

JAN 22 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
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 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.



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

3 "LASER [POINTING] 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."



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 "§136- Directing lasers at aircraft; prohibitions;
5 penalties. (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.



S.B. NO. 2416

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 Statutory material to be repealed is bracketed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

3 SECTION 7. This Act shall take effect upon its approval.
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INTRODUCED BY: ~~AND DE VITO~~

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S.B. NO. 2416

Report Title:

Laser Devices; Aircraft; Criminal Offense

Description:

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

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

