

PRIVATE LANDING AREAS

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<http://www.house.mi.gov/hfa>

House Bill 6436 as introduced
Sponsor: Rep. Jeff Yaroch
Committee: Transportation and Infrastructure
Complete to 11-25-18

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 6436 would amend the Aeronautics Code to revise provisions that regulate the use of private landing areas.

Under the Code, a *private landing area* is a location, either on land or water, that is used for the takeoff or landing of aircraft and the use of which is restricted to the owner or persons authorized by the owner. The owner, and any person authorized by the owner, has the right to use the private landing area, notwithstanding any existing limitation or regulation to the contrary. However, *commercial operations* cannot be conducted on a private landing area.

The bill would define *commercial operations*, with regard to a private landing area, to include soliciting or engaging in a flight operation provided by a flying club in exchange for payment of a membership fee. This would include a flight operation provided, or reserved for a future date, by a flying club on the date a person pays or agrees to pay a membership fee to the flying club or within seven days before or after that date.

[Note: It remains unclear whether the prohibition against *commercial operations* on a private landing area also prohibits *commercial activity or operations* as defined in the Code.¹]

The bill would also restrict the total number of takeoffs and landings on a private landing area to no more than 10 operations per day, unless the governing body of the city, village, or township where the private landing area is located approved a greater number by ordinance, resolution, rule, or regulation.

The bill would take effect 90 days after being enacted.

MCL 259.7 and 259.89

¹ The Code defines *commercial activity or operations* as an activity or operation such as the sale of gasoline or oil, the soliciting or engaging in charter flying or flight instruction, the provision of shelter or the tie-down of an aircraft, the overhaul or repair of an aircraft or of engines, or other activity or operation that offers aeronautic facilities or services to the public.

FISCAL IMPACT:

The bill has no fiscal impact on either the state or local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.