A BILL FOR AN ACT

To further amend title 11 of the Code of the Federated States of Micronesia, as amended, by creating a new chapter 14 to criminalize shining laser pointers at aircraft, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

Section 1. Title 11 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by creating a new chapter 14 entitled: "Laser Pointers".

Section 2. Title 11 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by inserting a new section 1401 under chapter 14 to read as follows:

"Section 1401. Short Title. This chapter is known and may be cited as the "Federated States of Micronesia Safety Against Lasers Act".

Section 3. Title 11 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by inserting a new section 1402 under chapter 14 to read as follows:

"Section 1402. Definitions. The following terms shall have the following meanings for the purposes of this chapter:

(1) ‘Aircraft’ means a machine or device that is used or intended to be used, for flight in the..."
air and is capable of transporting persons and goods through the airspace;

(2) ‘Laser Pointer’ means any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item, or object.

Section 4. Title 11 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by inserting a new section 1403 under chapter 14 to read as follows:

“Section 1403. Prohibition on aiming a laser pointer at an aircraft.

(1) A person commits an offense who knowingly, intentionally, or recklessly aims the beam of a laser pointer at an aircraft in the jurisdiction of the Federated States of Micronesia, or at the flight path of such an aircraft.

(2) Any person who violates subsection (1) of this section shall be punished upon conviction by imprisonment for a term of not more than 5 years, or a fined not more than $10,000, or both.

(3) This section does not prohibit aiming a beam of a laser pointer at an aircraft by:

(a) an authorized individual in the
conduct of research and development or flight test by an aircraft manufacturer, the Department of Transportation, Communications, and Infrastructure, the United States Federal Aviation Administration, or any other person officially authorized to conduct such research and development or flight test operations;

(b) members or elements of the Department of Justice acting in an official capacity for the purpose of research, development, operations, testing, or training; or

(c) by an individual using a laser emergency signaling device to send an emergency distress signal in the case of an emergency.”

Section 5. Title 11 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by inserting a new section 1404 under chapter 14 to read as follows:

“Section 1404. Prohibition on laser pointers on airport premises.

(1) A person commits an offense who knowingly possesses a laser pointer on the premises of an airport, including airport property surrounding the terminal;

(2) Any person who violates subsection (1) of this section shall be punished upon conviction by
imprisonment for a term of not more than one year, or
with a fine not exceeding $600, or both.

(3) This section does not prohibit possession
of a laser pointer on airport premises by:

(a) an authorized individual in the conduct
of research and development or flight test by an
aircraft manufacturer, the Department of
Transportation, Communications and Infrastructure,
the United States Federal Aviation Administration, or
any other person officially authorized to conduct
such research and development or flight test
operations;

(b) members or elements of the Department of
Justice acting in an official capacity for the
purpose of research, development, operations,
testing, or training; or

(c) any authorized airport or airline
personnel who uses a laser pointer in their official
capacity."

Section 6. Title 11 of the Code of the Federated States of
Micronesia, as amended, is hereby further amended by inserting a
new section 1405 under chapter 14 to read as follows:

"Section 1405. Regulations and Exemptions.
The Attorney General, in consultation with the
Secretary of the Department of Transportation,
Communications and Infrastructure, may provide by regulation, after public notice and comment, such additional exceptions to this Chapter as may be necessary and appropriate. The Attorney General shall provide written notification of any proposed regulations under this section to the Congressional Committee on Judiciary and Governmental Operations, and the Committee on Transportation, Communications, and Infrastructure not less than 120 days before such regulations become final.

Section 7. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: 9/17/13

Introduced by: /s/ Wesley W. Simina

Wesley W. Simina