



ALERTS

COVID-19 Impact On Aviation: Michigan's Stay Home, Stay Safe Order

March 26, 2020 | [Grand Rapids](#)

On March 23, Michigan Gov. Gretchen Whitmer signed the “[Stay Home, Stay Safe](#)” [Executive Order 2020-21](#) (EO 2020-21) that requires all Michigan individuals to stay at home in order to stem the spread of COVID-19 and temporarily suspends in-person operations for non-critical infrastructure businesses.

The order remains in effect from 12:01 a.m. on March 24 through April 13, 2020. It contains certain exceptions to the stay at home requirement, identifying certain critical infrastructure businesses and business activities that are allowed to continue minimum basic operations.

Aviation Industry Impacts

[Michigan's executive order](#) requires all businesses to cease all in-person operations unless the business employs critical infrastructure workers or to conduct minimum basic operations, which includes some transportation and logistics entities. For purposes of determining whether a business is engaged in critical “transportation and logistics” activities, Gov. Whitmer's order incorporates by reference the March 19 [guidance from the U.S. Cybersecurity and Infrastructure Security Agency](#) (CISA), which specifically includes the following aviation-related workers:

- Employees supporting or enabling transportation functions, including dispatchers, maintenance and repair technicians, and workers that maintain and inspect infrastructure (including those that require cross-border travel)
- Employees of firms providing services that enable logistics

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operations

- Employees who repair and maintain aircraft, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers
- Air transportation employees, including air traffic controllers, ramp personnel, aviation security, and aviation management
- Workers who support the maintenance and operation of cargo by air transportation, including flight crews, maintenance, airport operations, and other on- and off-airport facilities workers

Further guidance from the CISA includes in the definition of “Transportation Systems Sector” the “Aviation” subsector which includes commercial and recreation aircraft (manned and unmanned), air traffic control systems, and about 19,700 airports, heliports, landing strips, and sea plane bases. In addition, the aviation mode includes a wide-variety of support services, such as aircraft repair stations, fueling facilities, navigation aids, and flight schools.

While the executive order includes these as aviation and transportation workers and activities that are allowed to continue, it is important to remember that the order limits the activities of the critical workforce and exempted businesses allowing only those workers necessary to conduct minimum basic operations.

To obtain more information, please contact the Barnes & Thornburg attorney with whom you work, or Mary E. Comazzi at 947-215-1319 or mary.comazzi@btlaw.com, Todd A. Dixon at 616-742-3959 or todd.dixon@btlaw.com, or Clifford G. Maine at 616-742-3944 or clifford.maine@btlaw.com.

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