

SENATE BILL No. 994

May 25, 2016, Introduced by Senator CASPERSON and referred to the Committee on Transportation.

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 8 and 9 (MCL 259.8 and 259.9), as amended by 2002 PA 35, and by adding section 97.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8. As used in this act:

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

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

7 (c) **"SMALL UNMANNED AIRCRAFT" MEANS AN UNMANNED AIRCRAFT THAT**
8 **WEIGHS LESS THAN 55 POUNDS.**

9 (d) ~~(e)~~—"State approach surface" means an imaginary plane
10 longitudinally centered on the extended runway centerline and
11 extending outward and upward from each end of the state primary

1 surface.

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

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

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

12 Sec. 9. As used in this act:

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

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

20 (c) "Ultralight" means an aircraft ~~meeting~~ **THAT MEETS THE**
21 requirements of 14 ~~C.F.R.~~ **CFR** part 103.

22 (D) **"UNMANNED AIRCRAFT SYSTEM" MEANS AN UNMANNED AIRCRAFT AND**
23 **ASSOCIATED ELEMENTS, INCLUDING COMMUNICATION LINKS AND THE**
24 **COMPONENTS THAT CONTROL THE UNMANNED AIRCRAFT, THAT ARE REQUIRED**
25 **FOR THE PILOT IN COMMAND TO OPERATE SAFELY AND EFFICIENTLY IN THE**
26 **NATIONAL AIRSPACE SYSTEM.**

27 (E) ~~(d)~~—"Vehicle" means any device in, ~~upon,~~ **ON**, or by which a

1 person or property is or may be transported, except an aircraft.

2 SEC. 97. (1) THE UNMANNED AIRCRAFT SYSTEMS TASK FORCE IS
3 CREATED TO DEVELOP STATEWIDE POLICY RECOMMENDATIONS ON THE
4 OPERATION, USE, AND REGULATION OF UNMANNED AIRCRAFT SYSTEMS IN THIS
5 STATE.

6 (2) WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY
7 ACT THAT ADDED THIS SECTION, THE GOVERNOR SHALL APPOINT MEMBERS OF
8 THE UNMANNED AIRCRAFT SYSTEMS TASK FORCE. THE INDIVIDUALS APPOINTED
9 MUST COMPRISE 1 MEMBER FROM EACH OF THE FOLLOWING AGENCIES OR
10 INTEREST GROUPS:

11 (A) A MEMBER FROM THE DEPARTMENT NOMINATED BY THE DIRECTOR OF
12 THE STATE TRANSPORTATION DEPARTMENT.

13 (B) A MEMBER FROM THE DIVISION OF THE STATE TRANSPORTATION
14 DEPARTMENT THAT PERFORMS BRIDGE INSPECTIONS AND ROAD WORK,
15 NOMINATED BY THE DIRECTOR OF THE STATE TRANSPORTATION DEPARTMENT.

16 (C) A MEMBER FROM THE DEPARTMENT OF STATE POLICE, NOMINATED BY
17 THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE.

18 (D) A MEMBER FROM THE DEPARTMENT OF NATURAL RESOURCES,
19 NOMINATED BY THE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES.

20 (E) A MEMBER FROM THE DEPARTMENT OF AGRICULTURE AND RURAL
21 DEVELOPMENT, NOMINATED BY THE DIRECTOR OF THE DEPARTMENT OF
22 AGRICULTURE AND RURAL DEVELOPMENT.

23 (F) A MEMBER FROM THE DEPARTMENT OF LICENSING AND REGULATORY
24 AFFAIRS NOMINATED BY THE DIRECTOR OF THE DEPARTMENT OF LICENSING
25 AND REGULATORY AFFAIRS.

26 (G) AN UNMANNED AIRCRAFT SYSTEMS TECHNICAL COMMERCIAL
27 REPRESENTATIVE.

1 (H) AN UNMANNED AIRCRAFT SYSTEMS MANUFACTURING INDUSTRY
2 REPRESENTATIVE.

3 (I) A MEMBER WHO IS LICENSED BY THE FEDERAL AVIATION
4 ADMINISTRATION TO OPERATE A SMALL UNMANNED AIRCRAFT SYSTEM.

5 (J) A MEMBER OF A STATEWIDE AGRICULTURAL ASSOCIATION,
6 NOMINATED BY THE PRESIDENT OF THE ASSOCIATION.

7 (K) A MEMBER OF A STATEWIDE RETAIL ASSOCIATION, NOMINATED BY
8 THE PRESIDENT OF THE ASSOCIATION.

9 (L) A MEMBER OF A STATEWIDE MANUFACTURING TRADE ASSOCIATION,
10 NOMINATED BY THE PRESIDENT OR CHIEF EXECUTIVE OFFICER OF THE
11 ASSOCIATION.

12 (M) A MEMBER OF A STATEWIDE PROPERTY AND CASUALTY INSURANCE
13 ASSOCIATION, NOMINATED BY THE PRESIDENT OR CHIEF EXECUTIVE OFFICER
14 OF THE ASSOCIATION.

15 (N) A MEMBER OF A STATEWIDE ASSOCIATION THAT REPRESENTS REAL
16 ESTATE BROKERS LICENSED IN THIS STATE, NOMINATED BY THE PRESIDENT
17 OF THE ASSOCIATION.

18 (O) A MEMBER OF A STATEWIDE SURVEYING ASSOCIATION, NOMINATED
19 BY THE PRESIDENT OF THE ASSOCIATION.

20 (P) A LAW ENFORCEMENT OFFICIAL FROM A MUNICIPALITY, NOMINATED
21 BY A STATEWIDE POLICE CHIEFS ASSOCIATION.

22 (Q) A MEMBER OF A STATEWIDE FREIGHT RAILROAD ASSOCIATION,
23 NOMINATED BY THE PRESIDENT OF THE ASSOCIATION.

24 (R) A MEMBER OF A STATEWIDE BROADCASTERS ASSOCIATION,
25 NOMINATED BY THE PRESIDENT OF THE ASSOCIATION.

26 (3) NOMINATIONS TO THE UNMANNED AIRCRAFT SYSTEMS TASK FORCE
27 MUST BE SUBMITTED TO THE GOVERNOR WITHIN 60 DAYS AFTER THE

1 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION. THE
2 GOVERNOR SHALL MAKE THE APPOINTMENTS WITHIN 30 DAYS AFTER THE CLOSE
3 OF NOMINATIONS. THE TERMS OF THE APPOINTMENTS ARE UNTIL SUBMISSION
4 OF THE REPORT OF COMPREHENSIVE RECOMMENDATIONS UNDER SUBSECTION
5 (10). THE MEMBER FROM THE DEPARTMENT SHALL CHAIR THE UNMANNED
6 AIRCRAFT SYSTEMS TASK FORCE AND SERVE AS A LIAISON TO THE GOVERNOR
7 AND THE STANDING COMMITTEES IN THE HOUSE AND SENATE THAT MAINLY
8 DEAL WITH TRANSPORTATION ISSUES. THE UNMANNED AIRCRAFT SYSTEMS TASK
9 FORCE SHALL MEET AS NECESSARY TO COMPLETE THE DUTIES OF THE TASK
10 FORCE. MEETINGS OF THE UNMANNED AIRCRAFT SYSTEMS TASK FORCE MUST BE
11 HELD IN THE CENTRAL PART OF THIS STATE.

12 (4) A MAJORITY OF THE MEMBERS OF THE UNMANNED AIRCRAFT SYSTEMS
13 TASK FORCE CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS AT A
14 MEETING OF THE TASK FORCE. A MAJORITY OF THE MEMBERS PRESENT AND
15 SERVING ARE REQUIRED FOR OFFICIAL ACTION OF THE TASK FORCE.

16 (5) THE UNMANNED AIRCRAFT SYSTEMS TASK FORCE SHALL CONDUCT ITS
17 BUSINESS AT PUBLIC MEETINGS OF THE TASK FORCE HELD IN COMPLIANCE
18 WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

19 (6) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
20 RETAINED BY THE UNMANNED AIRCRAFT SYSTEMS TASK FORCE IN THE
21 PERFORMANCE OF AN OFFICIAL FUNCTION IS SUBJECT TO THE FREEDOM OF
22 INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

23 (7) THE MEMBERS OF THE UNMANNED AIRCRAFT SYSTEMS TASK FORCE
24 MUST RECEIVE NO COMPENSATION FOR SERVING AS MEMBERS OF THE TASK
25 FORCE.

26 (8) THE UNMANNED AIRCRAFT SYSTEMS TASK FORCE SHALL CONSIDER
27 COMMERCIAL AND PRIVATE USES OF UNMANNED AIRCRAFT SYSTEMS, LANDOWNER

1 AND PRIVACY RIGHTS, AS WELL AS GENERAL RULES AND REGULATIONS FOR
2 SAFE OPERATION OF UNMANNED AIRCRAFT SYSTEMS, AND PREPARE
3 COMPREHENSIVE RECOMMENDATIONS FOR THE SAFE AND LAWFUL OPERATION OF
4 UNMANNED AIRCRAFT SYSTEMS IN THIS STATE.

5 (9) THE DEPARTMENT SHALL PROVIDE ADMINISTRATIVE SUPPORT TO THE
6 UNMANNED AIRCRAFT SYSTEMS TASK FORCE.

7 (10) THE UNMANNED AIRCRAFT SYSTEMS TASK FORCE SHALL SUBMIT A
8 REPORT WITH RECOMMENDATIONS TO THE GOVERNOR AND THE STANDING
9 COMMITTEES IN THE HOUSE AND SENATE THAT MAINLY DEAL WITH
10 TRANSPORTATION ISSUES WITHIN 3 MONTHS AFTER THE FIRST MEETING OF
11 THE TASK FORCE.

12 Enacting section 1. This amendatory act takes effect 90 days
13 after the date it is enacted into law.

14 Enacting section 2. This amendatory act does not take effect
15 unless Senate Bill No. 432 of the 98th Legislature is enacted into
16 law.