

SENATE BILL No. 992

May 25, 2016, Introduced by Senators MACGREGOR, NOFS, CASPERSON, BOOHER, BRANDENBURG and SCHMIDT and referred to the Committee on Transportation.

A bill to provide for the operation and regulation of unmanned aerial systems in this state; to provide for the powers and duties of state and local governmental officers and entities; and to prohibit conduct related to the operation of unmanned aerial systems and prescribe penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "unmanned aerial systems act".

3 Sec. 3. As used in this act:

4 (a) "Person" means an individual, partnership, corporation,
5 association, governmental entity, or other legal entity.

6 (b) "Political subdivision" means a county, city, village,
7 township, or other political subdivision, public corporation,
8 authority, or district in this state.

1 (c) "Unmanned aerial system" means an unmanned aircraft and
2 all of the associated support equipment, control station, data
3 links, telemetry, communications, navigation equipment, and other
4 equipment necessary to operate the unmanned aircraft.

5 (d) "Unmanned aircraft" means the flying portion of an
6 unmanned aerial system, flown by a pilot via a ground control
7 system, or autonomously through use of an on-board computer,
8 communication links, and any additional equipment that is necessary
9 for the unmanned aircraft to operate safely.

10 Sec. 5. (1) Except as expressly authorized by statute, a
11 political subdivision shall not enact an ordinance or resolution
12 that regulates the ownership or operation of unmanned aircraft or
13 otherwise engage in the regulation of the ownership or operation of
14 unmanned aircraft.

15 (2) This act does not prohibit a political subdivision from
16 promulgating rules, regulations, and ordinances for the use of
17 unmanned aerial systems by the political subdivision within the
18 boundaries of the political subdivision.

19 (3) This act does not affect federal preemption of state law.

20 (4) If this act conflicts with section 40111c or 40112 of the
21 natural resources and environmental protection act, 1994 PA 451,
22 MCL 324.40111c and 324.40112, those sections control.

23 Sec. 11. A person that is authorized by the Federal Aviation
24 Administration to operate unmanned aerial systems for commercial
25 purposes may operate an unmanned aerial system in this state if the
26 unmanned aerial system is operated in a manner consistent with the
27 authorization.

1 Sec. 13. A person whose unmanned aerial system is registered
2 by the Federal Aviation Administration for recreational purposes
3 only may operate the unmanned aerial system in this state if the
4 unmanned aerial system is operated in the manner required by law
5 for the operation of a model aircraft.

6 Sec. 21. An individual shall not knowingly and intentionally
7 operate an unmanned aerial system in a manner that interferes with
8 the official duties of any of the following:

9 (a) A police officer.

10 (b) A firefighter.

11 (c) A paramedic.

12 (d) Search and rescue personnel.

13 Sec. 22. (1) A person shall not knowingly and intentionally
14 operate an unmanned aerial system to subject an individual to
15 harassment. As used in this subsection, "harassment" means that
16 term as defined in section 411h or 411i of the Michigan penal code,
17 1931 PA 328, MCL 750.411h and 750.411i.

18 (2) A person shall not knowingly and intentionally operate an
19 unmanned aerial system within a distance that, if the person were
20 to do so personally rather than through remote operation of an
21 unmanned aircraft, would be a violation of a restraining order or
22 other judicial order.

23 (3) A person shall not knowingly and intentionally operate an
24 unmanned aerial system to capture photographs, video, or audio
25 recordings of an individual in a manner that would invade the
26 individual's reasonable expectation of privacy.

27 (4) An individual who is required to register as a sex

1 offender under the sex offenders registration act, 1994 PA 295, MCL
2 28.721 to 28.736, shall not operate an unmanned aerial system to
3 knowingly and intentionally follow, contact, or capture images of
4 another individual, if the individual's sentence in a criminal case
5 would prohibit the individual from following, contacting, or
6 capturing the image of the other individual.

7 Sec. 23. An individual who violates section 21 or 22 is guilty
8 of a misdemeanor punishable by imprisonment for not more than 90
9 days or a fine of not more than \$500.00, or both.

10 Enacting section 1. This act takes effect 90 days after the
11 date it is enacted into law.