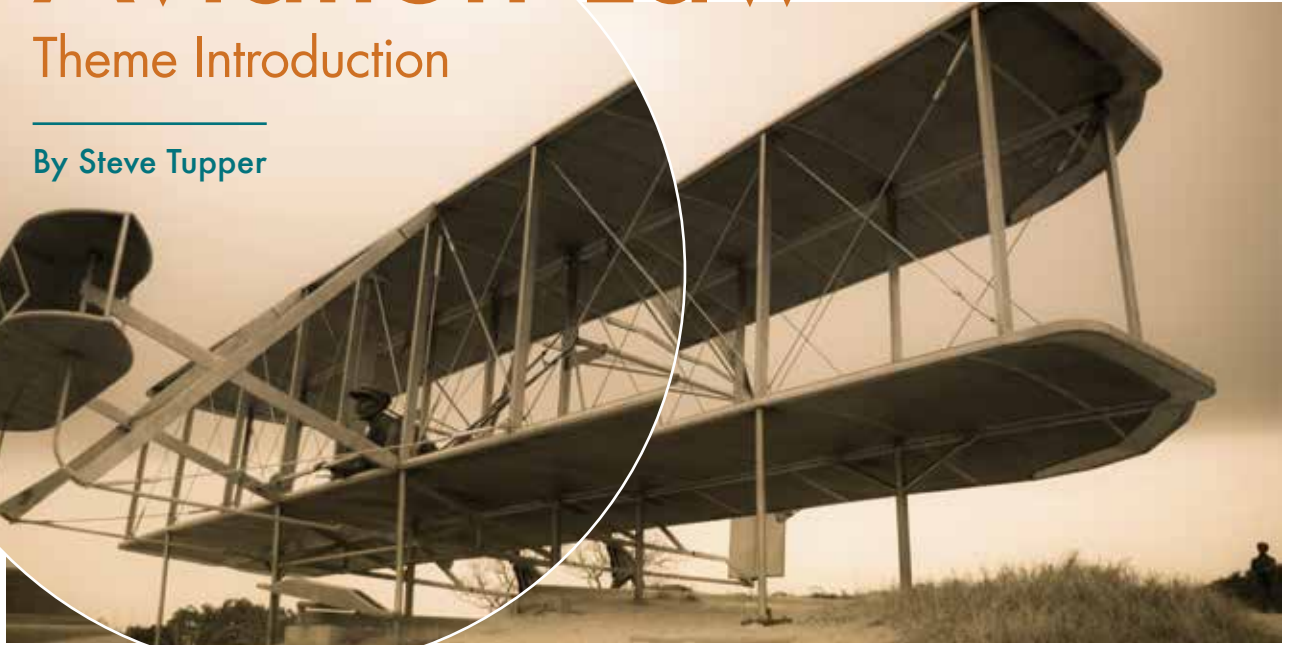


Aviation Law

Theme Introduction

By Steve Tupper



To non-aviators, aviation law might seem esoteric and beyond the reach of mere mortals. (And we in the Aviation Law Section sometimes believe we should encourage non-aviators to think that way. After all, it gives us an excuse to wear the silk scarves and goggles of which we are so fond.)

But that thought never lasts long because our most powerful motivation is the desire to share this thing we are so passionate about. Aviation law: the enchanted intersection of magic, love, taxation, elections, torts, real property, crime, and so much more. In this issue, members of the Aviation Law Section explore some of the most pressing subjects in the field.

The numbers of unmanned aircraft systems (UASs or drones) are growing, and they share an increasingly crowded sky over our homes and businesses. Joshua Beard explains how the law is evolving and what we might see in the coming months.

Most enforcement of regulations against pilots is civil, not criminal, and many people are surprised that due process of law doesn't apply like it does in other situations. Charles Senger explains how the Pilot's Bill of Rights affects pilots during the enforcement process and how a revised bill of rights might change that.

Some traffic or motor-vehicle events can affect a pilot's certificate or privileges, even if all he or she did was fail to report them to the Federal Aviation Administration. Don Frank points out the rules.

The Montreal Convention affects passengers, baggage, and cargo that depart from or arrive in Michigan and preempts Michigan and other state law. David Baxter explains how.

With the 2016 election cycle already ramping up, knowing the rules about carrying candidates for public office in private aircraft is essential for campaigns, candidates, and constituents alike. Cliff Maine navigates the rules and describes how to avoid missteps.

Michigan boasts more than 230 licensed airports, including 19 that handle scheduled passenger service. More than 8,000 aircraft are registered in the state and 70 licensed flight schools teach Michiganders and others how to fly them. Aviation is an economic, logistical, and inspirational engine of the state, and the Aviation Law Section is excited to share it with you. ■



Steve Tupper was chairperson of the SBM Aviation Law Section for the 2014–2015 term. He leads the Aviation Transactions team for the Dykema law firm. He is also a lieutenant colonel and judge advocate in the Civil Air Patrol (USAF Auxiliary) as well as a commercial pilot, flight instructor, air-show performer, and air boss.