

SENATE BILL NO. 1165

December 03, 2024, Introduced by Senator ANTHONY and referred to the Committee on Appropriations.

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 76 and 77 (MCL 259.76 and 259.77), section 76 as amended by 1988 PA 391 and section 77 as amended by 1996 PA 370.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 76. (1) An aircraft tied down, moored, hangared, or based
2 within this state and the number assigned to that aircraft by the
3 ~~federal aviation administration shall~~ **Federal Aviation**
4 **Administration must** be registered annually with the commission and
5 a registration fee paid. ~~An aircraft shall not be issued a state~~
6 ~~registration certificate when it does not have a valid and~~

1 ~~effective registration certificate as issued by the federal~~
2 ~~aviation administration or a foreign government.~~

3 (2) An aircraft ~~shall be~~ **is** subject to the registration
4 provisions of this act except when it is 1 of the following:

5 (a) An aircraft engaged in scheduled passenger service flying
6 in interstate or foreign commerce or in that part of interstate or
7 foreign commerce ~~which~~ **that** is intrastate in character, and
8 operating exclusively under the provisions of a federal certificate
9 issued under 14 CFR Part 121.

10 (b) An aircraft owned by the United States government.

11 (c) An aircraft of a resident of another state or an aircraft
12 of a resident of this state that is tied down, moored, hangared, or
13 based within another state, having complied with the registration
14 requirements of that state, and operating within this state for a
15 period of not more than 90 days in a calendar year. This aircraft
16 shall not engage in intrastate commercial activity within this
17 state.

18 (d) Aircraft owned by or registered to the United States,
19 aircraft of the ~~civil air patrol~~, **Civil Air Patrol**, or aircraft
20 licensed by a foreign country with which the United States has
21 reciprocal relations. This aircraft shall not engage in commercial
22 activity within this state.

23 (e) An aircraft ~~which~~, **that**, in the opinion of the commission,
24 is in a condition that would reasonably preclude its operation
25 during the registration period.

26 Sec. 77. (1) If an aircraft is registered under this act, the
27 commission shall send an application for renewal registration to
28 the owner of the aircraft on or after November 1 preceding the year
29 to be designated on the registration. The registration application

1 ~~shall~~**must** be executed and returned to the commission with payment
2 of the registration fee as provided by this section before the
3 expiration date of the prior registration. If an owner of an
4 aircraft fails to receive a registration application form by
5 December 1, ~~he or she~~**the owner** shall inform the commission.

6 (2) The owner of an aircraft that had not been previously
7 subject to registration under this act but has become subject to
8 registration under this act shall inform the commission within 30
9 days after becoming subject to registration, shall register the
10 aircraft, and shall pay the appropriate fee as provided by this
11 section.

12 (3) A registration fee ~~shall be~~**is** payable annually on or
13 before December 31. However, for an aircraft being registered for
14 the first time, a registration certificate issued after July 1
15 ~~shall~~**must** be issued at the rate of 50% of the annual fee. All
16 aircraft registrations ~~shall~~ expire on January 1 of each year.

17 (4) A registration fee ~~shall be~~**is** in lieu of all property
18 taxes on the aircraft, either general or local.

19 (5) A registration fee ~~shall~~**must** be paid at the rate of ~~±~~
20 ~~cent~~**5 cents** per pound of either maximum gross weight or maximum
21 takeoff weight, whichever is greater, for which the aircraft is
22 certified under the ~~federal aviation administration~~**Federal**
23 **Aviation Administration** airworthiness certificate.

24 (6) If an aircraft owner fails to register or pay the aircraft
25 registration fee due under this act by the time specified, a
26 penalty of \$50.00 ~~shall~~**must** be added if the failure is not more
27 than 1 month, with an additional \$5.00 penalty for each additional
28 month or fraction of a month during which the registration fee and
29 penalty are not paid.

1 (7) If an aircraft registration fee is not paid within the
2 time specified and it is shown to the satisfaction of the
3 commission that the failure or refusal was due to reasonable cause
4 and not willful neglect, the penalty may be waived at the
5 discretion of the director of the state transportation department
6 or ~~his or her designated representative.~~ **the director's designee.**
7 The period for which a penalty is assessed ~~shall~~**must** not exceed 1
8 year.

9 (8) If an aircraft registration fee is paid by mail, the
10 postmark date is the date of payment.