

HOUSE BILL 125

E1

8lr1209

By: **Delegates Fisher, Clark, Jackson, and Morgan**

Introduced and read first time: January 15, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Misuse of Laser Pointer**

3 FOR the purpose of prohibiting a person from knowingly and willfully shining, pointing, or
4 focusing the beam of a laser pointer on an individual operating a motor vehicle or
5 vessel; prohibiting a person from knowingly and willfully causing bodily injury to a
6 person as a result of shining, pointing, or focusing the beam of a laser pointer on an
7 individual operating an aircraft, a motor vehicle, or a vessel; applying certain
8 penalties to a certain violation of this Act; establishing certain penalties for a certain
9 violation of this Act; providing for the application of this Act; and generally relating
10 to the misuse of a laser pointer.

11 BY repealing and reenacting, with amendments,
12 Article – Criminal Law
13 Section 3–807
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2017 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Criminal Law**

19 3–807.

20 (a) In this section, “laser pointer” has the meaning stated in § 3–806 of this
21 subtitle.

22 (b) This section does not apply to the use of a laser pointer:

23 (1) by an individual conducting research and development or flight testing
24 for an aircraft manufacturer or the Federal Aviation Administration;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) by a member of the United States Department of Defense or the United
2 States Department of Homeland Security acting in an official capacity during an activity
3 related to research and development, flight testing, or training;

4 (3) by a law enforcement officer, as defined in § 3–101 of the Public Safety
5 Article, acting in an official capacity;

6 (4) by an individual attempting to make the individual's location known;
7 or

8 (5) by an individual attempting to give a warning signal.

9 (c) (1) A person may not knowingly and willfully shine, point, or focus the
10 beam of a laser pointer on an individual operating an aircraft, **A MOTOR VEHICLE, OR A**
11 **VESSEL.**

12 (2) **A PERSON MAY NOT COMMIT A VIOLATION OF PARAGRAPH (1) OF**
13 **THIS SUBSECTION THAT RESULTS IN BODILY INJURY TO A PERSON.**

14 (d) (1) **[A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
15 **SUBSECTION, A person who violates this section is guilty of a misdemeanor and on**
16 **conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$2,500**
17 **or both.**

18 (2) **A PERSON WHO VIOLATES SUBSECTION (C)(2) OF THIS SECTION IS**
19 **GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
20 **EXCEEDING 25 YEARS.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
22 apply only prospectively and may not be applied or interpreted to have any effect on or
23 application to any cause of action arising before the effective date of this Act.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2018.