

112TH CONGRESS
1ST SESSION

S. 1608

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 2011

Mr. WHITEHOUSE (for himself, Mr. KIRK, Mrs. BOXER, Mrs. FEINSTEIN, Mr. INOUE, and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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”.

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

8 (a) OFFENSE.—Chapter 2 of title 18, United States
9 Code, is amended by inserting after section 39 the fol-
10 lowing:

1 **“§ 39A. Aiming a laser pointer at an aircraft**

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

7 “(b) As used in this section, the term ‘laser pointer’
8 means any device designed or used to amplify electro-
9 magnetic radiation by stimulated emission that emits a
10 beam designed to be used by the operator as a pointer
11 or highlighter to indicate, mark, or identify a specific posi-
12 tion, place, item, or object.

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

16 “(1) an authorized individual in the conduct of
17 research and development or flight test operations
18 conducted by an aircraft manufacturer, the Federal
19 Aviation Administration, or any other person author-
20 ized by the Federal Aviation Administration to con-
21 duct such research and development or flight test
22 operations;

23 “(2) members or elements of the Department of
24 Defense or Department of Homeland Security acting
25 in an official capacity for the purpose of research,
26 development, operations, testing or training; or

1 “(3) by an individual using a laser emergency
2 signaling device to send an emergency distress sig-
3 nal.

4 “(d) The Attorney General, in consultation with the
5 Secretary of Transportation, may provide by regulation,
6 after public notice and comment, such additional excep-
7 tions to this section, as may be necessary and appropriate.
8 The Attorney General shall provide written notification of
9 any proposed regulations under this section to the Com-
10 mittees on the Judiciary of the Senate and the House of
11 Representatives, the Committee on Commerce, Science
12 and Transportation of the Senate, and the Committee on
13 Transportation and Infrastructure of the House of Rep-
14 resentatives, not less than 90 days before such regulations
15 become final.”.

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

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

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