H. R. 386

To amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 2011

Mr. DANIEL E. LUNGREN of California (for himself, Mr. SENSENBERGER, Mr. GOHMERT, Mr. HARPER, Ms. BORDALLO, Mr. BURGESS, Mr. SCOTT of Virginia, and Mr. GALLEGLY) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Securing Aircraft
5 Cockpits Against Lasers Act of 2011”.


SEC. 2. PROHIBITION AGAINST AIMING A LASER POINTER AT AN AIRCRAFT.

(a) OFFENSE.—Chapter 2 of title 18, United States Code, is amended by adding at the end the following:

"§ 39A. Aiming a laser pointer at an aircraft

"(a) Whoever knowingly aims the beam of a laser pointer at an aircraft in the special aircraft jurisdiction of the United States, or at the flight path of such an aircraft, shall be fined under this title or imprisoned not more than 5 years, or both.

"(b) As used in this section, the term 'laser pointer' means any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item, or object.

"(c) This section does not prohibit aiming a beam of a laser pointer at an aircraft, or the flight path of such an aircraft, by—

"(1) an authorized individual in the conduct of research and development or flight test operations conducted by an aircraft manufacturer, the Federal Aviation Administration, or any other person authorized by the Federal Aviation Administration to conduct such research and development or flight test operations;
“(2) members or elements of the Department of Defense or Department of Homeland Security acting in an official capacity for the purpose of research, development, operations, testing or training; or

“(3) by an individual using a laser emergency signaling device to send an emergency distress signal.

“(d) The Attorney General, in consultation with the Secretary of Transportation, may provide by regulation, after public notice and comment, such additional exceptions to this section, as may be necessary and appropriate. The Attorney General shall provide written notification of any proposed regulations under this section to the Committees on the Judiciary of the House and Senate, the Committee on Transportation and Infrastructure in the House, and the Committee on Commerce, Science and Transportation in the Senate not less than 90 days before such regulations become final.”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 2 of title 18, United States Code, is amended by inserting after the item relating to section 39 the following new item:

“39A. Aiming a laser pointer at an aircraft.”.

SEC. 3. COMPLIANCE WITH PAYGO.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010,
shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, provided that such statement has been submitted prior to the vote on passage.