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States' Unmanned Aerial Vehicle Laws: *Michigan*



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MI ST § 259.320

MI ST § 259.323

MI ST § 750.45a

Current through November 11, 2022

MI ST § 259.320 Offenses Committed With Aid of Unmanned Aircraft System

(1) A person is guilty of an offense committed with the aid of an unmanned aircraft system if the unmanned aircraft system is under the person's control and the activity performed with the aid of the unmanned aircraft system would have given rise to criminal liability under the penal law of this state if it was performed directly by the person without the aid of an unmanned aircraft system.

(2) Notwithstanding subsection (1), and except as provided in sections 21 and 221 and section 45a(1) of the Michigan penal code, 1931 PA 328, MCL 750.45a, solely flying an unmanned aircraft system through navigable airspace in accordance with federal law does not give rise to criminal liability under the penal law of this state.

MI ST § 259.323 Penalties

(1) An individual who violates section 21 or 221 is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both.

(2) This section does not affect the ability to investigate or to arrest, prosecute, or convict an individual for any other violation of a law of this state.

MI ST § 750.45a Use of Unmanned Aircraft; Interference with Operations of Key Facility, or Other Law Enforcement Facility

(1) Subject to subsection (2), a person shall not knowingly and intentionally use an unmanned aircraft in a manner that interferes with the operations of a key facility, a correctional facility, or other law enforcement facility.

(2) If a facility listed under subsection (1) is included on the Federal Aviation Administration's registry of fixed site facilities under section 2209 of the



FAA extension, safety, and security act of 2016, Public Law 114-190, a person shall not fly or cause an unmanned aircraft to hover over the facility.

(3) A person who violates this section is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$2,500.00, or both.

(4) This section does not apply to a commercial operator of an unmanned aircraft if the unmanned aircraft is operated pursuant to and in compliance with Federal Aviation Administration regulations, authorizations, and exemptions.

(5) As used in this section:

(a) “Key facility” means that term as defined in section 552c.1

(b) “Unmanned aircraft” means that term as defined in section 3 of the unmanned aircraft systems act, 2016 PA 436, MCL 259.303.

