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# 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  
7 is not yet a pervasive problem in Hawaii, it is a problem across  
8 the country and its frequency in the State is increasing.  
9 Between 2006 and 2016, 21,500 incidents involving laser devices  
10 and aircraft were reported by pilots to the Federal Aviation  
11 Administration.

12           The purpose of this Act is to establish definitions for  
13 "aircraft", "laser", and "laser scope", as well as to make it:

14           (1) A misdemeanor offense to intentionally or knowingly  
15           project a beam of light from a laser or laser scope at  
16           an occupied aircraft; and



1 (2) A class C felony offense if the foregoing act renders  
2 the pilot unable to operate the aircraft safely or  
3 causes injury to the pilot, crew, or passengers.

4 SECTION 2. Chapter 136, Hawaii Revised Statutes, is  
5 amended by adding a new section to be appropriately designated  
6 and to read as follows:

7 "§136- Directing lasers at aircraft; prohibitions;  
8 penalties. (a) If a person intentionally or knowingly directs  
9 a beam of light from a laser or laser scope, which produces over  
10 five milliwatts of energy, at an occupied aircraft, that person  
11 shall be guilty of a misdemeanor.

12 (b) If the act in subsection (a) renders the pilot unable  
13 to safely operate the aircraft or causes injury to the pilot,  
14 crew, or passengers on board the aircraft, that person shall be  
15 guilty of a class C felony.

16 (c) This section shall not apply to activities carried on  
17 for the Department of Defense, the Department of Homeland  
18 Security, or police officers acting in their official capacity  
19 for research governed by standards of accepted development,  
20 operations, testing, or training."



1 SECTION 3. Chapter 136, Hawaii Revised Statutes, is  
2 amended by amending its title to read as follows:

3 "LASER [~~POINTING~~] DEVICES"

4 SECTION 4. 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."



1 SECTION 5. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 6. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 7. This Act shall take effect on July 1, 2050.



**Report Title:**

Laser Devices; Aircraft; Criminal Offense

**Description:**

Makes it a criminal offense to intentionally or knowingly direct a beam from a laser or laser scope at an occupied aircraft under certain circumstances. (SB420 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

