

**SUBSTITUTE FOR
SENATE BILL NO. 715**

A bill to amend 2016 PA 436, entitled
"Unmanned aircraft systems act,"
by amending section 5 (MCL 259.305).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) Except as expressly authorized by statute, a
2 political subdivision shall not enact or enforce an ordinance or
3 resolution that regulates the ownership or operation of unmanned
4 aircraft or otherwise engage in the regulation of the ownership or
5 operation of unmanned aircraft.

6 (2) SUBSECTION (1) DOES NOT APPLY TO A POLITICAL SUBDIVISION
7 THAT PROHIBITS THE OPERATION OF NONEMERGENCY MOTOR VEHICLES IN THE
8 POLITICAL SUBDIVISION. HOWEVER, THE POLITICAL SUBDIVISION SHALL NOT
9 PROHIBIT OWNERSHIP OR OPERATION OF AN UNMANNED AIRCRAFT FOR A
10 COMMERCIAL PURPOSE AND AUTHORIZED UNDER EITHER OF THE FOLLOWING:

1 (A) AN EXEMPTION ISSUED BY THE SECRETARY OF THE FEDERAL
2 AVIATION ADMINISTRATION UNDER SECTION 333 OF PUBLIC LAW 112-95, 49
3 USC 40101 NT.

4 (B) A REMOTE PILOT CERTIFICATION ISSUED BY THE FEDERAL
5 AVIATION ADMINISTRATION UNDER 14 CFR PART 107.

6 (3) ~~(2)~~—This act does not prohibit a political subdivision
7 from promulgating rules, regulations, and ordinances for the use of
8 unmanned aircraft systems by the political subdivision within the
9 boundaries of the political subdivision.

10 (4) ~~(3)~~—This act does not affect federal preemption of state
11 law.

12 (5) ~~(4)~~—If this act conflicts with section 40111c or 40112 of
13 the natural resources and environmental protection act, 1994 PA
14 451, MCL 324.40111c and 324.40112, those sections control.

15 (6) AS USED IN THIS SUBSECTION, "COMMERCIAL PURPOSE" MEANS
16 NEWS GATHERING BY A PERSON LICENSED BY THE FEDERAL COMMUNICATIONS
17 COMMISSION, MAINTENANCE BY A PUBLIC UTILITY, OR MAINTENANCE OF
18 CRITICAL INFRASTRUCTURE.

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