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Senate Bill 541 (as reported by the Committee of the Whole)
Sponsor: Senator Walter H. North
Committee: Transportation and Tourism

CONTENT

The bill would amend the Aeronautics Code to do the following:

- Establish criminal penalties for violations of Federal aviation certification requirements.
- Establish a statutory garage keepers lien for the storage, maintenance, and repair of aircraft, and abolish the common law garage keeper's lien for an aircraft.
- Revise licensing provisions.
- Incorporate new definitions, and repeal parts of the Code.

The proposed criminal penalties would apply to failure to comply with Federal "airman" certification requirements; and conducting flight operations in violation of, or without, a Federal aviation rules air carrier or operating certificate or commercial operator's certificate. The maximum penalties would range from 93 days' imprisonment and/or \$500, to four years' imprisonment and/or \$5,000, plus enhanced penalties for certain repeat offenses.

Currently, all non-Federal airports, landing fields, and other aeronautical facilities must be licensed by the Michigan Department of Transportation (MDOT). The bill would retain that provision, but delete specific requirements, including expiration dates and fees. The bill would require that each certificate of approval of an aeronautical facility be registered annually, and authorize MDOT to establish a reasonable fee in accordance with issued rules and regulations.

The bill also contains provisions pertaining to the operation of an ultralight aircraft or a seaplane.

MCL 259.2 et al.

Legislative Analyst: C. Layman

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on the State or local government. The elimination of the \$50 fee for temporary field permits would not reduce State revenue as this licensing provision is contained in administrative rules. A total of \$600 is collected annually from the temporary field permit fee.

There are no data to indicate how many people a year would be convicted for any of the offenses proposed in the bill. Offenders convicted of a misdemeanor would be subject to probation or incarceration in a local facility. Local units would incur the cost of probation as well as the cost of incarceration, which may vary between \$27 and \$62 per day. Offenders convicted of a felony would be subject to probation or incarceration in a State prison. The State would incur the cost of felony probation, estimated to be \$4.23 per day, or the cost of incarceration at an annual average cost of \$22,000.

Date Completed: 11-27-01

Fiscal Analyst: C. Thiel, B. Wicksall

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Analysis available @ <http://www.michiganlegislature.org>

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.