

# HOUSE BILL NO. 5349

November 14, 2023, Introduced by Rep. Steckloff and referred to the Committee on Transportation, Mobility and Infrastructure.

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," (MCL 259.1 to 259.208) by adding section 206a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 206a. (1) This section applies to any vertiport that is  
2 operated as a public use facility by an advanced air mobility  
3 operator that is authorized by the United States Department of  
4 Transportation or the Federal Aviation Administration to engage in  
5 passenger or cargo services in scheduled or nonscheduled service in  
6 or affecting interstate commerce.

7           (2) An owner or operator of a vertiport described in

1 subsection (1) must comply with applicable Federal Aviation  
2 Administration-published rules or advisory circulars containing  
3 standards for vertiport design and performance characteristics.

4 (3) This section supplements any federal law pertaining to  
5 designing, constructing, operating, or maintaining a vertiport  
6 designed or constructed with a grant under 49 USC 47101 to 47175.

7 (4) If a political subdivision of this state enacts a zoning  
8 ordinance related to the use of a vertiport operating as a public  
9 use facility within the jurisdiction of the political subdivision,  
10 both of the following apply to the zoning ordinance:

11 (a) Must not be used to grant or permit an exclusive right or  
12 access to an advanced air mobility operator to the vertiport.

13 (b) Must be used to promote a nonexclusive right and  
14 reasonable access to 1 or more advanced air mobility operators to  
15 the vertiport.

16 (5) Except as otherwise provided in this subsection, and  
17 except as authorized by law, a county, city, village, or township  
18 shall not enact or adopt an ordinance, policy, or rule that relates  
19 to advanced air mobility, the ownership of an advanced air mobility  
20 aircraft, or the aerial operation of an advanced air mobility  
21 aircraft. An ordinance, policy, or rule that violates this  
22 subsection, whether enacted or adopted by the county, city,  
23 village, or township before, on, or after the effective date of the  
24 amendatory act that added this section, is void. This subsection  
25 does not apply to noise regulations.

26 (6) As used in this section:

27 (a) "Advanced air mobility" means a system that transports  
28 people or property, or both, by air between points in the United  
29 States using electric aircraft and electric vertical takeoff and

1 landing aircraft, in both controlled and uncontrolled airspace.

2 (b) "Vertiport" means an infrastructure or a system with  
3 supporting services and equipment intended for landing, ground  
4 handling, and takeoff of manned or unmanned vertical takeoff and  
5 landing aircraft.

6 Enacting section 1. This amendatory act does not take effect  
7 unless Senate Bill No. \_\_\_\_\_ or House Bill No. 5352 (request no.  
8 04132'23) of the 102nd Legislature is enacted into law.