



November 9<sup>th</sup>, 2017

Senator Tom Casperson, Chairman  
Senate Transportation Committee  
1100 Binsfeld Bldg.  
201 Townsend St  
Lansing MI, 48909

RE: Senate Bill 626

The Aircraft Owners and Pilots Association (AOPA) is the world's largest aviation organization, representing 320,000 pilots, aircraft owners, and aviation enthusiasts. On behalf of our membership, AOPA is committed to ensuring the safety, future viability, and development of general aviation as an integral part of our national transportation system.

On behalf of AOPA, I am advocating in favor of this legislation due to misguided implementation of local ordinances that restrict or hinder seaplane operations on public waterways in Michigan. Seaplanes date back to the earliest days of aviation, in fact, the first commercial airline was operated by way of a seaplane, flying between Tampa, FL and St. Petersburg, FL in 1914.

Seaplanes provide unique access for recreation and tourism. These aircraft allow access to areas not accessible by road vehicles or boats. Michigan is home to at least five (5) very active seaplane flight training schools that train and certify a large number of seaplane pilots, most from out of state. Michigan attracts seaplane operators and tourists from neighboring states by offering one-of-a-kind retreats like Beaver Island and Mackinac Island. Commercial Seaplane operators offer guided aerial tours, fishing excursions, and hunting retreats which allow the public an exclusive connection with General Aviation and the natural beauty found in Michigan.

Seaplane pilots and operators in the state of Michigan enjoy what is known as "open water policy", which simply means that seaplanes may be operated where it is safe to do so under FAA policy regarding seaplane operations. This guidance is found under 14 CFR Part 91, section 91.115. Public waterways are not under the authority of the FAA, only the airspace above and certification of pilots. These pilots who operate seaplanes are required to undergo training in maritime right-of-way's, docking techniques, calm and rough water landings, beaching procedures, emergency operations, noise abatement, and other aspects of operating an aircraft on the water. This training is detailed in 14 CFR Part 61 and pilots must pass a "check ride" with an FAA-designated Pilot



Examiner to obtain their “Seaplane Rating”. This training is above and beyond what the average recreational boater or fisherman receives. AOPA strongly encourages its membership who operate these type of aircraft to educate their neighbors and communities on floatplane operation routines.

Currently, a local jurisdiction can enact ordinances that restrict or limit seaplane operations on public waterways. These local ordinances could contradict FAA regulations or confuse seaplane operators that may not be familiar with the local area and local laws. Pilots of all aircraft types are accustomed to uniform operating procedures regardless of the state or jurisdiction they are flying into. In most cases, local jurisdictions are not fully educated on seaplane operations and react to complaints by residents and neighbors based on noise or the perception of danger. In reality, the average seaplane used for recreation purposes has similar horsepower to that of a well-equipped bass fishing boat. Seaplanes do operate in an “off airport” environment, but that alone does not make them more dangerous or place the public at a higher risk. Seaplane operation guidelines were created with the safety of other water vehicles in mind.

The ability of local jurisdictions to create restrictive seaplane ordinances will deteriorate Michigan’s open water policy. If this amendment is enacted, the Michigan Aeronautics Commission will have the authority to protect Michigan’s Open Water Policy. This legislation does not include special permitting, licenses, or fees that could become burdensome to seaplane operators. By amending “Aeronautics Code of the State of Michigan, 1945 PA 327, section 51, it will add updated language and provide for the Michigan Aeronautics Commission the oversight and authority on seaplane operations on public waterways. The legislation will ensure uniformity and limit the potential overreach of local jurisdictions restricting such operations.

Sincerely

Kyle Lewis

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CC:

Senator Ken Horn, Vice Chair  
Senator Phil Pavlov  
Senator Jim Marleau  
Senator Ian Conyers