

Calendar No. **657**109TH CONGRESS
2^D SESSION**S. 3993**

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 28, 2006

Mr. MARTINEZ introduced the following bill; which was read the first time

SEPTEMBER 30 (legislative day, SEPTEMBER 29), 2006

Read the second time and placed on the calendar

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 2006”.

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

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

5 **“§ 39B. Aiming a laser pointer at an aircraft**

6 “(a) IN GENERAL.—Whoever knowingly aims the
7 beam of a laser pointer at an aircraft in the special air-
8 craft jurisdiction of the United States, or at the flight path
9 of such an aircraft, shall be fined under this title, impris-
10 oned not more than 5 years, or both.

11 “(b) DEFINITION.—In this section, the term ‘laser
12 pointer’ means any device designed or used to amplify
13 electromagnetic radiation by stimulated emission that
14 emits a beam designed to be used by the operator as a
15 pointer or highlighter to indicate, mark, or identify a spe-
16 cific position, place, item, or object.

17 “(c) EXCEPTIONS.—This section does not prohibit
18 aiming a beam of a laser pointer at an aircraft, or the
19 flight path of such an aircraft, by—

20 “(1) an individual authorized to engage in such
21 conduct by an aircraft manufacturer as part of the
22 conduct of research and development or flight test
23 operations conducted by such manufacturer;

24 “(2) an official of the Federal Aviation Admin-
25 istration authorized to engage in such conduct;

1 “(3) any other person authorized by the Fed-
2 eral Aviation Administration to engage in such con-
3 duct as part of research and development or flight
4 test operations;

5 “(4) a member or element of the Department of
6 Defense or Department of Homeland Security acting
7 in an official capacity for the purpose of research,
8 development, operations, testing, or training; or

9 “(5) an individual using a laser emergency sig-
10 naling device to send an emergency distress signal.

11 “(d) REGULATIONS.—

12 “(1) IN GENERAL.—The Attorney General, in
13 consultation with the Secretary of Transportation,
14 may provide by regulation, after public notice and
15 comment, such additional exceptions to this section
16 as may be necessary and appropriate.

17 “(2) NOTICE TO CONGRESS.—Not later than 90
18 days before the date any regulations issued under
19 paragraph (1) become final, the Attorney General
20 shall provide written notification of any proposed
21 regulations under this section to the Committee on
22 the Judiciary and the Committee on Commerce,
23 Science, and Transportation of the Senate and the
24 Committee on the Judiciary and the Committee on

1 Transportation and Infrastructure of the House of
2 Representatives.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

4 (1) IN GENERAL.—Chapter 2 of title 18, United
5 States Code, is amended by redesignating the sec-
6 tion 39 relating to commercial motor vehicle inspec-
7 tions as section 39A.

8 (2) AMENDMENT TO TABLE OF SECTIONS.—

9 The table of sections at the beginning of chapter 2
10 of title 18, United States Code, is amended by strik-
11 ing the item relating to the section 39 relating to
12 commercial motor vehicle inspections and inserting
13 the following

“39A. Commercial motor vehicles required to stop for inspections.

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

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