

**AERONAUTICS CODE OF THE STATE OF MICHIGAN (EXCERPT)**  
**Act 327 of 1945**

**259.138 Definitions.**

Sec. 138. (1) Unless specified otherwise in this chapter, definitions in chapter II apply to terms used in this chapter.

(2) As used in this chapter:

(a) "Airport" means a publicly owned airport licensed by the 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 an agency or department of the United States, this state, a local government, or another public corporation.

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

(i) Real or personal property, or an interest in real or personal property, used for the landing, taking off, taxiing, parking, or storing of aircraft, or for receiving or discharging passengers or cargo, an appurtenant area used for an airport building or other facility, and any appurtenant right-of-way.

(ii) Real or personal property, including an easement, used for over-flight, noise abatement, a clear zone, a side transition zone, an environmental mitigation requirement, utilities, a drainage system, a right-of-way, or any other requirement imposed as a condition of approving the acquisition, construction, expansion, or operation of other airport facilities, whether or not located within the boundaries of the local government.

(iii) Structures, buildings, and improvements, including aeronautical and nonaeronautical, commercial or noncommercial structures, concessions, roadways, beacons, markers, communication systems, and navigational aids.

(iv) Any other improvements or facilities necessary, useful, or intended for use in the operation of an airport.

(c) "Approval date" means, for airports certificated under 14 CFR part 139, the date of the issuance by the FAA to the regional authority assuming operational jurisdiction of the airport of a certificate under 14 CFR part 139 with respect to the airport, and the concurrence by the FAA of the designation of the regional authority as a sponsor of the airport, including the FAA's approval of the assignment of existing grant agreements to the regional authority, or, for an uncertificated airport, the date specified in the agreement pursuant to which the airport is to be transferred to the regional authority, as approved by the FAA.

(d) "Board" means the governing body of a regional authority appointed under section 140.

(e) "Chief executive officer" means the chief administrative officer of a regional authority.

(f) "Enplanement" means a domestic, territorial, or international revenue passenger who boards an aircraft that departs from the airport.

(g) "FAA" means the Federal Aviation Administration of the United States Department of Transportation, or any successor agency.

(h) "Fiscal year" means the annual period that is the fiscal year of the local government or another annual period established by the board.

(i) "Legislative body" means the elected body of a local government that has legislative powers.

(j) "Local government" means a county, city, township, or village that creates the regional authority.

(k) "Regional authority" means a regional airport authority created under section 139 and governed by a board.

(l) "Sponsor" means a public agency authorized by 49 USC 47101 to 47134 to submit requests for, accept, and be responsible for performing all of the assurances associated with accepting grant agreements with respect to airports from the FAA or this state, and to perform some duties and responsibilities previously assumed by the local government that owns or operates the airport before the transfer of operational jurisdiction of the airport to an authority created under this chapter by virtue of the local government's acceptance before the approval date of grants for the benefit of the airport from the FAA or another agency of the United States or this state.

**History:** Add. 2015, Act 95, Imd. Eff. June 30, 2015.