

A BILL FOR AN ACT

To prohibit the manufacture, sale, purchase, use, or possession of lasers, and for other purposes.

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

1 Section 1. Intent. The Congress of the Federated
2 States of Micronesia finds that although many lasers such
3 as laser pointers that are used during educational
4 presentation are safe when used properly, there have been
5 growing numbers of incidents in the Federated States of
6 Micronesia where lasers have been misused. Most people
7 may already be familiar with the harm that lasers can
8 cause when directed at a person's eye. But there are also
9 other serious consequences resulting from the misuse of
10 lasers when they are used and aimed at an aircraft and
11 obstruct a pilot's view and flight security and safety.
12 The numbers of lasers being used and pointed at aircrafts
13 in the Federated States of Micronesia and observed by
14 pilots have continued to increase especially in Chuuk and
15 Pohnpei. Due to the gravity of potential harm and damage
16 resulting from the misuse of lasers, Congress finds it
17 necessary to regulate the manufacture, sale, purchase,
18 possession and use of lasers within the Federated States
19 of Micronesia.

20 Section 2. Definitions. Unless otherwise indicated

1 in this Act, the following definitions shall apply:

2 (a) "Aircraft" means a machine or device
3 that is used or intended to be used, for flight
4 in the air and is capable of transporting
5 persons and goods through the airspace.

6 (b) "Laser" means a device that emits a
7 beam of ultraviolet, visible or infrared light
8 due to stimulated emission.

9 Section 3. Unlawful manufacture, sale, or
10 possession of a laser.

11 (a) No person shall intentionally or
12 knowingly manufacture, sell, purchase, possess or
13 use a laser that is categorized as Class 3R
14 under the revised system of classifying lasers,
15 or as Class III under the old system of the
16 American National Standards Institute (ANSI),
17 and higher, except as authorized in section 5
18 (b) (I) of this Act.

19 (b) Unlawful manufacture, sale or
20 possession of a laser is a misdemeanor.

21 Section 4. Unlawful Use of a Laser.

22 (a) A person commits the offense of
23 unlawful use of a laser if he or she:

24 (i) Intentionally, knowingly, or
25 recklessly discharge a laser at an occupied and

1 moving aircraft, automobile, ocean vessel, or
2 person; or

3 (ii) Causing damages or injuries by
4 intentionally, knowingly, or recklessly
5 discharge a laser at properties or person.

6 (b) Unlawful use of a laser is a felony.

7 Section 5. Exemption; Failure to register a laser.

8 (a) Section 3 of this Act shall not apply
9 to the use of laser pointers that emits five (5)
10 micro watts per square centimeter of light that
11 are intended to be utilized for educational
12 purposes by individuals engaged in an organized
13 meeting or training class; or during the normal
14 course of work or trade activities.

15 (b) Section 3 of this Act shall not apply
16 to the purchase, possession and use of a laser
17 utilized for fishing purposes, including but not
18 limited to, finding buoys at sea, provided that;

19 (i) Lasers categorized as Class 3R
20 under the revised system of classifying lasers
21 or as Class III under the old system of American
22 National Standards Institute (ANSI), and higher,
23 which are possessed for the limited purposes as
24 set for in subsection (b) above, shall be
25 registered with the Secretary of the Department

1 of Transportation, Communications and
2 Infrastructure in such manner that enables the
3 Department of Transportation, Communications and
4 Infrastructure to match an individual laser with
5 the laser's owner.

6 (c) Section 3 of this Act shall not apply
7 to the use of laser pointers that are utilized
8 for educational purposes by adult individuals
9 engaged in an organized meeting or training
10 class; or during the normal course of work or
11 trade activities.

12 (d) Section 3 of this Act shall not apply
13 to the purchase, possession, or use of a laser
14 utilized for fishing purposes by adults,
15 including but not limited to, finding buoys at
16 sea, provided that;

17 (ii) Laser pointers which are
18 possessed for the limited purposes as set for in
19 subsection (b), above, shall be registered with
20 the Secretary of the Department of
21 Transportation, Communications and
22 Infrastructure in such manner that enables the
23 Department of Transportation, Communications and
24 Infrastructure to match an individual laser with
25 the laser's owner.

1 (iii) A person who intentionally or
2 knowingly fails to register a laser as required
3 by subsection (d)(ii), above, commits the
4 offense of failure to register a laser.

5 (iv) Failure to register a laser is a
6 misdemeanor.

7 (v) Nothing in this Act shall be
8 construed so as to limit the use of medical
9 lasers by qualified medical personnel, or
10 construction lasers used by construction
11 personnel, or laser devices utilized by law
12 enforcement personnel in the
13 Federated States of Micronesia.

14 Section 6. Penalty.

15 (a) Any person convicted of violating
16 section 3 (a) and section 4 (a) (ii) of this Act
17 shall be imprisoned for not more than one year
18 (1) or fined not more than one thousand dollars
19 (\$1,000) or both.

20 (b) Any person convicted of violating
21 section 4 (a) (i) of this Act shall be
22 imprisoned for not more than five (5) years or
23 fined not more than ten thousand dollars
24 (\$10,000) or both.

25 (c) Any person convicted of violating

1 section 5 (b) (iii) of this Act shall be fined
2 not more than six hundred dollars (\$600) in
3 addition to any other penalties that may apply
4 under this Act.

5 Section 7. Rules and Regulations. The Secretary of
6 the Department of Transportation, Communications and
7 Infrastructures shall promulgate rules and regulations as
8 may be necessary or appropriate to effectuate the
9 provisions of this Act.

10 Section 8. This act shall become law upon approval
11 by the President of the Federated States of Micronesia or
12 upon its becoming law without such approval.

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14 Date: 8/20/13 Introduced by: /s/ Florencio S. Harper
15 Florencio S. Harper
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