

## Chapter 164

(Senate Bill 19)

AN ACT concerning

### Crimes – Aiming Laser Pointer at Aircraft

FOR the purpose of making it a misdemeanor to knowingly and willfully shine, point, or focus the beam of a laser pointer on an individual operating an aircraft; exempting certain individuals from this Act under certain circumstances; specifying a penalty; ~~specifying that a sentence imposed under this Act is in addition to a certain other sentence;~~ defining a certain term; and generally relating to the criminal use of a laser pointer.

BY adding to

Article – Criminal Law

Section 3–807

Annotated Code of Maryland

(2002 Volume and 2012 Supplement)

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

#### Article – Criminal Law

**3–807.**

(A) IN THIS SECTION, “LASER POINTER” HAS THE MEANING STATED IN § 3–806 OF THIS SUBTITLE.

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

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

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

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

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

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

(C) A PERSON MAY NOT KNOWINGLY AND WILLFULLY SHINE, POINT, OR FOCUS THE BEAM OF A LASER POINTER ON AN INDIVIDUAL OPERATING AN AIRCRAFT.

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 2, 2013.