JAN 2 2 2016

### A BILL FOR AN ACT

RELATING TO LASER DEVICES.

#### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that a new law is needed 2 due to the recent incidents in which aircraft have become 3 targets of green laser lights while flying or landing at an 4 airport. Hawaii's existing penal code does not adequately 5 address situations in which an offender injures or causes delays 6 in flight schedules. Although pointing a laser at an aircraft is not yet a pervasive problem in Hawaii, it is a problem across 7 8 the country and its frequency in the State is increasing. 9 During the last ten years, 21,500 incidents involving laser 10 devices and aircraft have been reported by pilots to the Federal 11 Aviation Administration.

12 The purpose of this Act is to establish definitions for 13 "laser", "laser scope", and "aircraft", as well as making it an 14 offense to intentionally project a laser at an aircraft or in 15 the flight path of an aircraft that may cause bodily injury to 16 the pilot or to the passengers on board.



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1	SECTION 2. Chapter 136, Hawaii Revised Statutes, is
2	amended by amending its title to read as follows:
3	"LASER [ <del>POINTING</del> ] DEVICES"
4	SECTION 3. Section 136-1, Hawaii Revised Statutes, is
5	amended by adding three new definitions to be appropriately
6	inserted and to read as follows:
7	""Aircraft" means any vehicle that is designed for flight
8	in the air by buoyancy or by the dynamic action of air on the
9	vehicle's surfaces, including powered airplanes, gliders, and
10	helicopters.
11	"Laser" means any device that is designated or used to
12	amplify electromagnetic radiation by stimulated emission that
13	emits a beam designed to be used by the operator as a pointer or
14	highlighter to indicate, mark, or identify a specific position,
15	place, item, or object, or any device that emits light which
16	simulates the appearance of a laser.
17	"Laser scope" means a portable battery-powered device
18	capable of being attached to a firearm and capable of projecting
19	a laser light on objects at a distance."



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# S.B. NO. 2416

1	SECTION 4. Chapter 136, Hawaii Revised Statutes, is
2	amended by adding a new section to be appropriately designated
3	and to read as follows:
4	<pre>"§136- Directing lasers at aircraft; prohibitions;</pre>
5	<b>penalties.</b> (a) If a person intentionally or knowingly directs
6	a beam of light from a laser or laser scope, which produces over
7	five milliwatts of energy at an occupied aircraft, then that
8	person shall be guilty of a misdemeanor.
9	(b) If the act renders the pilot unable to safely operate
10	the aircraft or causes injury to the pilot, crew, or passengers
11	on board the aircraft, then that person shall be guilty of a
12	class C felony.
13	(c) This section shall not apply to activities carried on
14	for the Department of Defense, the Department of Homeland
15	Security, or police officers acting in their official capacity
16	for research governed by standards of accepted development,
17	operations, testing, or training."
18	SECTION 5. This Act does not affect rights and duties that
19	matured, penalties that were incurred, and proceedings that were
20	begun before its effective date.

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SECTION 6. Statutory material to be repealed is bracketed 1 and stricken. New statutory material is underscored. 2

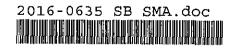
3 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_ NC Kath

- Webe Staff DANAM - IN A



Report Title: Laser Devices; Aircraft; Criminal Offense

#### Description:

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Makes it a criminal offense to intentionally or knowingly direct the beam from a laser device at an occupied aircraft under certain circumstances.

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