

HOUSE BILL 130

E1

2lr0996

By: **Delegates Arora, Conaway, McComas, McDermott, McMillan, Mitchell, and Washington**

Introduced and read first time: January 23, 2012

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2012

CHAPTER _____

1 AN ACT concerning

2 **Laser Safety Act**

3 FOR the purpose of making it a misdemeanor to knowingly and willfully ~~cause or~~
4 ~~attempt to cause bodily injury by shining, pointing, or focusing~~ shine, point, or
5 focus the beam of a laser pointer on an individual operating ~~a motor vehicle,~~
6 ~~vessel, or an~~ aircraft; exempting certain individuals from this Act under certain
7 circumstances; specifying a penalty; specifying that a sentence imposed under
8 this Act is in addition to a certain other sentence; defining a certain term; and
9 generally relating to the criminal use of a laser pointer.

10 BY adding to

11 Article – Criminal Law

12 Section 3–807

13 Annotated Code of Maryland

14 (2002 Volume and 2011 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Criminal Law**

18 **3–807.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) IN THIS SECTION, "LASER POINTER" HAS THE MEANING STATED IN §
2 3-806 OF THIS SUBTITLE.

3 (B) THIS SECTION DOES NOT APPLY TO THE USE OF A LASER POINTER:

4 (1) BY AN INDIVIDUAL CONDUCTING RESEARCH AND
5 DEVELOPMENT OR FLIGHT TESTING FOR AN AIRCRAFT MANUFACTURER OR THE
6 FEDERAL AVIATION ADMINISTRATION; ~~OR~~

7 (2) BY A MEMBER OF THE UNITED STATES DEPARTMENT OF
8 DEFENSE OR THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY
9 ACTING IN AN OFFICIAL CAPACITY DURING AN ACTIVITY RELATED TO RESEARCH
10 AND DEVELOPMENT, FLIGHT TESTING, OR TRAINING;

11 (3) BY A LAW ENFORCEMENT OFFICER, AS DEFINED IN § 3-101 OF
12 THE PUBLIC SAFETY ARTICLE, ACTING IN AN OFFICIAL CAPACITY;

13 (4) BY AN INDIVIDUAL ATTEMPTING TO MAKE THE INDIVIDUAL'S
14 LOCATION KNOWN; OR

15 (5) BY AN INDIVIDUAL ATTEMPTING TO GIVE A WARNING SIGNAL.

16 (C) A PERSON MAY NOT KNOWINGLY AND WILLFULLY ~~CAUSE OR~~
17 ~~ATTEMPT TO CAUSE BODILY INJURY BY SHINING, POINTING, OR FOCUSING~~
18 SHINE, POINT, OR FOCUS THE BEAM OF A LASER POINTER ON AN INDIVIDUAL
19 OPERATING ~~A MOTOR VEHICLE, VESSEL, OR AN~~ AIRCRAFT.

20 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
21 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
22 EXCEEDING ~~10~~ 3 YEARS OR A FINE NOT EXCEEDING \$2,500 OR BOTH.

23 (E) A SENTENCE IMPOSED UNDER THIS SECTION SHALL BE IN ADDITION
24 TO ANY OTHER SENTENCE IMPOSED FOR A CONVICTION ARISING FROM THE
25 SAME FACTS AND CIRCUMSTANCES.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2012.