OR PROPERTY ON THE SURFACE.

4 Sec. 82. (1) A person shall not engage in the business of  
5 buying, selling, brokering, or dealing in aircraft of a type  
6 required to be registered, ~~or parts thereof,~~ unless he OR SHE  
7 has received a license from the commission.

8 (2) ~~Application~~ AN APPLICATION for a dealer's license  
9 shall be accompanied by ~~the required~~ A \$25.00 LICENSE fee  
10 ~~upon~~ AND SHALL BE SUBMITTED ON the appropriate form furnished  
11 by the commission. Applications shall be signed and accompanied  
12 by a sworn statement containing the information required by the  
13 commission to determine whether the applicant is lawfully enti-  
14 tled to the license.

15 (3) A license granted under subsection (1) ~~shall expire~~  
16 EXPIRES on ~~February~~ JANUARY 1 of each calendar year and may be  
17 renewed upon application and payment of the required fee. The  
18 commission may issue a ~~half-year~~ 1/2-YEAR license for the bal-  
19 ance of the current year if application is made after ~~August~~  
20 JULY 1 upon payment of 1/2 of the fee.

21 (4) A DEALER OR MANUFACTURER SHALL DISPLAY A DEALER'S  
22 LICENSE IN A PROMINENT LOCATION AT HIS OR HER PLACE OF BUSINESS.

23 (5) ~~(4)~~ A licensee shall maintain a record, to be open to  
24 inspection by any law enforcement officer or authorized officer  
25 or investigator of the commission, of every aircraft subject to  
26 registration which is bought, sold, exchanged, received, or  
27 accepted by the licensee for sale or exchange. A licensee shall

1 ~~make~~ SUBMIT a ~~monthly~~ report to the commission of aircraft  
2 sold to a resident of another state AND INCLUDE THE NOTICE OF  
3 SALE OR TRANSFER AND THE REGISTRATION CERTIFICATE, IF ANY.

4 (6) ~~(5)~~ The commission shall issue to aircraft manufactur-  
5 ers, aircraft engine manufacturers, and dealers a distinctive  
6 general registration number for each aircraft owned or controlled  
7 by them. These aircraft shall not be used except for demonstra-  
8 tion, for sale, for ferrying, or for testing. General registra-  
9 tion numbers for manufacturer and dealer aircraft shall be issued  
10 annually under the same conditions as registration certificates  
11 and a \$5.00 charge made ~~therefor~~ FOR THE GENERAL REGISTRATION  
12 NUMBERS FOR MANUFACTURER AND DEALER AIRCRAFT. The general regis-  
13 tration number issued to a manufacturer or dealer shall be dis-  
14 played ~~in a conspicuous place~~ in the aircraft at all times.

15 (7) ~~(6)~~ A manufacturer or dealer selling or exchanging  
16 aircraft subject to registration, before delivering an aircraft  
17 to the purchaser, shall ~~make application~~ APPLY to the commis-  
18 sion for aircraft registration, and the purchaser shall sign the  
19 application for registration and other necessary papers to enable  
20 the manufacturer or dealer to ~~make application~~ APPLY to the  
21 commission. ~~A dealer shall automatically forfeit his license if~~  
22 ~~he fails to apply for registration as required by this~~  
23 ~~subsection.~~

24 (8) ~~(7)~~ A dealer dismantling or wrecking any registered  
25 aircraft shall forward the registration certificate for that air-  
26 craft to the commission within 15 days for cancellation.

1 (9) THE COMMISSION MAY CANCEL, REVOKE, OR SUSPEND THE  
2 DEALER'S LICENSE FOR FAILURE TO COMPLY WITH THIS SECTION.

3 Sec. 83. A person shall not operate a civil aircraft over  
4 or upon the lands and waters of this state unless the person is  
5 ~~the holder of a valid and effective airman's certificate of com-~~  
6 ~~petency issued by the United States or a foreign government.~~  
7 ~~When operating an aircraft, an airman shall operate the aircraft~~  
8 ~~only as authorized by the certificate. This certificate shall be~~  
9 ~~kept in the airman's personal possession while operating an air-~~  
10 ~~craft, and shall be presented for inspection upon the demand of~~  
11 ~~any passenger or person in authority in connection with the oper-~~  
12 ~~ation of aircraft in this state.~~ IN FULL COMPLIANCE WITH THE  
13 FEDERAL AIRMAN CERTIFICATION REQUIREMENTS UNDER SUBPART D OF  
14 CHAPTER 1 OF TITLE 14 OF THE CODE OF FEDERAL REGULATIONS.

15 Sec. 84a. After notice and opportunity for the person to be  
16 heard, the commission may cancel, revoke, or suspend the regis-  
17 tration of an aircraft ~~when~~ IF ANY OF THE FOLLOWING OCCUR:

18 (a) The commission is satisfied that the registration ~~or~~  
19 ~~decal plate~~ was fraudulently or erroneously issued.

20 (b) The commission determines that the licensee has made or  
21 is making unlawful use of his OR HER registration certificate.  
22 ~~or decal plate.~~

23 (c) An aircraft has been dismantled or wrecked.

24 (d) A registration certificate ~~or decal plate is knowingly~~  
25 ~~displayed upon an aircraft~~ other than the ~~one for which~~ |  
26 issued FOR THAT AIRCRAFT IS KNOWINGLY CARRIED WITHIN THE  
27 AIRCRAFT.

1 (e) The commission is ~~so~~ authorized under any other  
2 provision of this act.

3 (f) It is shown by satisfactory evidence that delivery of an  
4 aircraft in the possession of a dealer was not made to the appli-  
5 cant registered under this act.

6 Sec. 85. (1) ~~Aviation schools and aviation instructors.~~  
7 ~~It shall be unlawful for any~~ A person ~~to~~ SHALL NOT operate ~~an~~  
8 ~~aviation~~ A FLIGHT school in this state unless ~~such~~ THE person  
9 ~~is the holder of~~ HOLDS an annual license issued by the  
10 ~~department of aeronautics~~ COMMISSION. ~~All aviation instruc-~~  
11 ~~tors shall have an appropriate and effective certificate or~~  
12 ~~permit issued by the United States civil aeronautics authority,~~  
13 ~~or other similar federal authority, authorizing him or her to~~  
14 ~~engage in the particular class of aviation instruction in which~~  
15 ~~he is engaged, which certificate or permit shall be registered~~  
16 ~~with the department of aeronautics and be in full force and~~  
17 ~~effect. Public schools and universities of this state or any~~  
18 ~~institution of higher learning duly accredited and approved for~~  
19 ~~carrying on collegiate work and any instructors in such public~~  
20 ~~schools, universities, or institutions of higher learning are~~  
21 ~~exempted from the provisions of this section.~~

22 (2) UPON RECEIPT OF AN APPLICATION AND A \$25.00 LICENSE FEE  
23 BY A FLIGHT SCHOOL, THE COMMISSION SHALL REVIEW THE QUALIFICA-  
24 TIONS OF THE APPLICANT.

25 (3) UNLESS SURRENDERED, SUSPENDED, OR REVOKED PRIOR TO THIS  
26 DATE, A FLIGHT SCHOOL LICENSE EXPIRES 1 YEAR FROM DATE OF



1 ISSUANCE OR UPON THE SALE OR TRANSFER BY THE OWNER OF PROPERTY,  
2 EQUIPMENT, OR FRANCHISE OF THE FLIGHT SCHOOL.

3 (4) THE ANNUAL FLIGHT SCHOOL LICENSE RENEWAL FEE IS \$10.00  
4 AND IS PAYABLE FROM THE ORIGINAL DATE OF ISSUANCE. AN APPLICANT  
5 SHALL FILE AN INITIAL APPLICATION AND PAY THE INITIAL APPLICATION  
6 FEE IF A LICENSE IS NOT RENEWED BEFORE EXPIRATION.

7 (5) A CHANGE IN THE NAME OF THE FLIGHT SCHOOL, WITHOUT  
8 CHANGE IN OWNERSHIP, DOES NOT CAUSE A CURRENT LICENSE TO EXPIRE  
9 IF THE OWNER OF THE FLIGHT SCHOOL NOTIFIES THE COMMISSION IN  
10 WRITING WITHIN 15 DAYS OF THE CHANGE. UPON RECEIPT OF NOTIFICA-  
11 TION UNDER THIS SUBSECTION, THE COMMISSION SHALL ISSUE A LICENSE  
12 UNDER THE NEW NAME, WITH THE SAME EXPIRATION DATE AS THE LICENSE  
13 PREVIOUSLY ISSUED, WITH NO ADDITIONAL FEE REQUIRED.

14 (6) A FLIGHT SCHOOL OPERATING FACILITIES AT MORE THAN 1  
15 AERONAUTICAL FACILITY SHALL SECURE A LICENSE FOR EACH LOCATION.

16 (7) THE FLIGHT SCHOOL LICENSE SHALL BE CONSPICUOUSLY POSTED  
17 IN THE PRINCIPAL OFFICE OF THE FLIGHT SCHOOL WHERE IT MAY BE  
18 READILY OBSERVED.

19 (8) A FLIGHT SCHOOL SHALL AT ALL TIMES CONDUCT ITSELF IN  
20 ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND  
21 STATUTES.

22 (9) A FLIGHT SCHOOL SHALL BE OPERATED FROM AN AIRPORT PROP-  
23 ERLY LICENSED BY THE COMMISSION.

24 (10) A FLIGHT SCHOOL OPERATOR SHALL SECURE FROM THE AIRPORT  
25 MANAGER A WRITTEN AGREEMENT TO OPERATE COMMERCIALY FROM THE AIR-  
26 PORT AT WHICH THE FLIGHT SCHOOL IS BASED.

1 (11) EACH FLIGHT SCHOOL STUDENT SHALL BE ADVISED IN WRITING  
2 AT THE TIME OF ENROLLMENT OF THE TYPE AND AMOUNT OF INSURANCE  
3 COVERAGE PROVIDED FOR EACH AIRCRAFT USED BY THE FLIGHT SCHOOL.

4 (12) A FLIGHT SCHOOL SHALL PROVIDE A SUITABLE SPACE OF PER-  
5 MANENT NATURE, PROPERLY HEATED, LIGHTED, AND VENTILATED TO ACCOM-  
6 MODATE FLIGHT SCHOOL STUDENTS AND TO HOUSE ADEQUATE EQUIPMENT  
7 NECESSARY TO PROPERLY CONDUCT BUSINESS MATTERS AND TO PREPARE AND  
8 PRESERVE BUSINESS RECORDS. THESE FACILITIES SHALL BE AT THE  
9 LICENSED AIRPORT SITE.

10 (13) EACH AIRCRAFT TO BE USED FOR PURPOSES OF FLIGHT  
11 INSTRUCTION AT A FLIGHT SCHOOL SHALL COMPLY WITH ALL OF THE  
12 FOLLOWING:

13 (A) THE AIRCRAFT SHALL POSSESS A VALID AIRWORTHINESS CERTIF-  
14 ICATE ISSUED BY THE FEDERAL AVIATION ADMINISTRATION.

15 (B) THE AIRCRAFT SHALL BE PROPERLY REGISTERED WITH THE  
16 COMMISSION.

17 (C) THE AIRCRAFT SHALL HAVE THE EQUIPMENT AND PERFORMANCE  
18 CHARACTERISTICS APPROPRIATE TO THE CURRICULUM, AND THE AIRPORT TO  
19 BE USED.

20 (14) ALL AIRCRAFT USED IN ANY FLIGHT SCHOOL OPERATION SHALL  
21 BE OPERATED IN ACCORDANCE WITH FEDERAL AVIATION ADMINISTRATION  
22 MAINTENANCE REGULATIONS AND STANDARDS. ADEQUATE RECORDS SHALL BE  
23 KEPT BY THE SCHOOL TO SHOW THAT ALL REQUIRED ITEMS OF MAINTENANCE  
24 HAVE BEEN PERFORMED. THE MAINTENANCE STATUS OF EACH AIRCRAFT,  
25 INCLUDING DISCREPANCIES, SHALL BE DISPLAYED BY THE SCHOOL IN A  
26 MANNER ADEQUATE TO DETERMINE COMPLIANCE.

1 (15) A FLIGHT SCHOOL SHALL HAVE A FLIGHT INSTRUCTOR  
2 AVAILABLE TO DISPATCH AND SUPERVISE EACH STUDENT PILOT SOLO  
3 FLIGHT.

4 (16) A FLIGHT SCHOOL SHALL HAVE A WRITTEN CURRICULUM INCLUD-  
5 ING LESSON PLANS ADEQUATE TO PROPERLY QUALIFY THE STUDENT TO COM-  
6 PLETE THE PARTICULAR COURSE FOR THE CERTIFICATE OR RATING  
7 SOUGHT. IN ADDITION, A FLIGHT SCHOOL SHALL INCLUDE LESSONS PER-  
8 TAINING TO MICHIGAN LAWS RELATING TO AVIATION AND THIS ACT.

9 (17) A FLIGHT SCHOOL SHALL MAKE AVAILABLE CURRENT TEXTS AND  
10 REFERENCE MATERIAL PERTAINING TO THE CERTIFICATE OR RATING  
11 SOUGHT.

12 (18) A FLIGHT SCHOOL SHALL PROVIDE ADEQUATE INSTRUCTION TO  
13 PROPERLY QUALIFY A STUDENT COMPLETING ITS COURSES FOR THE APPRO-  
14 PRIATE FEDERAL AVIATION ADMINISTRATION EXAMINATION COVERING THE  
15 GRADE OF CERTIFICATE OR RATING SOUGHT.

16 (19) A FLIGHT SCHOOL SHALL MAINTAIN TRAINING RECORDS ADE-  
17 QUATE TO SHOW EACH STUDENT'S PROGRESS AND LEVEL OF COMPLETION  
18 RELATIVE TO THE COURSE OF INSTRUCTION IN WHICH THE STUDENT IS  
19 ENROLLED. THESE RECORDS SHALL BE MADE AVAILABLE FOR INSPECTION  
20 BY ANY AUTHORIZED REPRESENTATIVE OF THE COMMISSION.

21 (20) A COPY OF THE AIRPORT AND FLIGHT SCHOOL REGULATIONS  
22 SHALL BE MADE AVAILABLE TO THE STUDENTS ENROLLED IN THE SCHOOL  
23 FOR INFORMATION AND GUIDANCE.

24 (21) A FLIGHT SCHOOL SHALL DESIGNATE A PRACTICE AREA.

25 (22) A FLIGHT SCHOOL OR ITS REPRESENTATIVES AND INSTRUCTORS  
26 SHALL NOT MAKE FALSE CLAIMS OF ANY KIND PERTAINING TO EITHER

1 FLIGHT TRAINING OR EMPLOYMENT FOLLOWING FLIGHT TRAINING. ONLY A  
2 LICENSED FLIGHT SCHOOL MAY ADVERTISE FLIGHT INSTRUCTION.

3 (23) A FLIGHT SCHOOL ACCEPTING PREPAYMENT EQUAL TO OR IN  
4 EXCESS OF \$1,000.00 SHALL FILE WITH THE COMMISSION A CORPORATE  
5 SURETY BOND PAYABLE TO THE STATE OF MICHIGAN IN THE SUM OF  
6 \$5,000.00 CONDITIONED ON THE FAITHFUL PERFORMANCE OF ALL CON-  
7 TRACTS AND AGREEMENTS WITH STUDENTS MADE BY THE FLIGHT SCHOOL, OR  
8 ITS AGENT. THE AGGREGATE LIABILITY FOR THE SURETY FOR ALL  
9 BREACHES OF CONDITIONS OF THE BOND SHALL NOT EXCEED THE PRINCIPAL  
10 SUM OF \$5,000.00. THE SURETY OF ANY BOND MAY CANCEL THE BOND  
11 UPON GIVING 60 DAYS' NOTICE IN WRITING TO THE COMMISSION AND THE  
12 FLIGHT SCHOOL. IF A BOND IS CANCELED AS PROVIDED IN THIS SUBSEC-  
13 TION, THE SURETY SHALL BE RELIEVED OF LIABILITY FOR ANY BREACH OF  
14 CONDITIONS OCCURRING AFTER THE EFFECTIVE DATE OF CANCELLATION.

15 (24) THE REQUIREMENTS FOR A FLIGHT SCHOOL SET OUT IN THIS  
16 SECTION ARE CONDITIONS OF THE LICENSE. FAILURE TO COMPLY WITH  
17 ANY OF THESE REQUIREMENTS IS GROUNDS FOR REVOCATION OF A FLIGHT  
18 SCHOOL'S LICENSE.

19 (25) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MIS-  
20 DEMEANOR, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS,  
21 OR A FINE OF NOT LESS THAN \$100.00 OR MORE THAN \$500.00, OR BOTH,  
22 TOGETHER WITH COSTS OF THE PROSECUTION.

23 Sec. 86. (1) Any ~~person~~ INDIVIDUAL appointed as an air-  
24 port manager by the owner of ~~an approved airport or landing~~  
25 ~~field~~ A LICENSED AERONAUTICAL FACILITY, before operating as  
26 ~~such~~ AN AIRPORT MANAGER, shall be licensed by the department  
27 for which the department may make a reasonable charge not to

1 exceed ~~\$5.00~~ \$10.00. AN AIRPORT MANAGER LICENSE EXPIRES ON  
2 DECEMBER 31, ANNUALLY.

3 (2) All airports, landing fields, and other aeronautical  
4 facilities, except those owned or operated by the United States  
5 government, before operating as such, shall be approved by the  
6 department.

7 (3) UPON RECEIPT OF AN APPLICATION FOR A PUBLIC USE LANDING  
8 AREA, THE COMMISSION SHALL CAUSE THE PROPOSED LANDING AREA TO BE  
9 INSPECTED. IF THE PROPOSED OR COMPLETED FACILITY IS FOUND TO  
10 MEET THE MINIMUM REQUIREMENTS FOR ISSUANCE OF SITE APPROVAL, THE  
11 COMMISSION SHALL ISSUE A LICENSE OF APPROVAL. The department  
12 shall issue annually a ~~certificate~~ LICENSE of approval in each  
13 case and charge an annual fee not in excess of \$100.00. The fee  
14 shall be in lieu of all real property taxes on the landing area  
15 and improvements to the landing area to the extent permitted by  
16 section 7y of THE GENERAL PROPERTY TAX ACT, Act No. 206 of the  
17 Public Acts of 1893, ~~as amended,~~ being section 211.7y of the  
18 Michigan Compiled Laws. LICENSED PUBLIC USE FACILITIES SHALL BE  
19 INCLUDED ON THE MICHIGAN AERONAUTICAL CHARTS AND IN OTHER AVIA-  
20 TION PUBLICATIONS MADE AVAILABLE TO THE PUBLIC.

21 (4) AERONAUTICAL FACILITY LICENSES EXPIRE ON DECEMBER 31  
22 ANNUALLY.

23 (5) A FACILITY INTENDED FOR THE USE OF AIRCRAFT SHALL NOT BE  
24 ESTABLISHED, WITHOUT PRIOR COMMISSION APPROVAL, WITHIN 5 NAUTICAL  
25 MILES OF A PUBLIC USE FACILITY LICENSED BY THE COMMISSION.

26 (6) A FACILITY SHALL NOT BE LICENSED OR APPROVED THAT  
27 REQUIRES AIRCRAFT TO BE AIRBORNE UNDER A BRIDGE OR POWER LINE

1 DURING THE APPROACH TO OR TAKEOFF FROM A LANDING AREA, OR  
2 REQUIRES AIRCRAFT TO FLY IN A MANNER THAT MAY ENDANGER PERSONS OR  
3 PROPERTY.

4 (7) THE COMMISSION MAY REFUSE ISSUANCE OF LICENSE OR  
5 APPROVAL IF THE LOCATION OF A PROPOSED LANDING AREA IS AT OR NEAR  
6 A LICENSED LANDFILL, A GAME REFUGE, A FISHERY, OR OTHER REFUGE  
7 DESIGNATED BY THE DEPARTMENT OF NATURAL RESOURCES.

8 (8) THE OFFICIAL NAME OF AN AERONAUTICAL FACILITY, AS DESIG-  
9 NATED IN A LICENSE ISSUED BY THE COMMISSION, SHALL NOT BE CHANGED  
10 UNLESS WRITTEN REQUEST IS MADE BY THE AIRPORT OWNER OR BY RESOLU-  
11 TION OF THE GOVERNING BODY OF THE AIRPORT AUTHORIZING THE NAME  
12 CHANGE.

13 (9) ~~(3)~~ Commercial operations ~~may~~ SHALL not be performed  
14 on any landing area other than AT a ~~certificated landing area~~  
15 LICENSED AERONAUTICAL FACILITY except that temporary field per-  
16 mits may be issued under this section. ALL COMMERCIAL OPERATIONS  
17 SHALL BE BASED OUT OF A LICENSED AERONAUTICAL FACILITY.

18 (10) ~~(4) when~~ IF the owner of an aircraft uses, or pro-  
19 poses to use, an area of land or water for temporary commercial  
20 operations, he or she shall apply to the commission for a tempo-  
21 rary field permit on forms furnished by the commission.

22 (11) ~~(5)~~ The application for a temporary field permit  
23 shall be received at least ~~7~~ 14 days before the date of  
24 requested issuance, and SHALL be accompanied by a \$50.00 fee.  
25 ~~established by the commission.~~

26 (12) ~~(6)~~ The area PROPOSED TO BE COVERED BY A TEMPORARY  
27 FIELD PERMIT shall be inspected by the commission, and if found

1 to ~~be safe for use by the type of aircraft stated in the~~  
2 ~~application~~ MEET MINIMUM REQUIREMENTS OF A LICENSED PUBLIC USE  
3 AERONAUTICAL FACILITY, the commission may issue a temporary field  
4 permit for a period not to exceed ~~15~~ 120 days.

5 (13) ~~(7)~~ The annual ~~certificate~~ LICENSE of approval  
6 issued pursuant to subsection (2) shall include a statement, cer-  
7 tified by the director, describing the approach clear zones and  
8 transitional surface areas for the airport for which the  
9 ~~certificate of approval~~ LICENSE is applicable. Standards for  
10 describing approach clear zones and transitional surface areas  
11 shall be uniform according to type of runway and shall conform  
12 with regularly accepted definitions and usage in the aeronautics  
13 field.

14 SEC. 86A. LICENSED AERONAUTICAL FACILITIES SHALL BE  
15 LICENSED UNDER 1 OF THE FOLLOWING CATEGORIES:

16 (A) BASIC UTILITY AIRPORT. A BASIC UTILITY AIRPORT LICENSE  
17 SHALL BE GRANTED IF THE FOLLOWING MINIMUM REQUIREMENTS ARE MET:

18 (i) THE AIRPORT HAS AN AIRPORT MANAGER LICENSED BY THE  
19 COMMISSION.

20 (ii) THE AIRPORT CONTAINS A RUNWAY WITH A 1,200-FOOT LANDING  
21 LENGTH IN EACH DIRECTION FROM A CLEAR APPROACH SLOPE OF 20 TO 1.  
22 UNPAVED RUNWAYS SHALL HAVE A MINIMUM WIDTH OF 50 FEET WITH AN  
23 ADDITIONAL 25 FEET MINIMUM WIDTH ON EACH SIDE CLEAR OF  
24 OBSTRUCTIONS. PAVED RUNWAYS SHALL HAVE A MINIMUM WIDTH OF 25  
25 FEET WITH AN ADDITIONAL 38 FEET MINIMUM WIDTH ON EACH SIDE CLEAR  
26 OF OBSTRUCTIONS.

1           (iii) THE AIRPORT MAINTAINS A STATE PRIMARY SURFACE FOR EACH  
2 RUNWAY CLEAR OF ALL OBSTRUCTIONS. THE STATE PRIMARY SURFACE  
3 SHALL BE AT LEAST 100 FEET WIDE, BUT NO LESS THAN THE WIDTH OF  
4 THE RUNWAY.

5           (iv) THE AIRPORT MAINTAINS A STATE APPROACH SURFACE THAT  
6 EXTENDS OUTWARD AND UPWARD FROM THE END OF THE STATE PRIMARY SUR-  
7 FACE FOR A DISTANCE OF 5,000 FEET. THE SHAPE OF THE STATE  
8 APPROACH SURFACE IS RECTANGULAR WITH A MINIMUM WIDTH OF 100 FEET  
9 AND A LENGTH OF 5,000 FEET. THE WIDTH OF THE STATE APPROACH SUR-  
10 FACE SHALL BE AT LEAST AS WIDE AS THE WIDTH OF THE RUNWAY. THE  
11 STATE APPROACH SURFACE EXTENDS FOR A HORIZONTAL DISTANCE OF 5,000  
12 FEET AT A SLOPE OF 20 TO 1 INCLUDING 15 FEET CLEARANCE OVER  
13 ROADS, 17 FEET CLEARANCE OVER INTERSTATE HIGHWAYS, 23 FEET CLEAR-  
14 ANCE OVER RAILROADS, AND 25 FEET CLEARANCE OVER PROPERTY LINES.  
15 THE STATE APPROACH SURFACE BEGINS AT THE RUNWAY END FOR UNPAVED  
16 RUNWAYS.

17           (v) THE AIRPORT ESTABLISHES A PERMANENT MONUMENT LOCATED ON  
18 THE CENTERLINE AT OR BEYOND EACH END OF THE RUNWAY.

19           (vi) THE AIRPORT MAINTAINS THE FOLLOWING PILOT AIDS:

20           (A) RUNWAY SURFACE MARKINGS SHALL CONFORM TO FEDERAL AVIA-  
21 TION ADMINISTRATION PUBLISHED STANDARDS.

22           (B) A WINDCONE.

23           (C) AIRPORTS WITH RIGHT TRAFFIC PATTERNS SHALL HAVE A SEG-  
24 MENTED CIRCLE CONFORMING TO FEDERAL AVIATION ADMINISTRATION PUB-  
25 LISHED STANDARDS.



1 (D) RUNWAY LIGHTING, IF AVAILABLE FOR PUBLIC USE, SHALL  
2 CONFORM TO FEDERAL AVIATION ADMINISTRATION STANDARD COLOR AND  
3 LAYOUT.

4 (B) GENERAL UTILITY AIRPORT. A GENERAL UTILITY AIRPORT  
5 LICENSE SHALL BE GRANTED IF THE FOLLOWING MINIMUM REQUIREMENTS  
6 ARE MET:

7 (i) THE AIRPORT HAS AN AIRPORT MANAGER LICENSED BY THE  
8 COMMISSION.

9 (ii) THE AIRPORT CONTAINS A RUNWAY WITH A 1,800-FOOT LANDING  
10 LENGTH IN EACH DIRECTION FROM A CLEAR APPROACH SLOPE OF 20 TO 1.  
11 UNPAVED RUNWAYS SHALL HAVE A MINIMUM WIDTH OF 100 FEET. PAVED  
12 RUNWAYS SHALL HAVE A MINIMUM WIDTH OF 35 FEET.

13 (iii) THE AIRPORT MAINTAINS A STATE PRIMARY SURFACE FOR EACH  
14 RUNWAY CLEAR OF ALL OBSTRUCTIONS. THE STATE PRIMARY SURFACE  
15 SHALL BE AT LEAST 250 FEET WIDE.

16 (iv) THE AIRPORT MAINTAINS A STATE APPROACH SURFACE FOR EACH  
17 RUNWAY END THAT EXTENDS OUTWARD AND UPWARD FROM THE END OF THE  
18 STATE PRIMARY SURFACE FOR A DISTANCE OF 5,000 FEET. THE SHAPE OF  
19 THIS APPROACH SURFACE IS A TRAPEZOID WITH A WIDTH OF 250 FEET AT  
20 THE RUNWAY END AND EXPANDS UNIFORMLY TO A WIDTH OF 1,200 FEET.  
21 THE STATE APPROACH SURFACE EXTENDS FOR A HORIZONTAL DISTANCE OF  
22 5,000 FEET AT A SLOPE OF 20 TO 1, INCLUDING 15 FEET CLEARANCE  
23 OVER ROADS, 17 FEET CLEARANCE OVER INTERSTATE HIGHWAYS, 23 FEET  
24 CLEARANCE OVER RAILROADS, AND 25 FEET CLEARANCE OVER PROPERTY  
25 LINES. THE STATE APPROACH SURFACE BEGINS AT THE RUNWAY END FOR  
26 UNPAVED RUNWAYS.

1 (v) THE AIRPORT CONTAINS A PERMANENT MONUMENT LOCATED ON THE  
2 CENTERLINE AT OR BEYOND EACH END OF THE RUNWAY.

3 (vi) THE AIRPORT MAINTAINS THE FOLLOWING PILOT AIDS:

4 (A) PAVED RUNWAYS SHALL HAVE CENTERLINE MARKING AND RUNWAY  
5 NUMBERING CONFORMING TO THE PUBLISHED STANDARDS OF THE FEDERAL  
6 AVIATION ADMINISTRATION.

7 (B) UNPAVED RUNWAYS MARKED IN ACCORDANCE WITH COMMISSION  
8 STANDARDS.

9 (C) ANY CROSSWIND RUNWAYS MUST MEET MINIMUM REQUIREMENTS SET  
10 FOR A BASIC UTILITY AIRPORT.

11 (D) A LIGHTED WINDCONE.

12 (E) RUNWAY LIGHTING SHALL BE AVAILABLE FROM SUNSET TO SUN-  
13 RISE DAILY. LIGHTING CONFIGURATION SHALL CONFORM TO THE REQUIRE-  
14 MENTS OF THE FEDERAL AVIATION ADMINISTRATION REGARDING STANDARD  
15 COLOR AND LAYOUT.

16 (F) AIRPORTS WITH RIGHT TRAFFIC PATTERNS SHALL HAVE A SEG-  
17 MENTED CIRCLE WITH TRAFFIC PATTERN INDICATORS CONFORMING TO THE  
18 PUBLISHED STANDARDS OF THE FEDERAL AVIATION ADMINISTRATION.

19 (vii) THE AIRPORT PROVIDES THE FOLLOWING SERVICES:

20 (A) AN ADMINISTRATION BUILDING OR TERMINAL BUILDING WITH  
21 SANITARY FACILITIES AVAILABLE TO THE PUBLIC.

22 (B) ADEQUATE MEANS TO DETER THE UNAUTHORIZED OR INADVERTENT  
23 ACCESS TO THE AIRCRAFT OPERATIONS AREA.

24 (C) A TELEPHONE THAT IS AVAILABLE TO THE PUBLIC 24 HOURS  
25 DAILY ON THE AIRPORT AND ITS LOCATION SHALL BE CLEARLY  
26 INDICATED.

1 (D) A FORMALLY ADOPTED EMERGENCY SERVICE PLAN PREPARED BY  
2 THE AIRPORT OWNER.

3 (E) AIRPORT RULES AND REGULATIONS THAT ARE ADOPTED BY THE  
4 AIRPORT OWNER AND AVAILABLE TO THE PUBLIC.

5 (F) ITINERANT AIRCRAFT PARKING AND TIE-DOWNS, INCLUDING ADE-  
6 QUATE ROPES, CHAINS, OR EQUIVALENT.

7 (C) AIR CARRIER AIRPORT. AN AIR CARRIER AIRPORT LICENSE  
8 SHALL BE GRANTED IF THE FOLLOWING MINIMUM REQUIREMENTS ARE MET:

9 (i) THE AIRPORT HAS AN AIRPORT MANAGER LICENSED BY THE  
10 COMMISSION.

11 (ii) THE AIRPORT HAS A VALID AIRPORT OPERATING CERTIFICATE,  
12 OR A LIMITED AIRPORT OPERATING CERTIFICATE, ISSUED BY THE FEDERAL  
13 AVIATION ADMINISTRATION REGULATIONS.

14 (D) SEAPLANE BASE. A SEAPLANE BASE LICENSE SHALL BE GRANTED  
15 IF THE FOLLOWING MINIMUM REQUIREMENTS ARE MET:

16 (i) THE AIRPORT HAS AN AIRPORT MANAGER LICENSED BY THE  
17 COMMISSION.

18 (ii) THE AIRPORT CONTAINS AT LEAST 1 UNOBSTRUCTED STRAIGHT  
19 LINE CHANNEL OF AT LEAST 5,000 FEET IN LENGTH, AND 200 FEET IN  
20 WIDTH.

21 (iii) THE AIRPORT HAS A SUITABLE FLOAT, MOORING FACILITY, OR  
22 RAMP AT SOME POINT ON THE SHORE ADJOINING THE LANDING AREA.

23 (iv) THE AIRPORT PROVIDES AND MAINTAINS A FIRE  
24 EXTINGUISHER.

25 (E) HELIPORT. A HELIPORT LICENSE SHALL BE GRANTED IF THE  
26 FOLLOWING MINIMUM REQUIREMENTS ARE MET:

- 1           (i) THE HELIPORT HAS AN AIRPORT MANAGER LICENSED BY THE  
2 COMMISSION.
- 3           (ii) THE HELIPORT CONTAINS A LENGTH AND WIDTH OF THE LANDING  
4 AREA OF AT LEAST 1 1/2 TIMES THE LENGTH OF THE HELICOPTER USING  
5 THE FACILITY.
- 6           (iii) THE HELIPORT CONTAINS AT LEAST 2 HELIPORT APPROACH  
7 SURFACES FREE OF OBSTRUCTIONS. THE HELIPORT APPROACH SURFACE  
8 BEGINS AT THE END OF THE HELIPORT LANDING AREA WITH THE SAME  
9 WIDTH AS THE LANDING AREA, AND EXTENDING OUTWARD AND UPWARD FOR A  
10 HORIZONTAL DISTANCE OF 4,000 FEET WHERE ITS WIDTH IS 500 FEET.  
11 THE SLOPE OF THE APPROACH SURFACE IS 8 TO 1. TWO OF THE HELIPORT  
12 APPROACH SURFACES PROVIDED SHALL BE LOCATED TO PROVIDE THAT THEIR  
13 CENTERLINE SHALL FORM AN ARC OF NOT LESS THAN 90 DEGREES AT THEIR  
14 INTERSECTION. EACH HELIPORT APPROACH SURFACE SHALL PROVIDE AN  
15 AREA SUITABLE FOR AN EMERGENCY LANDING DURING TAKEOFF, CLIMB-OUT  
16 AND LANDING.
- 17           (iv) IF A HELIPORT IS LOCATED ON AN ELEVATED STRUCTURE OR  
18 ROOF, LOCAL BUILDING AND FIRE CODES SHALL BE COMPLIED WITH. THE  
19 LANDING AREA SHOULD BE DESIGNED TO SUPPORT 1.5 TIMES THE MAXIMUM  
20 GROSS WEIGHT OF THE LARGEST HELICOPTER AUTHORIZED TO USE THE  
21 HELIPORT. WHEN APPLYING FOR A LICENSE, THE APPLICANT SHALL FILE  
22 A CERTIFICATE SIGNED BY A PROFESSIONAL ENGINEER REGISTERED IN  
23 THIS STATE, CERTIFYING STRUCTURAL COMPLIANCE OF THE HELIPORT.
- 24           (v) THE HELIPORT CONTAINS A WINDCONE OR MEANS OF IDENTIFYING  
25 WIND DIRECTION.

1 (vi) GROUND LEVEL HELIPORTS HAVE OPERATIONAL AREAS FENCED OR  
2 MARKED WITH CAUTION SIGNS TO PREVENT THE INADVERTENT OR  
3 UNAUTHORIZED ENTRY OF PERSONS OR VEHICLES.

4 (vii) SIGNS INDICATING A HELIPORT, LOCATED ON ITS  
5 PERIMETER.

6 (F) HOSPITAL HELIPORT. A HOSPITAL HELIPORT LICENSE SHALL BE  
7 GRANTED IF THE FOLLOWING MINIMUM REQUIREMENTS ARE MET:

8 (i) THE HOSPITAL HELIPORT COMPLIES WITH ALL PROVISIONS OF  
9 SUBDIVISION (E).

10 (ii) THE HOSPITAL HELIPORT CONTAINS MARKINGS IN CONFORMANCE  
11 WITH FEDERAL AVIATION ADMINISTRATION PUBLISHED STANDARDS FOR HOS-  
12 PITAL HELIPORTS.

13 (iii) HOSPITAL HELIPORTS ARE RESERVED FOR AEROMEDICAL OR  
14 OFFICIAL HOSPITAL BUSINESS FLIGHTS ONLY.

15 SEC. 86B. (1) THE OWNER OR OPERATOR OF A LICENSED AERONAU-  
16 TICAL FACILITY IN THE STATE SHALL APPOINT AN AIRPORT MANAGER.  
17 THE AIRPORT MANAGER MAY DESIGNATE AN INDIVIDUAL TO FULFILL THE  
18 DUTIES OF THE AIRPORT MANAGER IN HIS OR HER ABSENCE.

19 (2) THE AIRPORT MANAGER SHALL BE FURNISHED, BY APPROPRIATE  
20 RESOLUTION OF THE APPOINTING POLITICAL SUBDIVISION, ADEQUATE  
21 POWER AND AUTHORITY TO EXERCISE THE CONTROL OVER THE AERONAUTICAL  
22 FACILITY FOR THE ENFORCEMENT OF FEDERAL, STATE, AND LOCAL RULES  
23 AND REGULATIONS PERTAINING TO THE LANDING AREA AND ITS USE.

24 (3) THE ISSUANCE OF A LICENSE TO AN AIRPORT MANAGER OR HIS  
25 OR HER DESIGNATED REPRESENTATIVE SHALL REQUIRE A PASSING GRADE ON  
26 A TEST THAT IS BASED ON KNOWLEDGE OF THIS ACT AND THE RULES

1 PROMULGATED UNDER THIS ACT. TESTS WILL BE DEVELOPED BY THE  
2 COMMISSION.

3 SEC. 86C. AN AIRPORT MANAGER SHALL DO ALL OF THE  
4 FOLLOWING:

5 (A) ASSIST APPROPRIATE AUTHORITIES IN ENFORCEMENT OF THIS  
6 ACT AND THE RULES PROMULGATED UNDER THIS ACT.

7 (B) DETERMINE THAT ALL LICENSED AERONAUTICAL FACILITY  
8 REQUIREMENTS FOR THE CLASS UNDER WHICH THE SITE IS LICENSED ARE  
9 MAINTAINED.

10 (C) DETERMINE AND TAKE APPROPRIATE ACTION TO ASSURE THAT ALL  
11 LOCALLY BASED COMMERCIAL ACTIVITIES OPERATING ON THE LICENSED  
12 AERONAUTICAL FACILITY HAVE APPROPRIATE LICENSES AND REGISTRATIONS  
13 AS ISSUED BY THE APPROPRIATE STATE AND FEDERAL AGENCIES.

14 (D) POST LOCAL RULES, TRAFFIC PATTERNS, AND NOISE ABATEMENT  
15 PROCEDURES, IF ANY.

16 (E) FILE NOTICE WITH THE PROPER FEDERAL AGENCY INDICATING  
17 ANY CHANGE IN THE AERONAUTICAL FACILITY CONDITION.

18 (F) NOTE AND ADVISE THE COMMISSION OF A PROPOSED CONSTRUC-  
19 TION OR ZONING CHANGE ADJACENT TO OR NEAR THE LICENSED AERONAUTI-  
20 CAL FACILITY THAT WOULD AFFECT AIR NAVIGATION SAFETY OR USE.

21 (G) ADVISE SPONSORS OF NEW AND PROPOSED CONSTRUCTION OF FED-  
22 ERAL REGULATIONS PERTAINING TO OBJECTS AFFECTING NAVIGABLE  
23 AIRSPACE.

24 Sec. 89. ~~The provisions of sections~~ SECTIONS 86, 86B,  
25 86C, 87, and 88 ~~shall~~ DO not apply to landing areas designated  
26 and operated for ~~personal~~ PRIVATE use if ~~no~~ commercial  
27 operations ~~of any kind~~ are NOT performed on the landing areas.

1 ~~No~~ A landing area for ~~personal~~ PRIVATE use shall NOT be  
 2 established, without commission approval, within 5 NAUTICAL miles  
 3 of a public use facility certified by the commission.

4 SEC. 91. A FLYING CLUB SHALL BE A NONPROFIT ENTITY ORGA-  
 5 NIZED FOR THE EXPRESS PURPOSE OF PROVIDING ITS MEMBERS WITH AN  
 6 AIRCRAFT FOR THEIR PERSONAL USE AND ENJOYMENT. THE OWNERSHIP OF  
 7 THE AIRCRAFT SHALL BE VESTED IN THE NAME OF THE FLYING CLUB OR  
 8 OWNED IN EQUAL SHARES BY ALL OF ITS MEMBERS. THE PROPERTY RIGHTS  
 9 OF THE MEMBERS OF THE CLUB SHALL BE EQUAL AND ANY PART OF THE NET  
 10 EARNINGS OF THE CLUB TO BE DISTRIBUTED TO THE MEMBERS SHALL BE IN  
 11 EQUAL SHARES TO ALL MEMBERS. THE CLUB SHALL NOT DERIVE GREATER  
 12 REVENUE FROM THE USE OF ITS AIRCRAFT THAN THE AMOUNT NECESSARY  
 13 FOR ITS ACTUAL OPERATION, MAINTENANCE, AND REPLACEMENT OR UPGRADE  
 14 OF ITS AIRCRAFT. FLYING CLUB AIRCRAFT SHALL NOT BE USED BY MEM-  
 15 BERS FOR RENTAL, OR BY ANYONE FOR CHARTER OR LEASE.

16 Sec. 101. ~~Authority to establish a state airport and land-~~  
 17 ~~ing fields.~~ The commission ~~is authorized and empowered~~ MAY, on  
 18 behalf of and in the name of this state, ~~to~~ acquire by pur-  
 19 chase, gift, devise, lease, condemnation proceedings, or other-  
 20 wise, property real or personal, for the purpose of establishing  
 21 and constructing ~~an airport at Lansing~~ AIRPORTS, landing  
 22 fields, and other aeronautical facilities, and ~~to~~ MAY acquire  
 23 in ~~like~~ THE SAME manner, own, control, establish, construct,  
 24 enlarge, improve, maintain, equip, operate, regulate, and police  
 25 ~~such airport, landing fields, and other aeronautical~~ THESE  
 26 facilities, within this state. ~~and to~~ THE COMMISSION MAY  
 27 dispose of any ~~such~~ property ACQUIRED UNDER THIS SECTION, in

1 accordance with the laws of this state governing the disposition  
2 of other ~~like~~ SIMILAR property of the state.

3       Sec. 102. ~~Airport protection privileges.~~ Where necessary,  
4 in order to provide unobstructed air space for the landing and  
5 taking off of aircraft utilizing airports, LANDING FIELDS, and  
6 other aeronautical facilities acquired or operated under ~~the~~  
7 ~~provisions of~~ this act, the commission ~~is hereby granted~~  
8 ~~authority to~~ MAY acquire, in the same manner as is provided for  
9 the acquisition of property for airport purposes, easements  
10 through or other interests in air space over land or water,  
11 interests in airport hazards outside the boundaries of the air-  
12 ports, landing fields, or other aeronautical facilities and  
13 ~~such~~ other airport protection privileges as are necessary to  
14 insure safe approaches to the landing areas of ~~said~~ airports,  
15 LANDING FIELDS, and other aeronautical facilities, and the safe  
16 and efficient operation ~~thereof~~ OF THESE AIRPORTS, LANDING  
17 FIELDS, AND AERONAUTICAL FACILITIES. The commission ~~is~~ MAY  
18 also ~~hereby authorized to~~ acquire, in the same manner, the  
19 right or easement, for a term of years or perpetually, to place  
20 or maintain suitable marks for the daytime marking and suitable  
21 lights for the nighttime marking of airport hazards, including  
22 the right of ingress and egress to or from such airport hazards  
23 for the purpose of maintaining and repairing ~~such~~ THE lights  
24 and marks. This authority shall not be so construed ~~as~~ to  
25 limit the right, power, or authority of the state or any politi-  
26 cal subdivision to zone property adjacent to any airport ~~or~~  
27 ~~restricted landing area~~ pursuant to laws of this state.



1       Sec. 105. The commission may DO 1 OR MORE OF THE FOLLOWING,  
2 provided that in each case ~~in so doing~~ the public is not  
3 deprived of its rightful, equal, and uniform use: ~~thereof.~~

4       (a) Lease for a term not exceeding 50 years, airports, land-  
5 ing fields, or other aeronautical facilities, or real property  
6 acquired or set apart for airport purposes, to any person, any  
7 municipal or state government or the national government, or any  
8 department of either for operation or use consistent with the  
9 purposes of this act.

10       (b) Lease or assign for a term not exceeding 50 years to any  
11 person, any municipal or state government or the national govern-  
12 ment, or any department of either, for operation or use consis-  
13 tent with the purposes of this act, space, area, improvements, or  
14 equipment on such airports.

15       (c) Sell any part of ~~such airports~~ AN AIRPORT, landing  
16 ~~fields~~ FIELD, other aeronautical ~~facilities~~ FACILITY, or real  
17 or personal property to any municipal or state government, or to  
18 the United States or any department or instrumentality ~~thereof~~  
19 OF THE UNITED STATES, for aeronautical purposes or purposes inci-  
20 dental ~~thereto~~ TO AERONAUTICAL PURPOSES.

21       (d) Confer the privilege of concessions. ~~of supplying upon~~  
22 ~~the airports, goods, commodities, things, services and~~  
23 ~~facilities.~~

24       (e) Subject to the approval of the state administrative  
25 board, lease at ~~capital city airport, and the Houghton lake~~  
26 ~~state airport~~ ANY STATE AIRPORT, LANDING FIELD, OR AERONAUTICAL

1 FACILITY any real property acquired or set apart for airport  
2 purposes to persons for nonaeronautical uses.

3       Sec. 107. (1) The commission ~~, in accordance with the pro-~~  
4 ~~visions of Act No. 88 of the Public Acts of 1943, as amended,~~  
5 ~~being sections 24.71 to 24.82 of the Compiled Laws of 1948, and~~  
6 ~~subject to Act No. 197 of the Public Acts of 1952, as amended,~~  
7 ~~being sections 24.101 to 24.110 of the Compiled Laws of 1948,~~  
8 may promulgate RULES ESTABLISHING a traffic code governing the  
9 operation, parking, and speed of motor vehicles upon the lands  
10 comprising ~~the state airport at Lansing, Michigan, and other~~  
11 state-owned and operated AIRPORTS, landing fields, and aeronauti-  
12 cal facilities AND for the purpose of ~~enforcement~~ ENFORCING and  
13 ~~the~~ imposing ~~of~~ penalties for the violation ~~thereof~~ OF THE  
14 TRAFFIC CODE. The traffic code may establish a prima facie pre-  
15 sumption of evidence regarding the person who is responsible for  
16 parking a vehicle in an unauthorized place. The traffic code  
17 shall not be in contravention of ~~the provisions of~~ THE MICHIGAN  
18 VEHICLE CODE, Act No. 300 of the Public Acts of 1949, ~~as~~  
19 ~~amended,~~ being sections 257.1 to 257.923 of the MICHIGAN  
20 Compiled Laws. ~~of 1948.~~

21       (2) ~~The Michigan state police and the sheriff and deputy~~  
22 ~~sheriffs of any county wherein such airport, landing fields or~~  
23 ~~aeronautical facilities are located~~ ANY LAW ENFORCEMENT AGENCY  
24 may enforce the traffic code.

25       (3) A violation of the traffic code ~~shall be deemed~~ IS a  
26 misdemeanor.

1        SEC. 126B. THE GOVERNING BODY OF A POLITICAL SUBDIVISION IN  
2 THE STATE OF OHIO WHOSE LAWS PERMIT MAY ACQUIRE, ESTABLISH,  
3 CONSTRUCT, ENLARGE, OWN, CONTROL, LEASE, EQUIP, IMPROVE, MAIN-  
4 TAIN, AND OPERATE AIRPORTS, LANDING FIELDS, AND OTHER AERONAUTI-  
5 CAL FACILITIES IN THIS STATE, SUBJECT TO ALL LAWS, RULES, AND  
6 REGULATIONS OF THIS STATE APPLICABLE TO ITS POLITICAL SUBDIVI-  
7 SIONS IN SUCH AERONAUTICAL PROJECTS, BUT SUBJECT TO THE LAWS OF  
8 OHIO IN ALL MATTERS RELATING TO FINANCING OF SUCH PROJECTS. A  
9 POLITICAL SUBDIVISION OF THE STATE OF OHIO SHALL HAVE THE SAME  
10 PRIVILEGES, RIGHTS, AND DUTIES OF LIKE POLITICAL SUBDIVISIONS OF  
11 THIS STATE. THIS SECTION DOES NOT APPLY UNLESS THE LAWS OF OHIO  
12 PERMIT POLITICAL SUBDIVISIONS OF THIS STATE TO ACQUIRE, ESTAB-  
13 LISH, CONSTRUCT, ENLARGE, OWN, CONTROL, LEASE, EQUIP, IMPROVE,  
14 MAINTAIN, OPERATE, AND OTHERWISE CONTROL AN AIRPORT, LANDING  
15 FIELD, AND OTHER AERONAUTICAL FACILITY IN OHIO WITH ALL PRIVI-  
16 LEGES, RIGHTS, AND DUTIES APPLICABLE TO THE OTHER POLITICAL SUB-  
17 DIVISIONS OF THE STATE OF OHIO IN SUCH AERONAUTICAL PROJECTS.

18        SEC. 126C. THE GOVERNING BODY OF A POLITICAL SUBDIVISION IN  
19 THE STATE OF INDIANA WHOSE LAWS PERMIT MAY ACQUIRE, ESTABLISH,  
20 CONSTRUCT, ENLARGE, OWN, CONTROL, LEASE, EQUIP, IMPROVE, MAIN-  
21 TAIN, AND OPERATE AIRPORTS, LANDING FIELDS, AND OTHER AERONAUTI-  
22 CAL FACILITIES IN THIS STATE, SUBJECT TO ALL LAWS, RULES, AND  
23 REGULATIONS OF THIS STATE APPLICABLE TO ITS POLITICAL SUBDIVI-  
24 SIONS IN SUCH AERONAUTICAL PROJECTS, BUT SUBJECT TO THE LAWS OF  
25 INDIANA IN ALL MATTERS RELATING TO FINANCING SUCH PROJECTS. A  
26 POLITICAL SUBDIVISION OF THE STATE OF INDIANA SHALL HAVE THE SAME  
27 PRIVILEGES, RIGHTS, AND DUTIES OF LIKE POLITICAL SUBDIVISIONS OF

1 THIS STATE. THIS SECTION DOES NOT APPLY UNLESS THE LAWS OF  
2 INDIANA PERMIT POLITICAL SUBDIVISIONS OF THIS STATE TO ACQUIRE,  
3 ESTABLISH, CONSTRUCT, ENLARGE, OWN, CONTROL, LEASE, EQUIP,  
4 IMPROVE, MAINTAIN, OPERATE, AND OTHERWISE CONTROL AN AIRPORT,  
5 LANDING FIELD, AND OTHER AERONAUTICAL FACILITY IN INDIANA WITH  
6 ALL PRIVILEGES, RIGHTS, AND DUTIES APPLICABLE TO THE OTHER POLIT-  
7 ICAL SUBDIVISIONS OF THE STATE OF INDIANA IN SUCH AERONAUTICAL  
8 PROJECTS.

9       Sec. 127. ~~Acquisition of air space rights surrounding~~  
10 ~~airports.~~ Where necessary, in order to provide unobstructed air  
11 ~~spaces~~ SPACE for the safe landing or taking off of aircraft  
12 utilizing airports, landing fields, or other aeronautical facili-  
13 ties acquired or operated under ~~the provisions of~~ this act,  
14 every political subdivision of this state is authorized to  
15 acquire, in the same manner as is provided for the acquisition of  
16 property for airport purposes, easements through or other inter-  
17 ests in air ~~spaces~~ SPACE over land or water, interests in air-  
18 port hazards outside the boundaries of the airports, landing  
19 fields, and other aeronautical facilities, and such other airport  
20 protection privileges as are necessary to insure safe approaches  
21 to the landing and ~~take off~~ TAKEOFF areas. ~~It is~~ POLITICAL  
22 SUBDIVISIONS ARE also ~~hereby~~ authorized to acquire, in the same  
23 manner, the right or easement, for a term of years or perpetual-  
24 ly, to place or maintain suitable marks for the daytime marking  
25 and suitable lights for the nighttime marking of airport hazards,  
26 including the right of ingress and egress to or from ~~such~~

1 airport hazards, for the purpose of maintaining and repairing  
2 ~~such~~ THE lights and marks.

3       Sec. 133. In addition to the general powers ~~in~~ CONFERRED  
4 BY this act, ~~conferred, and without limitation thereof,~~ a  
5 political subdivision ~~which~~ THAT has established or ~~may here-~~  
6 ~~after establish airports, landing fields~~ ESTABLISHES AN AIRPORT,  
7 LANDING FIELD, or other aeronautical ~~facilities, is hereby~~  
8 ~~authorized~~ FACILITY MAY DO 1 OR MORE OF THE FOLLOWING:

9       (a) ~~To vest~~ VEST authority for the construction, enlarge-  
10 ment, improvement, maintenance, equipment, operation, and regula-  
11 tion ~~thereof~~ OF THE AIRPORT, LANDING FIELD, OR OTHER AERONAUTI-  
12 CAL FACILITY, in an officer, a board, or body of a political sub-  
13 division, by ordinance or resolution ~~which shall prescribe~~ THAT  
14 PRESCRIBES the powers and duties of the officer, board, or body.  
15 In counties operating under the county road system ~~and now~~  
16 ~~having or hereafter attaining~~ WITH a population of more than  
17 2,000,000, the board of county road commissioners ~~is hereby~~  
18 ~~vested with authority to carry out the provisions under~~ MAY  
19 IMPLEMENT this section ~~in and~~ for ~~such counties~~ THAT COUNTY.

20       (b) ~~To employ~~ EMPLOY a regular airport manager for the  
21 airport, landing field, or other aeronautical facility under its  
22 control, or in cases where an airport board or body is estab-  
23 lished, the airport manager may be employed by the board or  
24 body.

25       (c) ~~To adopt~~ ADOPT and amend all ~~needful~~ NECESSARY  
26 rules, regulations, and ordinances, for the management,  
27 government, and use of any properties under its control, whether

1 within or ~~without~~ OUTSIDE OF its territorial limits; ~~to~~  
2 appoint airport guards or police, with full police powers; ~~to~~  
3 ~~fix~~ ESTABLISH penalties for the violation of the rules, regula-  
4 tions, and ordinances, and enforce the penalties.

5 (d) ~~To adopt~~ ADOPT and enact rules, regulations, and ordi-  
6 nances designed to safeguard the public upon or beyond the limits  
7 of private airports, landing fields, or other aeronautical facil-  
8 ities within the political subdivision or its police jurisdiction  
9 against the perils and hazards of instrumentalities used in  
10 aerial navigation. ~~, which rules~~ RULES ADOPTED PURSUANT TO  
11 THIS SUBDIVISION shall be consistent with and conform as nearly  
12 as ~~may be~~ POSSIBLE with the laws of this state and the rules  
13 ~~and regulations~~ of the ~~Michigan department of state highways~~  
14 STATE TRANSPORTATION DEPARTMENT.

15 (e) ~~To lease~~ LEASE for a term of years, donate, or sell,  
16 ~~such airports, landing fields~~ THE AIRPORT, LANDING FIELD, or  
17 other aeronautical ~~facilities~~ FACILITY, or buildings and struc-  
18 tures relating ~~thereto~~ TO THE AIRPORT, LANDING FIELD, OR OTHER  
19 AERONAUTICAL FACILITY, or real property acquired or set apart for  
20 ~~such~~ THESE purposes, to any person or persons, any other polit-  
21 ical subdivision or the state ~~government~~, or the ~~national~~  
22 FEDERAL government, or any department of ~~any of them~~ A POLITI-  
23 CAL SUBDIVISION, OR THE STATE OR FEDERAL GOVERNMENT, either  
24 exclusively or in common with others, for operation and public  
25 use; ~~and to~~ confer the privileges of concessions of supplying  
26 upon its airports goods, commodities, things, services, and  
27 facilities; ~~and to~~ enter into leases, contracts, agreements, or

1 grants of privileges of concessions with any person or persons,  
2 any other political subdivision or the state government or the  
3 ~~national~~ FEDERAL government, or any department of ~~any of them~~  
4 A POLITICAL SUBDIVISION OR THE STATE OR FEDERAL GOVERNMENT, for  
5 the operation, use, or occupancy, either exclusively or in common  
6 with others, of all or any part of the ~~airports~~ AIRPORT, land-  
7 ing ~~facilities~~ FIELD, or other aeronautical ~~facilities~~  
8 FACILITY, including any buildings and structures ~~thereon or~~  
9 ~~related thereto~~ OF THE AIRPORT, LANDING FIELD, OR AERONAUTICAL  
10 FACILITY, under its control, for a term or terms not to exceed 50  
11 years, establishing the charges, rentals, or fees at a fixed or  
12 variable rate binding upon the parties ~~thereto~~ for the full  
13 term of the lease, contract, agreement, or grant, which lease,  
14 contract, agreement, or grant may provide for the resolution of  
15 disputes ~~arising thereunder~~ or for the fixing of variable terms  
16 ~~therein~~ through arbitration or similar procedure. The terms,  
17 charges, rentals, and fees shall be equal and uniform for the  
18 same type of facilities provided, services rendered, or privi-  
19 leges granted with no discrimination between users of the same  
20 class for like facilities provided, services rendered, or privi-  
21 leges granted. ~~, however~~ HOWEVER, the public shall not be  
22 deprived of its rightful, equal, and uniform use ~~thereof~~ OF  
23 FACILITIES PROVIDED, SERVICES RENDERED, OR PRIVILEGES GRANTED.  
24 Terms, charges, rentals, and fees may vary ~~where~~ IF necessary,  
25 to provide security and funds for payment of bonds to be issued  
26 as authorized by this act to finance improvements to any airport,

1 or to allow for other differing costs of financing, construction  
2 of facilities, or maintenance and operation of the facility.

3 (f) ~~To sell~~ SELL, donate, or lease any property, real or  
4 personal, acquired for such purposes and belonging to the politi-  
5 cal subdivision, which in the judgment of its governing body, may  
6 not be subsequently required for aeronautic purposes, in accord-  
7 ance with the laws of this state, or the provisions of the  
8 charter of the political subdivision, governing the sale or leas-  
9 ing of similarly owned property.

10 (g) ~~To determine~~ DETERMINE the charges, rentals, or fees  
11 for the use of any properties under its control, and the charges  
12 for any services or ~~accommodations~~ ACCOMMODATIONS, and the terms  
13 and conditions under which the properties may be used, which  
14 rentals, fees, charges, terms, and conditions shall be equal and  
15 uniform for the same type of use provided, services rendered, or  
16 accommodations granted with no discrimination between users of  
17 the same class for like use provided, services rendered, or  
18 accommodations granted, except that any charges, rentals, and  
19 fees as may be fixed or determined by any lease, contract, agree-  
20 ment, or grant of privileges or concessions to which the politi-  
21 cal subdivision is a party or is the grantor, shall be binding  
22 upon all parties ~~thereto~~ for the full term prescribed ~~therein~~  
23 IN THE LEASE, CONTRACT, AGREEMENT, OR GRANT unless the same is  
24 sooner modified or terminated by mutual consent of the parties.  
25 ~~thereto; however~~ HOWEVER, the public shall not be deprived of  
26 its rightful, equal, and uniform use of such property. Terms,  
27 charges, rentals, and fees may vary ~~where~~ IF necessary, to



1 provide security and funds for payment of bonds to be issued as  
2 authorized by this act to finance improvements to any airport, or  
3 to allow for other differing costs of financing, construction of  
4 facilities, or maintenance and operation of any such facility.  
5 Liens may be ~~had~~ ATTACHED and enforced by law, as provided in  
6 such cases, and their enforcement, for repairs to or improvements  
7 or storage or care of any personal property, to enforce the pay-  
8 ment of the charges.

9 (h) ~~To exercise~~ EXERCISE all powers necessarily incidental  
10 to the exercise of the general and special powers ~~herein~~  
11 granted UNDER THIS SECTION.

12 Sec. 136. The COUNTY board of ~~supervisors~~ COMMISSIONERS  
13 of any county ~~is hereby authorized to~~ MAY vote TO PROVIDE aid  
14 for any publicly owned or operated airport, LANDING FIELD, OR  
15 OTHER AERONAUTICAL FACILITY within the county, and include ~~such~~  
16 THE aid in the county tax, or provide for the payment of the  
17 ~~same~~ AID from ~~moneys~~ MONEY available in the general fund of  
18 the county.

19 Sec. 151. ~~State plan for approach protection areas.~~ The  
20 ~~Michigan aeronautics~~ commission ~~is hereby empowered to~~ MAY  
21 create and establish a state plan for approach protection areas  
22 surrounding airports, landing fields, and other aeronautical  
23 facilities, by ~~fixing~~ ESTABLISHING standards of height to which  
24 any structure or obstruction of any nature, whether object of  
25 nature or man-created, may be erected or maintained within ~~such~~  
26 A distance from the boundaries of any airport, landing field or  
27 other aeronautical facility necessary for the safe landing,

1 take-off or other use of such facilities by aircraft operating  
2 within this state.

3       Sec. 153. ~~Execution of order to abate hazard; failure to~~  
4 ~~comply.~~ Upon receipt of ~~such~~ AN order to abate A hazard from  
5 the commission, the owner of any public-owned airport, LANDING  
6 FIELD, OR OTHER AERONAUTICAL FACILITY shall immediately institute  
7 proper proceedings under the applicable effective laws of this  
8 state or ordinances of the political subdivisions owning ~~such~~  
9 THE facilities, to effectuate the order. Failure upon the part  
10 of any owner of a public-owned airport, landing field, or other  
11 aeronautical facility to abate ~~such~~ THE hazard as determined by  
12 the commission in its order, shall make the owner liable to  
13 either restrictive use of, or the entire closing of, ~~such~~ THE  
14 airport, landing field, or other aeronautical facility.

15       Sec. 155. ~~Hazards surrounding state-owned airports, land-~~  
16 ~~ing fields and other aeronautical facilities.~~ Whenever any  
17 obstructions of whatever nature shall be determined to be a  
18 hazard adjacent to or surrounding a state-owned airport, landing  
19 field, or other aeronautical facility, the ~~Michigan aeronautics-~~  
20 commission shall notify the state administrative board of ~~such~~  
21 THE hazard with an order for its abatement, and the state admin-  
22 istrative board ~~is hereby empowered to~~ MAY institute proper  
23 proceedings in the name of and for the state of Michigan for the  
24 abatement of ~~such~~ THE hazard. Failure to effectively comply  
25 with ~~such~~ AN order shall subject the airport, LANDING FIELD, or  
26 other aeronautical facility to either restrictive use ~~thereof~~  
27 OF THE AIRPORT, LANDING FIELD, OR OTHER AERONAUTICAL FACILITY, or

1 its entire closing, in the interest of the safety, health, and  
2 welfare of the public, and the safe use of aeronautical facili-  
3 ties in this state.

4 Sec. 176. Except as otherwise provided IN THIS ACT, a  
5 person ~~violating~~ WHO VIOLATES this act is ~~guilty of a~~  
6 ~~misdemeanor~~ RESPONSIBLE FOR A STATE CIVIL INFRACTION AS PROVIDED  
7 FOR IN CHAPTER 88 OF THE REVISED JUDICATURE ACT OF 1961, ACT  
8 NO. 236 OF THE PUBLIC ACTS OF 1961, BEING SECTIONS 600.8801 TO  
9 600.8835 OF THE MICHIGAN COMPILED LAWS, AND IS SUBJECT TO A CIVIL  
10 FINE OF NOT MORE THAN \$500.00.

11 SEC. 176A. THE COMMISSION OR ITS AUTHORIZED REPRESENTATIVE,  
12 AFTER CONSIDERATION OF THE ISSUES OF FACT AND AFTER HEARING HELD,  
13 MAY SUSPEND OR PERMANENTLY REVOKE, OR BOTH, A LICENSE, CERTIFI-  
14 CATE, OR LETTER OF AUTHORITY OF ANY PERSON WHO DOES ANY OF THE  
15 FOLLOWING:

16 (A) KNOWINGLY FORGES, COUNTERFEITS, ALTERS, OR FALSELY MAKES  
17 A CERTIFICATE AUTHORIZED TO BE ISSUED UNDER THIS ACT OR THE RULES  
18 PROMULGATED UNDER THIS ACT, OR USES OR ATTEMPTS TO USE ANY SUCH  
19 CERTIFICATE.

20 (B) KNOWINGLY MAKES A FALSE STATEMENT IN AN APPLICATION FOR  
21 A LICENSE OR REGISTRATION OR IN A REPORT REQUIRED BY THE  
22 COMMISSION.

23 (C) VIOLATES A CONDITION OR PROVISION OF A LICENSE OR LETTER  
24 OF AUTHORITY ISSUED BY THE COMMISSION.

25 (D) FAILS TO RENDER REPORTS REQUESTED BY, AND WITHIN THE  
26 TIME LIMITS PRESCRIBED BY, THE COMMISSION.

1 (E) FAILS TO MAINTAIN THE MINIMUM STANDARDS DETERMINED BY  
2 THE COMMISSION.

3 (F) COMMITS AN ACT ON THE PART OF A FLIGHT SCHOOL BY A  
4 FLIGHT INSTRUCTOR OR REPRESENTATIVE THAT IS CONTRARY TO PUBLIC  
5 SAFETY OR TO THE PROPER TRAINING OF STUDENTS ENROLLED IN A FLIGHT  
6 SCHOOL.

7 (G) FAILS TO COMPLY, IN WHOLE OR PART, WITH ANY RULE PROMUL-  
8 GATED BY THE COMMISSION.

9 (H) FAILS TO ABATE A HAZARD CERTIFIED BY THE COMMISSION.

10 Sec. 179. (1) ~~Unlawful methods of hunting. It shall be~~  
11 ~~unlawful for any~~ A person ~~to~~ SHALL NOT hunt, pursue, ~~worry~~  
12 or kill any wild waterfowl or other birds or animals by any means  
13 whatever during ~~such~~ THE time ~~as said~~ THE person is upon any  
14 kind of aircraft. ~~Violation of this section shall be deemed a~~  
15 ~~misdemeanor.~~

16 (2) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A STATE  
17 CIVIL INFRACTION AS PROVIDED FOR IN SECTION 176, AND IS PROHIB-  
18 ITED FROM OBTAINING OR POSSESSING A HUNTING LICENSE FOR A PERIOD  
19 OF 1 YEAR.

20 Sec. 180. ~~Reckless operation of aircraft. Any~~ A person  
21 who ~~shall operate~~ OPERATES any aircraft within the airspace  
22 over, above, and upon the lands and waters of the state, ~~of~~  
23 ~~Michigan,~~ carelessly and heedlessly in ~~wilful~~ WILLFUL or  
24 wanton disregard of the rights or safety of others, or without  
25 due caution and circumspection and in a manner so as to endanger  
26 or be likely to endanger any person or property, ~~shall be~~ IS  
27 guilty of a misdemeanor PUNISHABLE BY IMPRISONMENT FOR NOT MORE

1 THAN 90 DAYS, A FINE OF NOT MORE THAN \$500.00, OR COMMUNITY  
2 SERVICE OF NOT MORE THAN 30 DAYS, OR ANY COMBINATION OF THESE  
3 PENALTIES.

4 Sec. 181. ~~Tampering with markings of airports, landing~~  
5 ~~fields, or other aeronautical facilities. It shall be unlawful~~  
6 ~~for any~~ A person ~~to~~ SHALL NOT tamper with, alter, destroy,  
7 remove, carry away, or cause to be carried away ~~7~~ any objects  
8 used for the marking of LICENSED airports, landing fields, or  
9 other aeronautical facilities, or in any way change their posi-  
10 tion or location, except by the direction of the proper authori-  
11 ties charged with the maintenance and operation of ~~such~~ THE  
12 facilities. ~~Any~~ A person ~~violating any of these provisions~~  
13 ~~herein mentioned~~ WHO VIOLATES THIS SECTION or ~~shall have~~ HAS  
14 illegally in his OR HER possession any objects or devices used  
15 for ~~such markings, shall be~~ MARKING OF AIRPORTS, LANDING  
16 FIELDS, OR OTHER AERONAUTICAL FACILITIES IS guilty of a misde-  
17 meanor PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS, A  
18 FINE OF NOT MORE THAN \$500.00, OR COMMUNITY SERVICE OF NOT MORE  
19 THAN 30 DAYS, OR ANY COMBINATION OF THESE PENALTIES.

20 Sec. 182. ~~Domestic animals or fowl on airports, landing~~  
21 ~~fields, and other aeronautical facilities. It shall be unlawful~~  
22 ~~for any~~ THE owner or keeper of any domestic animal or fowl ~~to~~  
23 SHALL NOT allow ~~such~~ THE domestic animal or fowl to run at  
24 large and enter or be upon any ~~premises constituting an~~ air-  
25 port, landing field, or other aeronautical facility. ~~Violations~~  
26 ~~of the provisions of this section shall be deemed a misdemeanor.~~

1       Sec. 183. A person who ~~shall wilfully~~ WILLFULLY and  
2 without authority ~~, take~~ TAKES possession of or ~~use~~ USES an  
3 ~~airplane~~ AIRCRAFT, or unlawfully ~~remove~~ REMOVES or ~~take~~  
4 TAKES any component parts of an ~~airplane~~ AIRCRAFT, and a person  
5 who ~~shall assist~~ ASSISTS in, or ~~be~~ IS a party to taking ille-  
6 gal possession of or use of an ~~airplane~~ AIRCRAFT or component  
7 parts belonging to another, and a person who ~~wilfully~~ WILLFULLY  
8 and unlawfully makes an aircraft unsafe, and a person who assists  
9 in, or is a party to making an aircraft unsafe, is guilty of a  
10 felony ~~, punishable by imprisonment in the state prison~~ for  
11 not more than 5 years, A FINE OF NOT MORE THAN \$2,000.00, OR COM-  
12 MUNITY SERVICE OF NOT MORE THAN 6 MONTHS, OR ANY COMBINATION OF  
13 THESE PENALTIES.

14       Sec. 184. A person ~~who trespasses~~ SHALL NOT TRESPASS upon  
15 the area within the boundary of an approved or licensed airport,  
16 landing field, or other aeronautical facility, or ~~operates~~  
17 OPERATE or ~~causes~~ CAUSE to be operated a vehicle or device, or  
18 ~~who conducts~~ CONDUCT an activity upon or across ~~an~~ A LICENSED  
19 airport, LANDING FIELD, OR OTHER AERONAUTICAL FACILITY, unless  
20 that operation or activity is authorized by the airport  
21 management. ~~, is guilty of a misdemeanor.~~

22       Sec. 201. ~~Orders of the commission. In any case where~~ IF  
23 the commission rejects an application for permission to operate  
24 ~~any~~ AN aeronautical facility, FLIGHT school, ~~of aviation,~~ or  
25 flying club, or IF THE COMMISSION REJECTS AN APPLICATION FOR  
26 PERMISSION to act as an ~~aviation instructor or~~ airport manager,  
27 or ~~in any case where~~ IF the commission ~~shall issue~~ ISSUES an

1 order requiring certain things to be done, ~~it~~ THE COMMISSION  
2 shall set forth its reasons ~~therefor~~ and shall state the  
3 requirements to be met before ~~such~~ approval ~~will be~~ IS given  
4 or ~~such~~ THE order modified or changed. ~~In any case where~~ IF  
5 the commission ~~may deem~~ CONSIDERS it necessary, ~~it~~ THE  
6 COMMISSION may order RESTRICTIONS ON THE USE OF OR ON the closing  
7 of any aeronautical facility, ~~or restrict its use, or any~~  
8 FLIGHT school, ~~of aviation,~~ OR flying club, ~~aviation~~  
9 ~~instructor~~ or MAY REQUIRE AN airport manager to cease opera-  
10 tions, until ~~he or it shall have complied with~~ ALL OF the  
11 requirements determined by the commission HAVE BEEN COMPLIED  
12 WITH.

13 Sec. 202. ~~Appeals from order of commission or regulations~~  
14 ~~issued. Anyone considering himself or itself~~ A PERSON WHO IS  
15 aggrieved by ~~any~~ AN order ~~, rule or regulation~~ of ~~such~~ THE  
16 commission may, within 10 days after the issuance ~~thereof~~ OF  
17 THE ORDER, appeal to, or have the action of the commission  
18 reviewed by, the circuit court of Ingham county, at Lansing,  
19 Michigan, in the manner provided for the review of the orders of  
20 other administrative bodies of this state, and rules of law  
21 applicable to such appeals or reviews shall apply.

22 Sec. 203. There is hereby imposed a privilege tax of ~~3~~ 6  
23 cents per gallon on all fuel sold or used in producing or gener-  
24 ating power for propelling aircraft using the aeronautical facil-  
25 ities on the lands and waters of this state. ~~, which~~ THE tax  
26 IMPOSED UNDER THIS SECTION shall be paid to the secretary of  
27 state in the same manner and method and at the same time as is

1 now prescribed by law for the collection of gasoline tax now  
2 imposed on all gasoline used in producing or generating power for  
3 propelling motor vehicles used upon the public highways of this  
4 state. A refund of ~~4-1/2~~ 4-1/2 cents per gallon shall be made  
5 to airline operators who show proof within 6 months after pur-  
6 chase that they are operating interstate on scheduled  
7 operations.

8       Section 2. Sections 12, 13, 14, 15b, 22a, 81, 84, 88, 90,  
9 and 131a of Act No. 327 of the Public Acts of 1945, being sec-  
10 tions 259.12, 259.13, 259.14, 259.15b, 259.22a, 259.81, 259.84,  
11 259.88, 259.90, and 259.131a of the Michigan Compiled Laws, are  
12 repealed.