

HOUSE BILL NO. 4834

September 04, 2025, Introduced by Reps. Greene, Kunse, Pavlov, Alexander and Bruck and referred to Committee on Transportation and Infrastructure.

A bill to amend 1945 PA 327, entitled
"Aeronautics code of the state of Michigan,"
by amending the title and sections 2, 3, 7, 8, 9, 26, 27, 33, 34,
35, 51, 52, 53, 55, 76, 76a, 77, 80b, 80e, 82, 86, 109, and 155
(MCL 259.2, 259.3, 259.7, 259.8, 259.9, 259.26, 259.27, 259.33,
259.34, 259.35, 259.51, 259.52, 259.53, 259.55, 259.76, 259.76a,
259.77, 259.80b, 259.80e, 259.82, 259.86, 259.109, and 259.155),
the title as amended by 2015 PA 95, sections 2, 3, 8, 9, 51, and 86
as amended by 2002 PA 35, section 7 as amended by 2015 PA 261,
section 26 as amended by 1992 PA 308, section 34 as amended by 2015
PA 259, section 35 as amended by 2015 PA 258, section 76 as amended

by 1988 PA 391, sections 76a, 77, 82, and 155 as amended and sections 80b and 80e as added by 1996 PA 370, and section 109 as added by 2002 PA 90, and by adding section 89c; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act relating to aeronautics in this state; providing for
3 the development and regulation of aeronautics; creating a state
4 aeronautics commission; prescribing powers and duties; providing
5 for the licensing, registration, and supervision and control of all
6 aircraft, airports and landing fields, schools of aviation, flying
7 clubs, airmen, aviation instructors, airport managers,
8 manufacturers, dealers, and commercial operation in intrastate
9 commerce; providing for rules pertaining thereto; prescribing a
10 privilege tax for the use of the aeronautical facilities on the
11 lands and waters of this state; providing for the acquisition,
12 development, and operation of airports, landing fields, and other
13 aeronautical facilities by this state, by political subdivisions,
14 or by airport authorities; providing for the incorporation of
15 airport authorities and providing for the powers, duties, and
16 obligations of airport authorities; providing for the transfer of
17 airport management to airport authorities, including the transfer
18 of airport liabilities, employees, and operational jurisdiction;
19 providing jurisdiction of crimes, torts, and contracts; providing
20 ~~police powers for those entrusted to enforce this act; for the~~
21 **inspection of aeronautical facilities;** providing for civil
22 liability of owners, operators, and others; making hunting from
23 aircraft unlawful; providing for a repair station operators lien;
24 providing for appeals from rules or orders issued by the

1 commission; ~~providing for the transfer from the Michigan board of~~
 2 ~~aeronautics to the aeronautics commission all properties and funds~~
 3 ~~held by the board of aeronautics;~~ providing for a state aeronautics
 4 fund and making an appropriation therefor; prescribing penalties;
 5 and making uniform the law with reference to state development and
 6 regulation of aeronautics.

7 Sec. 2. As used in this act:

8 (a) "Accident" means an event involving an aircraft that is
 9 ~~in-flight~~ **in flight** or taxiing, resulting in death or injury to any
 10 ~~person, individual,~~ damage to the aircraft affecting its ability to
 11 safely operate, or damage to public property or property of another
 12 person.

13 (b) "Aeronautical facilities" means any device, physical or
 14 otherwise, that is an object of nature or that is human-made, that
 15 aids and is used in aeronautics.

16 (c) "Aeronautics" means any act or matter that treats or deals
 17 with flight in the airspace.

18 (d) "Air navigation" means the operation or navigation of
 19 aircraft in the airspace over the land and waters of this state.

20 (e) "Aircraft" means any contrivance used or designed for
 21 navigation of or flight in the air, **including both crewed and**
 22 **uncrewed aircraft.**

23 (f) "Aircraft, civil" means any aircraft other than a public
 24 aircraft.

25 (g) "Aircraft, public" means any aircraft used exclusively in
 26 the service of any government or of any political subdivision of a
 27 government, including the government of any state, territory, or
 28 possession of the United States, or the District of Columbia, but
 29 not including any government-owned aircraft engaged in carrying

1 ~~persons~~**individuals** or property for commercial purposes.

2 (h) "Airman" means any individual, including the ~~1~~**one** in
3 command, and any pilot, mechanic, or member of the crew, who
4 engages in the navigation of aircraft while under way, and any
5 individual who is in charge of the inspection, overhauling, or
6 repair of aircraft, and any individual who serves in the capacity
7 of aircraft dispatcher or air traffic control tower operator.

8 (i) "Airport" means any location, either on land or water,
9 that is used for the landing or take-off of aircraft, and includes
10 the buildings and facilities, if any, on that location.

11 (j) "Airport approach plan" means a plan, or an amendment to a
12 plan, adopted under section 12 of the airport zoning act, 1950 (Ex
13 Sess) PA 23, MCL 259.442.

14 (k) "Airport layout plan" means a plan, or an amendment to a
15 plan, that shows current or proposed layout of an airport and that
16 is approved by the commission.

17 (l) "Airport manager" means any individual who is properly
18 appointed and designated by the airport owner as the airport
19 manager, and who is responsible for the supervision and operation
20 of the airport to the airport owner.

21 (m) "Airspace approval" means that approval issued by the
22 appropriate federal authority pertaining to the safe and efficient
23 use of airspace by aircraft for an established or proposed airport
24 or landing field.

25 (n) "Airspace, navigable" means airspace at and above the
26 minimum flight altitudes prescribed in the federal air regulations
27 including airspace needed for safe takeoff and landing.

28 Sec. 3. As used in this act:

29 (a) "Balloon" means a lighter-than-air aircraft that is not

1 engine driven and that sustains flight through the use of either
2 gas buoyancy or an airborne heater.

3 (b) "Commercial activity or operations" means an activity or
4 operation such as the sale of gasoline or oil, the soliciting or
5 engaging in charter flying or flight instruction, **the provision of**
6 **skydiving services in any form**, the provision of shelter or the
7 tie-down of an aircraft, the overhaul or repair of an aircraft or
8 of engines, or other activity or operation that offers aeronautic
9 facilities or services to the public.

10 (c) "Commission" means the Michigan aeronautics commission.

11 (d) "Dealer" means a person engaged in the business of
12 purchasing, selling, brokering, exchanging, or dealing in aircraft
13 parts or in aircraft of a type required to be registered.

14 (e) "Decal plate" means that distinctive tab, sticker, decal,
15 or plate issued by the commission with the registration certificate
16 for an aircraft.

17 (f) "Department" means the state transportation department ~~7~~
18 ~~bureau~~**office** of aeronautics.

19 (g) "Director" means the ~~deputy director of the department,~~
20 ~~bureau~~**executive administrator of the office** of aeronautics who is
21 the director of the Michigan aeronautics commission.

22 (h) "Droneport" **means a fixed or mobile location for the**
23 **housing, maintenance, fueling, and piloting of commercial fleets of**
24 **drones, and the safe flying of drones.**

25 Sec. 7. As used in this act:

26 (a) "Person" means an individual, partnership, corporation,
27 association, governmental entity, or other legal entity.

28 (b) "Political subdivision" means a county, city, village, or
29 township of this state, and any other political subdivision, public

1 corporation, authority, or district in this state that is or may be
2 authorized by law to acquire, establish, construct, maintain,
3 improve, and operate airports, landing fields, and other
4 aeronautical facilities.

5 (c) "Private **airport**" or "**private** landing area" means any
6 location, either on land or water, that is used for the takeoff or
7 landing of aircraft and the use of which is restricted to the owner
8 or persons authorized by the owner. Notwithstanding any existing
9 limitation or regulation to the contrary, the owner and any person
10 authorized by the owner has the right to use the **private airport or**
11 **private landing area**. ~~Commercial operations shall not be conducted~~
12 ~~on a private landing area.~~

13 (d) "Public use facility" means ~~an~~ **a publicly or privately**
14 **owned** airport, landing field, or other aeronautical facility that
15 is available for use by the general public without prior approval
16 of the owner or operator.

17 (e) "Qualified airport" means that term as defined in section
18 109.

19 (f) "Rule" means a rule promulgated pursuant to the
20 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
21 24.328.

22 Sec. 8. As used in this act:

23 (a) "Seaplane" means an aircraft that is capable of landing
24 and taking off on the water.

25 (b) "Seaplane base" means an area of water used or intended to
26 be used for the landing and takeoff of aircraft, together with
27 appurtenant shoreside buildings and facilities.

28 (c) "State approach surface" means an imaginary plane
29 longitudinally centered on the extended runway centerline and

1 extending outward and upward from each end of the state primary
2 surface.

3 (d) "State primary surface" means a surface longitudinally
4 centered on a runway. For a paved runway, the state primary surface
5 extends 200 feet beyond each end of that runway. ~~for~~ **For** an unpaved
6 runway, ~~or a planned paved runway,~~ the state primary surface ends
7 at each end of that runway. The elevation of any point on the state
8 primary surface is the same as the elevation of the nearest point
9 on the runway centerline. The width of a state primary surface is
10 as follows:

11 (i) One hundred feet for basic utility airports.

12 (ii) Two hundred and fifty feet for general utility airports.

13 Sec. 9. As used in this act:

14 (a) "Taxi" means the moving of an aircraft under its own power
15 either on the ground or on the surface of the water, prior to the
16 beginning of the take-off run and after the end of the landing run.

17 (b) "Temporary commercial operations" means any commercial
18 operation conducted for a period not to exceed 120 days per
19 calendar year.

20 (c) "Ultralight" means an aircraft meeting requirements of 14
21 C.F.R. part 103.

22 (d) "Vehicle" means any device in, upon, or by which a person
23 or property is or may be transported, except an aircraft.

24 **(e) "Vertiport" means an area of land, an area of water, or a**
25 **structure used for the landing and takeoff of VTOL aircraft.**

26 **(f) "VTOL" means vertical takeoff and landing.**

27 Sec. 26. (1) ~~There is created and established an aeronautics~~
28 ~~commission to be known as the~~ **The** Michigan aeronautics commission
29 **is created.**

(2) The commission ~~shall consist~~ **consists** of the director of the state transportation department, the director of the department of state police, the director of the department of natural resources, the director of the department of military **and veterans** affairs, and 5 other members who ~~shall be~~ **are** appointed by the governor with the advice and consent of the senate and who ~~shall~~ continue in office until their successors are appointed.

(3) Members of the commission ~~shall be~~ **are** appointed for terms of 4 years.

Sec. 27. ~~Director of aeronautics. There is hereby established and created the~~ **The office of director of aeronautics is created** within the department. ~~of aeronautics. The~~ **state transportation department shall appoint the** director ~~shall be appointed by the commission, to serve for an indefinite term, during his efficient, honest and businesslike execution of his duties. He shall be appointed with due regard to his~~ **the individual's** fitness and by reason of ~~his~~ **the individual's** aeronautical knowledge and practical experience in the field of aeronautics. ~~He~~ **The director** shall devote ~~his~~ **the director's** entire time to the duties of ~~his~~ **the** office as required and prescribed by this act, and shall not be actively engaged or employed in any other business, vocation, or employment. ~~, nor shall he~~ **The director shall not** have any pecuniary interest in or any stock in or bonds of any civil aeronautics enterprise. ~~He~~ **The director** shall receive ~~such~~ compensation as **determined by** the ~~commission may determine~~ **state transportation department** and shall be reimbursed for all traveling and other expenses incurred ~~by him in the discharge of his in~~ **discharging the director's** official duties.

Sec. 33. ~~Office and expense employees of department of~~

~~aeronautics. The commission is hereby authorized to~~ **The department**
~~may employ such assistants, clerks, stenographers, staff~~ and other
~~help, and to make such expenditures as it may deem~~ **the department**
considers necessary for the carrying out of ~~the provisions of this~~
 act.

Sec. 34. (1) The state aeronautics fund is created. All money
 received from aviation fuel taxes imposed under section 203(1), the
 portion of sales and use taxes to be deposited into the state
 aeronautics fund under section 25 of the general sales tax act,
 1933 PA 167, MCL 205.75, and section 21 of the use tax act, 1937 PA
 94, MCL 205.111, any money required to be deposited into the state
 aeronautics fund under section 35(3), and all money received from
 licensing of schools of aviation, airports, landing fields, airport
 managers, registration of aircraft and airmen, and from the
 operation of ~~state-operated~~ **state-operated** airports, landing
 fields, **state-owned or state-maintained weather observation**
stations, from transportation reimbursements, and from any other
 aeronautical facilities **or services**, must be paid into the state
 treasury and credited to the state aeronautics fund.

(2) The qualified airport fund is created. All money to be
 deposited into the qualified airport fund under section 25 of the
 general sales tax act, 1933 PA 167, MCL 205.75, and section 21 of
 the use tax act, 1937 PA 94, MCL 205.111, must be paid into the
 state treasury and credited to the qualified airport fund.

Sec. 35. (1) All money in and credited to the state
 aeronautics fund created under section 34(1) is appropriated for
 carrying out this act, and to meet the expenses of the department.
 However, money in and credited to the state aeronautics fund is not
 appropriated for carrying out subsection (2), except as provided in

1 subsection (4). Upon appropriation, the state treasurer may draw a
2 warrant on the state treasury to make payments in the amounts and
3 to the persons as directed by the department. ~~subject to approval~~
4 ~~and release by the state administrative board of the authorized~~
5 ~~amounts.~~ However, money appropriated under this subsection or later
6 made available must not be expended on an aviation project not
7 carried out under the supervision and direction of the department
8 **and with the approval of the commission.**

9 (2) Subject to subsection (3), all money in and credited to
10 the qualified airport fund created under section 34(2) is
11 appropriated for carrying out the purposes described in this
12 subsection. On a quarterly basis, the state treasurer shall
13 disburse from the qualified airport fund to the operator of a
14 qualified airport an amount equal to the amount deposited into the
15 qualified airport fund. If there is more than 1 qualified airport,
16 the state treasurer shall disburse the amount deposited into the
17 qualified airport fund to each operator of a qualified airport in
18 the same proportion that the amount of taxable gallons of fuel sold
19 at the qualified airport during the preceding fiscal year bears to
20 the total amount of taxable gallons of fuel sold at all qualified
21 airports during the preceding fiscal year. An operator of a
22 qualified airport shall use money disbursed to the operator under
23 this subsection in the following order of priority:

24 (a) For deposit in a bond and interest redemption account
25 created by ordinance of the qualified airport solely to pay the
26 next scheduled payments for revenue bonds issued by the operator of
27 the qualified airport pursuant to an ordinance under the revenue
28 bond act of 1933, 1933 PA 94, MCL 141.101 to 141.140, to finance
29 capital improvements to landing areas at the qualified airport. The

1 capital improvements to landing areas may include, but are not
2 limited to, runway and taxiway design, construction, repair or
3 rehabilitation, lighting, drainage systems, land acquisition,
4 airfield roadways, noise mitigation systems, deicing pads, and
5 surveillance systems at the qualified airport.

6 (b) To defray the costs of capital improvements to landing
7 areas of the qualified airport. The capital improvements to landing
8 areas may include, but are not limited to, runway and taxiway
9 design, construction, repair or rehabilitation, lighting, drainage
10 systems, land acquisition, airfield roadways, noise mitigation
11 systems, deicing pads, and surveillance systems at the qualified
12 airport.

13 (3) If the Federal Aviation Administration or a federal court
14 of competent jurisdiction issues a final decision, decision and
15 order, or order in a proceeding finding that the deposit or credit
16 of money to the qualified airport fund under this act, section 25
17 of the general sales tax act, 1933 PA 167, MCL 205.75, and section
18 21 of the use tax act, 1937 PA 94, MCL 205.111, does not comply
19 with, or disbursements from the qualified airport fund as
20 authorized under subsection (2) do not comply with, the federal
21 airport revenue use requirements under 49 USC 47107(b) or 49 USC
22 47133, the state treasurer shall transfer money in the qualified
23 airport fund to the state aeronautics fund as necessary to comply
24 with the final decision, decision and order, or order. The state
25 treasurer shall only transfer money from the qualified airport fund
26 under this subsection while the final decision, decision and order,
27 or order is in effect and binding on this state.

28 (4) The department shall, on a quarterly basis, disburse all
29 money transferred from the qualified airport fund to the state

1 aeronautics fund under subsection (3) to the operator of a
2 qualified airport. The department shall not disburse money under
3 this subsection if the disbursement would violate the terms of the
4 final decision, decision and order, or order of the Federal
5 Aviation Administration or federal court. If there is more than 1
6 qualified airport, the department shall disburse the money to each
7 operator of a qualified airport in the same proportion that the
8 amount of taxable gallons of fuel sold at the qualified airport
9 during the preceding fiscal year bears to the total amount of
10 taxable gallons of fuel sold at all qualified airports during the
11 preceding fiscal year. An operator of a qualified airport that
12 receives money under this subsection shall only use the money for
13 the purposes, and in the order of priority, described in subsection
14 (2).

15 (5) By April 1 ~~, 2017, and by April 1~~ of each year, ~~after~~
16 ~~2017,~~ the operator of a qualified airport shall file a report with
17 the department describing how the money disbursed to the operator
18 of the qualified airport under this section was spent or otherwise
19 used by the operator of the qualified airport during the preceding
20 calendar year. The report must be on a form or in a format
21 prescribed or approved by the department.

22 (6) As used in this section, "ordinance" means that term as
23 defined in section 3 of the revenue bond act of 1933, 1933 PA 94,
24 MCL 141.103.

25 Sec. 51. (1) The commission has general supervision over
26 aeronautics within this state. The commission shall encourage,
27 foster, and participate with and provide grants to the political
28 subdivisions of this state in the development of aeronautics within
29 this state. The commission shall establish and encourage the

1 establishment of airports, landing fields, and other aeronautical
 2 facilities. The commission shall promulgate rules that it considers
 3 necessary and advisable for the public safety governing the
 4 designing, laying out, location, building, equipping, and operation
 5 of airports and landing fields and shall exercise exclusive
 6 authority to approve the location and operation of airports,
 7 landing fields, and other aeronautical facilities within ~~the~~**this**
 8 state, ~~so as to assure~~**ensure** a uniformity in regulations covering
 9 aeronautics. In order to implement this act, the commission may
 10 establish programs of state financial assistance in the form of
 11 grants, leases, loans, and purchases, or a combination of grants,
 12 leases, loans, and purchases, for assisting political subdivisions
 13 or other persons. The commission shall not grant an exclusive right
 14 for the use of an aeronautical facility. The commission may by the
 15 issuance of appropriate and effective rules register pilot's
 16 certificates issued by the ~~civil aeronautics authority~~**Federal**
 17 **Aviation Administration** or other similar federal authority to
 18 resident pilots of ~~the~~**this** state, for which it may charge a fee
 19 not to exceed \$5.00; govern and regulate commercial operations in
 20 intrastate commerce, for which it may charge a fee of not more than
 21 \$25.00; and provide for the licensing of aircraft dealers, for
 22 which it may charge a fee of not more than \$25.00.

23 (2) The commission shall cooperate with and assist the federal
 24 government, state governments, authorities of political
 25 subdivisions, and individuals engaged in aeronautics or the
 26 development of aeronautics, and shall seek to coordinate the
 27 aeronautical activities of these entities. The commission may
 28 confer with or hold joint hearings with any federal or state
 29 governments, their agencies, the authorities of political

1 subdivisions, and individuals, in connection with any matter
2 arising under this act, and avail itself of the cooperation,
3 services, records, and facilities of those agencies in the
4 administration and enforcement of this act. The commission shall
5 reciprocate by furnishing governments and their agencies its
6 cooperation, services, records, and facilities, ~~insofar as may be~~
7 **to the extent that it is** practicable.

8 (3) The commission may perform acts, issue and amend orders,
9 and make, promulgate, and amend reasonable general or special rules
10 and procedures, and establish minimum standards, consistent with
11 this act, ~~which-that~~ it considers necessary to implement this act
12 and to perform ~~its-the~~ **commission's** duties under this act, all
13 commensurate with and for the purpose of protecting and ~~insuring~~
14 **ensuring** the general public interest, health, welfare, and safety.
15 The commission may adopt and enforce the provisions of the
16 currently effective federal legislation governing aeronautics. The
17 commission shall promulgate rules to implement this act. The
18 commission may deviate from or add to rules if necessary for the
19 public safety and for the safety of aircraft and airmen within ~~the~~
20 **this** state. A rule of the commission ~~shall-does~~ not apply to
21 aeronautical facilities owned by the federal government.

22 (4) For the safety of aircraft and airmen within this state,
23 the commission may designate, establish, or modify a state airways
24 system. The commission may publish and distribute maps, charts, and
25 information relating to that system.

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

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

16 (6) The commission, a commission member, the director, or an
17 employee designated by the commission may hold investigations,
18 inquiries, and hearings concerning matters covered by this act,
19 aircraft accidents, or orders and rules of the commission. Each
20 ~~person~~**individual** designated may administer oaths and affirmations,
21 certify to official acts, issue subpoenas, and compel the
22 attendance and testimony of witnesses, and the production of
23 papers, books, and documents. In case of failure to comply with a
24 subpoena or order issued under this act, the commission, or its
25 authorized representative, may invoke the aid of a court of general
26 jurisdiction. The court may order the witness to comply with the
27 requirements of the subpoena or order, or to give evidence touching
28 the matter in question. Failure to obey the order of the court may
29 be punished by the court as contempt.

(7) ~~In order to~~ **To** facilitate investigations by the commission in the interest of public safety and development of aeronautics, the reports of investigations or hearings, or any part of them, ~~shall~~ **must** not be admitted in evidence or used for any purpose in an action or proceeding growing out of a matter referred to in the investigation, hearing, or report, except in case of criminal or other proceedings instituted in behalf of ~~the~~ **this** state under this act or any other law of this state relating to aeronautics. A commissioner, director, or an officer or employee of the commission ~~shall~~ **must** not be required to testify to facts ascertained in, or information gained by reason of, ~~his or her~~ **that individual's** official capacity, or be required to testify as an expert witness in an action or proceeding involving an aircraft. Except as otherwise provided in this section, the commission may make available to appropriate federal and state agencies information and material developed in the course of its hearings and investigations.

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

Sec. 52. ~~Powers and duties of director of aeronautics.~~ The director ~~of aeronautics shall be~~ **is** the executive officer of the commission and ~~the~~ department ~~of aeronautics~~ and under the commission's supervision shall administer the provisions of this and all other acts relating to aeronautics within this state.

Sec. 53. ~~Delegation of powers to director of aeronautics.~~ The commission ~~may~~ **shall** delegate to the director ~~of aeronautics~~ any of the powers or duties vested in or imposed ~~upon it~~ **on the commission**

1 by this act. ~~Such~~**The** delegated powers and duties may be exercised
 2 by ~~such~~**the** director in the name of the commission.

3 Sec. 55. (1) The commission may prescribe the duties and
 4 conditions of employment of its ~~enforcement~~**inspection** officers.

5 The **inspection** officers shall ~~be law enforcement officers of the~~
 6 ~~state and shall have the authority of police officers as provided~~
 7 ~~by law, except as otherwise provided in this section. The officers~~

8 ~~shall be vested with power and authority of deputy sheriffs except~~
 9 ~~that such power and authority shall be restricted to the~~

10 ~~investigation and enforcement of~~**investigate violations of and**
 11 **enforce** rules promulgated and orders issued by the commission, ~~and~~

12 ~~to the statutes relating to Michigan airports, and the Michigan~~
 13 ~~aeronautics code. The officers may issue summons, make arrests, and~~

14 ~~initiate criminal proceedings against offenders. The commission~~
 15 ~~shall be responsible for all actions of its officers committed~~

16 ~~under color of their official position and authority.~~**this act.**

17 (2) ~~A summons issued by the law enforcement officers of the~~
 18 ~~commission for violations of the aeronautics code, the statutes~~

19 ~~relating to Michigan airports, or the rules and orders promulgated~~
 20 ~~by the commission, shall be answerable before the recorder's court~~

21 ~~or municipal court of the city in which the violation took place or~~
 22 ~~before the district court in the county, district or political~~

23 ~~subdivision in which the violation took place.~~**An aeronautical**
 24 **facility or facility licensed, permitted, or approved by the**

25 **commission is subject to inspection by an inspection officer at any**
 26 **time.**

27 Sec. 76. (1) An aircraft tied down, moored, hangared, or based
 28 within this state ~~and the number assigned to that aircraft by the~~

29 ~~federal aviation administration shall~~**must** be registered annually

1 with the commission and a registration fee **must be** paid. ~~An~~
 2 ~~aircraft shall not be issued a state registration certificate when~~
 3 ~~it does not have a valid and effective registration certificate as~~
 4 ~~issued by the federal aviation administration or a foreign~~
 5 ~~government.~~

6 (2) An aircraft ~~shall be~~ **is** subject to the registration
 7 provisions of this act except when it is 1 of the following:

8 (a) An aircraft engaged in scheduled passenger service flying
 9 in interstate or foreign commerce or in that part of interstate or
 10 foreign commerce which is intrastate in character, and operating
 11 exclusively under the provisions of a federal certificate issued
 12 under 14 CFR ~~Part~~ **part** 121.

13 (b) An aircraft owned by the United States government.

14 (c) An aircraft of a resident of another state or an aircraft
 15 of a resident of this state that is tied down, moored, hangared, or
 16 based within another state, having complied with the registration
 17 requirements of that state, and operating within this state for a
 18 period of not more than 90 days in a calendar year. ~~This~~ **An**
 19 aircraft **described in this subdivision** shall not engage in
 20 intrastate commercial activity within this state.

21 (d) Aircraft owned by or registered to the United States,
 22 aircraft of the ~~civil air patrol~~, **Civil Air Patrol**, or aircraft
 23 licensed by a foreign country with which the United States has
 24 reciprocal relations. ~~This~~ **An** aircraft **described in this**
 25 **subdivision** shall not engage in commercial activity within this
 26 state.

27 (e) An aircraft which, in the opinion of the commission, is in
 28 a condition that would reasonably preclude its operation during the
 29 registration period.

1 Sec. 76a. (1) A person shall not operate ~~nor shall~~**and** an
 2 owner **shall not** knowingly permit to be operated, except as provided
 3 in this act, an aircraft of a type required to be registered, which
 4 is not registered or for which a current certificate of
 5 registration has not been issued, or for which the current fee has
 6 not been paid.

7 (2) A person shall not operate ~~nor shall~~**and** an owner **shall**
 8 **not** knowingly permit to be operated, except as provided in this
 9 act, an aircraft of a type required to be registered, unless there
 10 is carried in **the aircraft**, as required by this act, a valid
 11 registration certificate issued by the commission for the current
 12 registration year.

13 (3) An application for registration ~~shall~~**must** be made on
 14 forms provided by the commission, and ~~shall~~**must** be signed and
 15 sworn to by the applicant. The registration ~~shall~~**must** be issued
 16 subject to approval of the commission. Fees ~~shall~~**must** be paid to
 17 the commission in the form of cash paid in person or in the form of
 18 **an electronic credit card payment**, a check, money order, or bank
 19 draft made payable to the state of Michigan.

20 Sec. 77. (1) If an aircraft is registered under this act, the
 21 commission shall send an application for renewal registration to
 22 the owner of the aircraft ~~on or after November 1 preceding~~**before**
 23 the ~~year~~**3-year registration period** to be designated on the
 24 registration. The registration application ~~shall~~**must** be executed
 25 and returned to the commission with payment of the registration fee
 26 as provided by this section before the expiration date of the prior
 27 registration. If an owner of an aircraft fails to receive a
 28 registration application form ~~by December 1, he or she~~**as described**
 29 **in this section, the owner** shall inform the commission.

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

(3) A registration fee ~~shall be~~**is** payable ~~annually on or before December 31. However, for an aircraft being registered for the first time, a registration certificate issued after July 1 shall be issued at the rate of 50% of the annual fee. All aircraft registrations shall expire on January 1 of each year.~~**every 3 years.**

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

(5) A registration fee ~~shall~~**must** be paid at the rate of ~~1 cent~~**3 cents** per pound of either maximum gross weight or maximum takeoff weight, whichever is greater, for which the aircraft is certified under the ~~federal aviation administration~~**Federal Aviation Administration** airworthiness certificate.

(6) If an aircraft owner fails to register or pay the aircraft registration fee due under this act by the time specified, a penalty of \$50.00 ~~shall~~**must** be added if the failure is not more than 1 month, with an additional \$5.00 penalty for each additional month or fraction of a month during which the registration fee and penalty are not paid.

(7) If an aircraft registration fee is not paid within the time specified and it is shown to the satisfaction of the commission that the failure or refusal was due to reasonable cause and not willful neglect, the penalty may be waived at the discretion of the director of the state transportation department

1 or ~~his or her~~ **the director's** designated representative. The period
 2 for which a penalty is assessed ~~shall~~ **must** not exceed ~~1 year~~ **3**
 3 **years.**

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

6 Sec. 80b. (1) A person operating an aircraft shall conform to
 7 standard traffic patterns recommended by federal air regulations
 8 except as follows:

9 (a) ~~When~~ **If** meteorological conditions ~~are such that~~ **cause**
 10 compliance with visual flight rules as prescribed by federal air
 11 regulations ~~is to be~~ impossible at the prescribed traffic pattern
 12 altitudes, altitudes may be reduced as necessary down to but no
 13 lower than altitudes in accordance with the appropriate federal air
 14 regulations, this act, and the rules promulgated under this act.

15 (b) If local conditions require, and the traffic pattern has
 16 been altered to fit these conditions and approved by the
 17 commission.

18 (2) Aircraft shall conform ~~with properly established~~ **to** local
 19 noise abatement procedures **approved by the Federal Aviation**
 20 **Administration.**

21 (3) A person shall not fly an aircraft acrobatically over a
 22 licensed aeronautical facility except upon written authority of the
 23 airport manager, and then only when the site is closed to traffic.

24 (4) Airmen, before departing from a licensed aeronautical
 25 facility, shall make satisfactory arrangements for the payment of
 26 storage, repair, and supply charges.

27 (5) The owner, operator, or pilot of an aircraft, or a person
 28 ~~to whom he or she~~ **the owner, operator, or pilot** has given
 29 permission to use the aircraft, is directly responsible for ~~its~~ **the**

1 **aircraft's** safe operation.

2 (6) ~~When~~**If** an aircraft is involved in an accident in this
3 state that causes injury or death, the owner or person in control
4 of the aircraft shall immediately report the accident to the
5 nearest state police post.

6 (7) A person shall not operate an aircraft in a careless or
7 reckless manner so as to endanger, or be likely to endanger, the
8 life or property of another. Other than at a licensed or approved
9 landing area, a person shall not fly an aircraft less than 25 feet,
10 ~~(7.6 meters)~~**or 7.6 meters**, above the ground at the field boundary,
11 or closer than 25 feet, ~~(7.6 meters)~~**or 7.6 meters**, to any object
12 or structure while landing or taking off.

13 (8) A person shall not fly an aircraft within 500 feet, ~~(153~~
14 ~~meters)~~**or 153 meters**, of another aircraft, except by
15 prearrangement of each aircraft's pilot in command.

16 Sec. 80e. (1) Except ~~when~~**as otherwise provided in this**
17 **section, or except if** necessary for takeoff or landing, an aircraft
18 ~~shall~~**must** not be flown at **any of** the following locations:

19 (a) Over any congested area of a city or village at an
20 altitude below that which, if a power unit fails, will permit an
21 emergency landing without undue hazard to ~~persons~~**individuals** or
22 property on the surface, and ~~in no case~~**not** less than 1,000 feet
23 above the highest obstacle within a horizontal radius of 2,000 feet
24 from the aircraft.

25 (b) ~~Over~~**Except as otherwise provided in this subdivision**, any
26 other area at an altitude of less than 500 feet, ~~(153 meters)~~**or**
27 **153 meters**, above the surface. ~~, except~~**An aircraft may be operated**
28 **at an altitude of less than 500 feet, or 153 meters, above the**
29 **surface** over open water or sparsely populated areas, ~~in which case~~

~~the aircraft shall~~ **but must** not be operated less than 500 feet from any ~~person, individual,~~ vessel, vehicle, or structure.

(2) A helicopter may be flown at altitudes less than the minimums prescribed in subsection (1), if the operation is conducted without hazard to ~~persons individuals~~ or property on the surface.

(3) Uncrewed aircraft must be operated in accordance with applicable federal regulations for the operation of uncrewed aircraft.

Sec. 82. (1) A person shall not engage in the business of buying, selling, brokering, or dealing in aircraft of a type required to be registered, unless ~~he or she~~ **the person** has received a license from the commission.

(2) An application for a dealer's license ~~shall~~ **must** be accompanied by a \$25.00 license fee **per year, or \$75.00 for a 3-year period,** and ~~shall~~ **must** be submitted on the appropriate form furnished by the commission. Applications ~~shall~~ **must** be signed and accompanied by a sworn statement containing the information required by the commission to determine whether the applicant is lawfully entitled to the license.

(3) A license granted under subsection (1) expires ~~on January 1 of each calendar year~~ **after 1 or 3 years** and may be renewed upon application and payment of the required fee. ~~The commission may issue a 1/2-year license for the balance of the current year if application is made after July 1 upon payment of 1/2 of the fee.~~

(4) A dealer or manufacturer shall display a dealer's license in a prominent location at ~~his or her~~ **the dealer's or manufacturer's** place of business.

(5) A licensee shall maintain a record ~~, to be~~ **that is** open to

1 inspection by any law enforcement officer or authorized officer or
 2 investigator of the commission, of every aircraft subject to
 3 registration ~~which~~**that** is bought, sold, exchanged, received, or
 4 accepted by the licensee for sale or exchange. A licensee shall
 5 submit a report to the commission of aircraft sold to a resident of
 6 another state and include the notice of sale or transfer and the
 7 registration certificate, if any.

8 (6) The commission shall issue to aircraft manufacturers,
 9 aircraft engine manufacturers, and dealers a distinctive general
 10 registration number for each aircraft owned or controlled by them.
 11 ~~These~~**The** aircraft ~~shall~~**described in this subsection must** not be
 12 used except for demonstration, for sale, for ferrying, or for
 13 testing. General registration numbers for manufacturer and dealer
 14 aircraft ~~shall~~**must** be issued annually under the same conditions as
 15 registration certificates and a \$5.00 charge made for the general
 16 registration numbers for manufacturer and dealer aircraft. The
 17 general registration number issued to a manufacturer or dealer
 18 ~~shall~~**must** be displayed in the aircraft at all times.

19 (7) A manufacturer or dealer selling or exchanging aircraft
 20 subject to registration, before delivering an aircraft to the
 21 purchaser, shall apply to the commission for aircraft registration.
 22 ~~, and the~~**The** purchaser shall sign the application for registration
 23 and other necessary papers to enable the manufacturer or dealer to
 24 apply to the commission.

25 (8) ~~A dealer~~**Within 15 days after** dismantling or wrecking any
 26 registered aircraft, **a dealer** shall forward the registration
 27 certificate for that aircraft to the commission ~~within 15 days for~~
 28 cancellation.

29 (9) The commission may cancel, revoke, or suspend ~~the a~~

1 dealer's license for failure to comply with this section.

2 Sec. 86. (1) Any individual appointed as an airport manager by
3 the owner of a licensed aeronautical facility, before operating as
4 an airport manager, shall be licensed by the department for which
5 the department may make a reasonable charge not to exceed \$5.00. An
6 airport manager license expires on December 31 ~~7~~annually.

7 (2) All airports, landing fields, and other aeronautical
8 facilities, except those owned or operated by the United States
9 government, ~~before operating as such, shall~~ **must** be approved by the
10 department **before operating as an airport, landing field, or other**
11 **aeronautical facility.**

12 (3) The department shall issue annually a license of approval
13 in each case and charge an annual fee **of** not ~~in excess of more than~~
14 \$100.00. The fee ~~shall be~~ **is** in lieu of all real property taxes on
15 the landing area and improvements to the landing area to the extent
16 permitted by section 7y of the general property tax act, 1893 PA
17 206, MCL 211.7y.

18 (4) ~~Commercial operations shall not be performed on any land~~
19 ~~based landing area other than at a licensed aeronautical facility~~
20 ~~except that temporary field permits may be issued under this~~
21 ~~section. All commercial operations shall be based out of a licensed~~
22 ~~aeronautical facility.~~ **The license fee associated with an airport**
23 **must be utilized to support the safety inspection of that facility.**
24 **If multiple inspections are necessary to license a facility with**
25 **deficiencies, reinspection fees must apply.**

26 (5) If the owner of an aircraft uses, or proposes to use, an
27 area of land for temporary commercial landing areas, ~~he or she~~ **the**
28 **owner** shall apply to the commission for a temporary field permit on
29 forms furnished by the commission.

(6) The annual license of approval issued pursuant to subsection (2) ~~shall~~**must** include a statement, certified by the director, describing the approach clear zones and transitional surface areas for the airport for which the license is applicable. Standards for describing approach clear zones and transitional surface areas ~~shall~~**must** be uniform according to type of runway and ~~shall~~**must** conform with regularly accepted definitions and usage in the aeronautics field.

Sec. 89c. The department may promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, establishing licensing standards for droneports and vertiports. The licensing standards for droneports and vertiports must be limited to those necessary for the safe integration of uncrewed aircraft systems in this state and must include, but are not limited to, standards related to physical placement, communication infrastructure minimums, obstruction clearance, visual markings, and security.

Sec. 109. As used in this chapter:

(a) "Airport" means a publicly owned airport licensed by the ~~state transportation department, bureau of aeronautics~~**department** under section 86 and includes all airport facilities at the airport. An airport is "publicly owned" if the portion used for the landing and taking off of aircraft is owned, operated, controlled, leased to, or leased by the United States or any agency or department of the United States, this state, a local government or any municipality or other political subdivision of this state, or any other governing body, public agency, or other public corporation. ~~Property to be~~**All of the following property is** included as part of an airport: ~~shall include all of the following:~~

1 (i) Property within the area identified in the latest exhibit
2 A, the property map based on deeds, title opinions, land surveys,
3 an approved airport layout plan, and project documentation included
4 with or attached to federal grant agreements executed by the local
5 government that owns or operates the airport ~~prior to~~**before** the
6 transfer of operational jurisdiction over the airport to an
7 authority created under this chapter, and lands purchased with
8 federal funds and passenger facility charges related to the
9 airport.

10 (ii) Other property acquired with the proceeds of any airport
11 generated revenues, passenger facility charges, federal grants-in-
12 aid related to the airport, or other federal grants for airport
13 purposes by the local government that owns the airport over which
14 operational jurisdiction is being transferred to an authority.

15 (iii) Other property owned or acquired by an authority for
16 airport purposes.

17 (b) "Airport facilities" means any of the following at an
18 airport:

19 (i) Real or personal property, or **an** interest in real or
20 personal property, used for the landing, taking off, taxiing,
21 parking, storing, shelter, supply, or care of aircraft, or for
22 receiving or discharging passengers or cargo, and all appurtenant
23 areas used for airport buildings or other airport facilities, and
24 all appurtenant rights-of-way.

25 (ii) Real or personal property, and easements above, on, or
26 under the surface of real or personal property, used or intended to
27 be used for over-flight, for noise abatement or noise buffers, for
28 clear zones, or for side transition zones.

29 (iii) Real or personal property, and easements above, on, or

1 under the surface of real or personal property, used or intended to
 2 be used for the full or partial satisfaction of environmental
 3 mitigation requirements imposed by any federal, state, county, or
 4 other municipal government or agency as a condition of approving
 5 the acquisition, construction, expansion, or operation of other
 6 airport facilities, whether or not located within the boundaries of
 7 the local unit of government that owns the airport over which
 8 operational jurisdiction is transferred pursuant to this chapter.

9 (iv) Other structures, improvements, and buildings of all types
 10 used or useful for airport related purposes for the convenience of
 11 the public or for commercial or general aviation activities,
 12 located on the property acquired by or under the operational
 13 jurisdiction of the authority, including, but not limited to,
 14 restaurants, hotels, motels, exhibition halls, convention
 15 facilities, automotive parking facilities, retail stores, aircraft
 16 fueling systems, automotive service centers, cargo buildings,
 17 warehouses, kitchen facilities, drainage systems, utilities,
 18 roadways, automobile and aircraft bridges, and surface
 19 transportation terminals and facilities.

20 (v) Beacons, markers, communications systems, **automated**
 21 **weather systems**, and all navigation facilities for use in aid of
 22 air navigation.

23 (vi) Any and all other improvements or facilities necessary,
 24 useful, or desirable to serve the occupants, passengers, users,
 25 employees, operators, airlines, or lessees of any portion of the
 26 property or facilities of the authority, or ~~which-that~~ are
 27 otherwise ~~deemed~~ **considered** by the authority to be in the public
 28 interest, including, but not limited to, facilities necessary,
 29 used, useful, or intended for use for handling, parking, storing,

1 ~~display, sale,~~ **displaying, selling,** or servicing of aircraft,
 2 either private or commercial; for the accommodation of ~~persons~~
 3 **individuals** and handling of freight, mail, and other items
 4 transported by air, for the furnishing and supplying of goods,
 5 commodities, services, things, and facilities that are ~~deemed~~
 6 **considered** by the authority to be appropriate for the safety or
 7 convenience of the traveling public or of the operators of
 8 aircraft, or otherwise in the public interest; and in or for the
 9 equipping, ~~operation,~~ **operating,** and ~~maintenance~~ **maintaining** of any
 10 airport facilities of the authority.

11 (c) "Approval date" means the effective date of the issuance
 12 by the ~~federal aviation administration~~ **FAA** to the authority
 13 assuming operational jurisdiction of an airport of a certificate
 14 under ~~part 139 of chapter 14 of the code of federal regulations~~ **14**
 15 **CFR part 139** with respect to the airport, and the concurrence by
 16 the FAA of the designation of the authority as a sponsor of the
 17 airport, including the FAA's approval of the assignment of existing
 18 grant agreements to the authority.

19 (d) "Authority" means a public airport authority created by or
 20 pursuant to section 110 and governed by a board.

21 (e) "Board" means the governing body of an authority appointed
 22 pursuant to section 111.

23 (f) "Department" means the state transportation department.

24 (g) "Enplanement" means a domestic, territorial, or
 25 international revenue passenger who boards an aircraft at an
 26 airport in scheduled or nonscheduled service of aircraft in
 27 intrastate, interstate, or foreign service and includes an in-
 28 transit passenger who boards an international flight that transits
 29 an airport in the United States for nontraffic purposes.

(h) "FAA" means the ~~federal aviation administration~~ **Federal Aviation Administration** of the United States ~~department of transportation,~~ **Department of Transportation**, or any successor agency.

(i) "Fiscal year" means that annual period that is the fiscal year of the local government that owns the airport over which an authority has assumed operational jurisdiction or, if the local government is not required to include the authority in the financial statements of the local government, that annual period established by the board.

(j) "Legislative body" means the elected body of a local government having legislative powers.

(k) "Local chief executive officer" means the mayor or manager of a city or village, the township supervisor of a township, or the county executive of a county or, if a county does not have a county executive, the chairperson of the county board of commissioners.

(l) "Local government" means a county, city, township, or village that owns or operates an airport.

(m) "Passenger facility charge" or "PFC" means a passenger facility fee authorized under ~~section 40117 of title 49 of the United States Code, 49 U.S.C. USC 40117,~~ and designated as a passenger facility charge under ~~part 158 of title 14 of the code of federal regulations.~~ **14 CFR part 158.**

(n) "Qualified airport" means an airport, other than a military airport, that has 10,000,000 or more enplanements in any 12-month period.

(o) "Sponsor" means the public agency authorized ~~by subchapter I of chapter 471 of title 49 of the United States Code, 49 U.S.C. under 49 USC 47101 to 47134,~~ **47146** to submit requests for, and

1 thereafter accept, and be responsible for performing all of the
 2 assurances associated with accepting grant agreements with respect
 3 to airports from the FAA or this state and to impose a passenger
 4 facility charge at airports, and to perform certain duties and
 5 responsibilities previously assumed by the local government that
 6 owns or operates the airport ~~prior to~~ **before** the transfer of
 7 operational jurisdiction of the airport to an authority created
 8 under this chapter by virtue of the local government's acceptance
 9 ~~prior to~~ **before** the approval date of grants for the benefit of the
 10 airport from the FAA or any other agency of the United States or
 11 this state.

12 Sec. 155. ~~Whenever~~ **If** any obstructions of whatever nature
 13 ~~shall be~~ **are** determined to be a hazard adjacent to or surrounding a
 14 state-owned airport, landing field, or other aeronautical facility,
 15 the commission shall notify the ~~state administrative board~~
 16 **department** of the hazard with an order for its abatement, and the
 17 ~~state administrative board~~ **department** may institute proper
 18 proceedings in the name of and for ~~the~~ **this** state ~~of Michigan~~ for
 19 the abatement of the hazard. Failure to effectively comply with an
 20 order ~~shall subject~~ **subjects** the airport, landing field, or other
 21 aeronautical facility to either restrictive use of the airport,
 22 landing field, or other aeronautical facility, or its entire
 23 closing, in the interest of the safety, health, and welfare of the
 24 public, and the safe use of aeronautical facilities in this state.

25 Enacting section 1. Section 36 of the aeronautics code of the
 26 state of Michigan, 1945 PA 327, MCL 259.36, is repealed.

27 Enacting section 2. This amendatory act does not take effect
 28 unless House Bill No. 4835 (request no. H03137'25 a) of the 103rd
 29 Legislature is enacted into law.