

(Added Pub. L. 107–71, title I, §114(a), Nov. 19, 2001, 115 Stat. 623.)

Editorial Notes

PRIOR PROVISIONS

A prior section 46503, Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1242, provided for death penalty sentencing procedure for individuals convicted of aircraft piracy, prior to repeal by Pub. L. 103–322, title VI, §60003(b)(2), Sept. 13, 1994, 108 Stat. 1970.

§ 46504. Interference with flight crew members and attendants

An individual on an aircraft in the special aircraft jurisdiction of the United States who, by assaulting or intimidating a flight crew member or flight attendant of the aircraft, interferes with the performance of the duties of the member or attendant or lessens the ability of the member or attendant to perform those duties, or attempts or conspires to do such an act, shall be fined under title 18, imprisoned for not more than 20 years, or both. However, if a dangerous weapon is used in assaulting or intimidating the member or attendant, the individual shall be imprisoned for any term of years or for life.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1244; Pub. L. 107–56, title VIII, §811(i), Oct. 26, 2001, 115 Stat. 382.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
46504	49 App.:1472(j).	Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §902(j); added Sept. 5, 1961, Pub. L. 87–197, §1, 75 Stat. 466; Oct. 14, 1970, Pub. L. 91–449, §1(3), 84 Stat. 921.

The words “or threatens” are omitted as being included in “intimidating”. The words “(including any steward or stewardess)” are omitted as being included in “attendant”. The words “fined under title 18” are substituted for “fined not more than \$10,000” for consistency with title 18. The words “deadly or” are omitted as surplus.

Editorial Notes

AMENDMENTS

2001—Pub. L. 107–56 inserted “or attempts or conspires to do such an act,” before “shall be fined under title 18.”.

§ 46505. Carrying a weapon or explosive on an aircraft

(a) DEFINITION.—In this section, “loaded firearm” means a starter gun or a weapon designed or converted to expel a projectile through an explosive, that has a cartridge, a detonator, or powder in the chamber, magazine, cylinder, or clip.

(b) GENERAL CRIMINAL PENALTY.—An individual shall be fined under title 18, imprisoned for not more than 10 years, or both, if the individual—

(1) when on, or attempting to get on, an aircraft in, or intended for operation in, air transportation or intrastate air transportation, has on or about the individual or the property of the individual a concealed dan-

gerous weapon that is or would be accessible to the individual in flight;

(2) has placed, attempted to place, or attempted to have placed a loaded firearm on that aircraft in property not accessible to passengers in flight; or

(3) has on or about the individual, or has placed, attempted to place, or attempted to have placed on that aircraft, an explosive or incendiary device.

(c) CRIMINAL PENALTY INVOLVING DISREGARD FOR HUMAN LIFE.—An individual who willfully and without regard for the safety of human life, or with reckless disregard for the safety of human life, violates subsection (b) of this section, shall be fined under title 18, imprisoned for not more than 20 years, or both, and, if death results to any person, shall be imprisoned for any term of years or for life.

(d) NONAPPLICATION.—Subsection (b)(1) of this section does not apply to—

(1) a law enforcement officer of a State or political subdivision of a State, or an officer or employee of the United States Government, authorized to carry arms in an official capacity;

(2) another individual the Administrator of the Federal Aviation Administration or the Administrator of the Transportation Security Administration by regulation authorizes to carry a dangerous weapon in air transportation or intrastate air transportation; or

(3) an individual transporting a weapon (except a loaded firearm) in baggage not accessible to a passenger in flight if the air carrier was informed of the presence of the weapon.

(e) CONSPIRACY.—If two or more persons conspire to violate subsection (b) or (c), and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in such subsection.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1244; Pub. L. 104–132, title VII, §705(b), Apr. 24, 1996, 110 Stat. 1295; Pub. L. 107–56, title VIII, §§810(g), 811(j), Oct. 26, 2001, 115 Stat. 381, 382; Pub. L. 107–71, title I, §140(d)(8), Nov. 19, 2001, 115 Stat. 642; Pub. L. 115–254, div. K, title I, §1991(h)(1), Oct. 5, 2018, 132 Stat. 3645.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
46505(a)	49 App.:1472(l)(4).	Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §902(l)(4); added Feb. 18, 1980, Pub. L. 96–193, §502(c), 94 Stat. 59.
46505(b)	49 App.:1472(l)(1).	Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §902(l)(1); added Sept. 5, 1961, Pub. L. 87–197, §1, 75 Stat. 466; Aug. 5, 1974, Pub. L. 93–366, §203, 88 Stat. 417; restated Feb. 18, 1980, Pub. L. 96–193, §502(a), 94 Stat. 59; Oct. 12, 1984, Pub. L. 98–473, §2014(c)(1), 98 Stat. 2189.
46505(c)	49 App.:1472(l)(2).	Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §902(l)(2); added Sept. 5, 1961, Pub. L. 87–197, §1, 75 Stat. 466; restated Aug. 5, 1974, Pub. L. 93–366, §203, 88 Stat. 418; Oct. 12, 1984, Pub. L. 98–473, §2014(c)(2), 98 Stat. 2189.

HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
46505(d)	49 App.:1472(l)(3).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §902(l)(3); added Sept. 5, 1961, Pub. L. 87-197, §1, 75 Stat. 466; restated Aug. 5, 1974, Pub. L. 93-366, §203, 88 Stat. 418; Feb. 18, 1980, Pub. L. 96-193, §502(b), 94 Stat. 59.

In subsection (a), the definition of “firearm” is merged with the definition of “loaded firearm” because the term “firearm” is only used in the defined term “loaded firearm”.

In subsections (b) and (c), the words “fined under title 18” are substituted for “fined not more than \$10,000” and “fined not more than \$25,000” for consistency with title 18.

In subsections (b)(1) and (d)(2), the words “deadly or” are omitted as surplus.

In subsection (b)(2), the words “baggage or other” are omitted as surplus.

In subsection (b)(3), the words “bomb or similar” are omitted as surplus.

In subsection (d)(1), the words “State or political subdivision of a State” are substituted for “municipal or State government” for consistency in the revised title and with other titles of the United States Code. The words “or required” are omitted as surplus.

In subsection (d)(3), the word “contained” is omitted as surplus.

Editorial Notes

AMENDMENTS

2018—Subsec. (d)(2). Pub. L. 115-254 substituted “Administrator of the Transportation Security Administration” for “Under Secretary of Transportation for Security”.

2001—Subsec. (c). Pub. L. 107-56, §810(g), substituted “20 years, or both, and, if death results to any person, shall be imprisoned for any term of years or for life.” for “15 years, or both.”

Subsec. (d)(2). Pub. L. 107-71, §140(d)(8), inserted “or the Under Secretary of Transportation for Security” after “Federal Aviation Administration”.

Subsec. (e). Pub. L. 107-56, §811(j), added subsec. (e).

1996—Subsec. (b). Pub. L. 104-132, §705(b)(1), substituted “10 years” for “one year”.

Subsec. (c). Pub. L. 104-132, §705(b)(2), substituted “15 years” for “5 years”.

§ 46506. Application of certain criminal laws to acts on aircraft

An individual on an aircraft in the special aircraft jurisdiction of the United States who commits an act that—

(1) if committed in the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18) would violate section 113, 114, 661, 662, 1111, 1112, 1113, or 2111 or chapter 109A of title 18, shall be fined under title 18, imprisoned under that section or chapter, or both; or

(2) if committed in the District of Columbia would violate section 9 of the Act of July 29, 1892 (D.C. Code §22-1112), shall be fined under title 18, imprisoned under section 9 of the Act, or both.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1245.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
46506	49 App.:1472(k).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §902(k); added Sept. 5, 1961, Pub. L. 87-197, §1, 75 Stat. 466; Oct. 14, 1970, Pub. L. 91-449, §1(3), 84 Stat. 921; Nov. 10, 1986, Pub. L. 99-646, §87(d)(8), 100 Stat. 3624; Nov. 14, 1986, Pub. L. 99-654, §3(b)(8), 100 Stat. 3664.

In clause (1), the words “fined under title 18, imprisoned under that section or chapter, or both” are substituted for “punished as provided therein” for consistency with title 18.

In clause (2), the words “fined under title 18, imprisoned under section 9 of the Act, or both” are substituted for “punished as provided therein” for consistency with title 18.

Editorial Notes

REFERENCES IN TEXT

Section 9 of the Act of July 29, 1892, referred to in par. (2), is section 9 of act July 29, 1892, ch. 320, 27 Stat. 324, which is not classified to the Code. Section 9 of the Act was reclassified to section 22-1312 of the D.C. Code (2014).

§ 46507. False information and threats

An individual shall be fined under title 18, imprisoned for not more than 5 years, or both, if the individual—

(1) knowing the information to be false, willfully and maliciously or with reckless disregard for the safety of human life, gives, or causes to be given, under circumstances in which the information reasonably may be believed, false information about an alleged attempt being made or to be made to do an act that would violate section 46502(a), 46504, 46505, or 46506 of this title; or

(2)(A) threatens to violate section 46502(a), 46504, 46505, or 46506 of this title, or causes a threat to violate any of those sections to be made; and

(B) has the apparent determination and will to carry out the threat.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1245.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
46507	49 App.:1472(m).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §902(m); added Sept. 5, 1961, Pub. L. 87-197, §1, 75 Stat. 467; restated Oct. 12, 1984, Pub. L. 98-473, §2014(d)(1), 98 Stat. 2190.

In this section, before clause (1), the words “fined under title 18” are substituted for “fined not more than \$25,000” for consistency with title 18. In clauses (1) and (2), the words “a felony” are omitted as surplus. In clause (1), the words “gives, or causes to be given” are substituted for “imparts or conveys or causes to be imparted or conveyed” to eliminate unnecessary words. The words “attempt or” are omitted as surplus. In clause (2), the words “threatens . . . or causes a threat . . . to be made” are substituted for “imparts or conveys or causes to be imparted or conveyed any threat” to eliminate unnecessary words.