

AERONAUTICS CODE OF THE STATE OF MICHIGAN (EXCERPT)

Act 327 of 1945

CHAPTER VI

ACQUISITION AND OPERATION OF STATE AIRPORTS.

259.101 State airport and landing fields; acquisition.

Sec. 101. The commission may, on behalf of and in the name of this state, acquire by purchase, gift, devise, lease, condemnation proceedings, or otherwise, property real or personal, for the purpose of establishing and constructing airports, landing fields, and other aeronautical facilities, and may acquire in the same manner, own, control, establish, construct, enlarge, improve, maintain, equip, operate, regulate, and police these facilities, within this state. The commission may dispose of any property acquired under this section, in accordance with the laws of this state governing the disposition of other similar property of the state.

History: 1945, Act 327, Imd. Eff. May 28, 1945;—CL 1948, 259.101;—Am. 1996, Act 370, Imd. Eff. July 3, 1996.

Former law: See section 1 of Act 182 of 1927, being CL 1929, § 4829; Act 344 of 1939; and section 1 of Act 329 of 1927, being CL 1929, § 4836.

259.102 Aeronautics commission; airport protection privileges.

Sec. 102. Where necessary, in order to provide unobstructed air space for the landing and taking off of aircraft utilizing airports, landing fields, and other aeronautical facilities acquired or operated under this act, the commission may acquire, in the same manner as is provided for the acquisition of property for airport purposes, easements through or other interests in air space over land or water, interests in airport hazards outside the boundaries of the airports, landing fields, or other aeronautical facilities and other airport protection privileges as are necessary to insure safe approaches to the landing areas of airports, landing fields, and other aeronautical facilities, and the safe and efficient operation of these airports, landing fields, and aeronautical facilities. The commission may also acquire, in the same manner, the right or easement, for a term of years or perpetually, to place or maintain suitable marks for the daytime marking and suitable lights for the nighttime marking of airport hazards, including the right of ingress and egress to or from such airport hazards for the purpose of maintaining and repairing the lights and marks. This authority shall not be so construed to limit the right, power, or authority of the state or any political subdivision to zone property adjacent to any airport pursuant to laws of this state.

History: 1945, Act 327, Imd. Eff. May 28, 1945;—CL 1948, 259.102;—Am. 1996, Act 370, Imd. Eff. July 3, 1996.

259.103 Aeronautics commission; joint operations.

Sec. 103. Joint operations. The commission may engage in all such activities jointly with the United States, other states, and with political subdivisions or other agencies of this state.

History: 1945, Act 327, Imd. Eff. May 28, 1945;—CL 1948, 259.103.

259.104 Aeronautics commission; condemnation, right of eminent domain.

Sec. 104. Condemnation. The commission may exercise the right of eminent domain, in the name of the state, in the manner provided by the laws of this state for the acquisition of real property for public purposes, for the purpose of acquiring any property which it is herein authorized to acquire by condemnation. For the purpose of making surveys and examinations relative to any condemnation proceedings, it shall be lawful to enter upon any land, doing no unnecessary damage.

History: 1945, Act 327, Imd. Eff. May 28, 1945;—CL 1948, 259.104.

Former law: See section 4 of Act 182 of 1927, being CL 1929, § 4832.

259.105 Aeronautics commission; leases and sales.

Sec. 105. The commission may do 1 or more of the following, provided that in each case the public is not deprived of its rightful, equal, and uniform use:

(a) Lease for a term not exceeding 50 years, airports, landing fields, or other aeronautical facilities, or real property acquired or set apart for airport purposes, to any person, any municipal or state government or the national government, or any department of either for operation or use consistent with the purposes of this act.

(b) Lease or assign for a term not exceeding 50 years to any person, any municipal or state government or the national government, or any department of either, for operation or use consistent with the purposes of this act, space, area, improvements, or equipment on such airports.

(c) Sell any part of an airport, landing field, other aeronautical facility, or real or personal property to any

municipal or state government, or to the United States or any department or instrumentality of the United States, for aeronautical purposes or purposes incidental to aeronautical purposes.

(d) Confer the privilege of concessions.

(e) Subject to the approval of the state administrative board, lease at any state airport, landing field, or aeronautical facility any real property acquired or set apart for airport purposes to persons for nonaeronautical uses.

History: 1945, Act 327, Imd. Eff. May 28, 1945;—CL 1948, 259.105;—Am. 1954, Act 120, Eff. Aug. 13, 1954;—Am. 1958, Act 168, Eff. Sept. 13, 1958;—Am. 1967, Act 51, Imd. Eff. June 14, 1967;—Am. 1996, Act 370, Imd. Eff. July 3, 1996.

Former law: See section 1 of Act 182 of 1927, being CL 1929, § 4829; Act 344 of 1939; and Act 333 of 1941.

259.106 Aeronautics commission; charges and rentals, determination.

Sec. 106. Charges and rentals. The commission shall have the authority to determine reasonable and uniform charges or rental for the use of any properties and the charges for any service or accommodations, under its control, and the terms and conditions under which such properties may be used: Provided, That in all cases the public is not deprived of its rightful, equal, and uniform use of such property. The state shall have and the commission may enforce liens, as provided by law for liens and the enforcement thereof, for repairs to or improvement or storage or care of any personal property, to enforce the payment of any such charges.

History: 1945, Act 327, Imd. Eff. May 28, 1945;—CL 1948, 259.106.

Former law: See section 1 of Act 312 of 1915, being CL 1929, § 4793; Act 274 of 1939; Act 204 of 1941; section 1 of Act 182 of 1927, being CL 1929, § 4829; and Act 344 of 1939.

259.107 Aeronautics commission; rules establishing traffic code for state-owned facilities; enforcement; violation as misdemeanor.

Sec. 107. (1) The commission may promulgate rules establishing a traffic code governing the operation, parking, and speed of motor vehicles upon the lands comprising state-owned and operated airports, landing fields, and aeronautical facilities and for the purpose of enforcing and imposing penalties for the violation of the traffic code. The traffic code may establish a prima facie presumption of evidence regarding the person who is responsible for parking a vehicle in an unauthorized place. The traffic code shall not be in contravention of the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws.

(2) Any law enforcement agency may enforce the traffic code.

(3) A violation of the traffic code is a misdemeanor.

History: Add. 1962, Act 75, Eff. Mar. 28, 1963;—Am. 1964, Act 46, Eff. Aug. 28, 1964;—Am. 1996, Act 370, Imd. Eff. July 3, 1996.

Administrative rules: R 259.1101 et seq. of the Michigan Administrative Code.