

112TH CONGRESS
1ST SESSION

H. R. 386

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2011

Received; read twice and referred to the Committee on the Judiciary

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

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

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

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

9 **“§ 39A. Aiming a laser pointer at an aircraft**

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

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

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

24 “(1) an authorized individual in the conduct of
25 research and development or flight test operations
26 conducted by an aircraft manufacturer, the Federal

1 Aviation Administration, or any other person author-
2 ized by the Federal Aviation Administration to con-
3 duct such research and development or flight test
4 operations;

5 “(2) members or elements 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 “(3) by an individual using a laser emergency
10 signaling device to send an emergency distress sig-
11 nal.

12 “(d) The Attorney General, in consultation with the
13 Secretary of Transportation, may provide by regulation,
14 after public notice and comment, such additional excep-
15 tions to this section, as may be necessary and appropriate.
16 The Attorney General shall provide written notification of
17 any proposed regulations under this section to the Com-
18 mittees on the Judiciary of the House and Senate, the
19 Committee on Transportation and Infrastructure in the
20 House, and the Committee on Commerce, Science and
21 Transportation in the Senate not less than 90 days before
22 such regulations become final.”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 at the beginning of chapter 2 of title 18, United States

1 Code, is amended by inserting after the item relating to
2 section 39 the following new item:

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

3 **SEC. 3. COMPLIANCE WITH PAYGO.**

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

Passed the House of Representatives February 28,
2011.

Attest:

KAREN L. HAAS,

Clerk.