

1 **SENATE FLOOR VERSION**

2 February 17, 2015

3 SENATE BILL NO. 62

By: Stanislawski

4
5 An Act relating to laser pointers; amending 21 O.S.
6 2011, Section 1992, which relates to the "Laser
7 Safety Act"; prohibiting the pointing of laser
8 pointers at aircraft; providing penalties; providing
exceptions; modifying definitions; and providing an
effective date.

9
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1992, is
12 amended to read as follows:

13 Section 1992. A. This section shall be known and may be cited
14 as the "Laser Safety Act".

15 B. Any person who knowingly and maliciously projects a laser,
16 as defined in this section, on or at a law enforcement officer
17 without the consent of the officer while the officer is acting
18 within the scope of the official duties of the officer shall be
19 guilty of a misdemeanor and upon conviction shall be punished by a
20 fine of not more than One Hundred Dollars (\$100.00). Any person who
21 commits a second or subsequent violation of this section shall be
22 guilty of a misdemeanor punishable by a fine of not more than Five
23 Hundred Dollars (\$500.00), a term of imprisonment in the county jail
24

1 for a period of not more than six (6) months, or by both such fine
2 and imprisonment.

3 C. Anyone who knowingly aims the beam of a laser pointer at an
4 aircraft in flight or at the flight path of an aircraft shall be
5 guilty of a misdemeanor and upon conviction shall be punished by a
6 fine of not more than One Hundred Dollars (\$100.00). Any person who
7 commits a second or subsequent violation of this section shall be
8 guilty of a misdemeanor punishable by a fine of not more than Five
9 Hundred Dollars (\$500.00), a term of imprisonment in the county jail
10 for a period of not more than six (6) months, or by both such fine
11 and imprisonment.

12 D. This section does not prohibit aiming a beam of a laser
13 pointer at an aircraft, or the flight path of such an aircraft by:

14 1. An authorized individual in the conduct of research and
15 development or flight test operations conducted by an aircraft
16 manufacturer, the Federal Aviation Administration, or any other
17 person authorized by the Federal Aviation Administration to conduct
18 research and development or flight test operations;

19 2. Members or elements of the Department of Defense or
20 Department of Homeland Security acting in an official capacity for
21 the purpose of research, development, operations, testing or
22 training; or

23 3. By an individual using a laser emergency signaling device to
24 send an emergency distress signal.

1 E. As used in this section:

2 1. "Laser" or "laser pointer" means any device ~~that projects a~~
3 ~~beam or point of light by means of light amplification by stimulated~~
4 ~~emission of radiation or a device that emits light which simulates~~
5 ~~the appearance of a laser~~ designed or used to amplify
6 electromagnetic radiation by stimulated emission that emits a beam
7 designed to be used by the operator as a pointer or highlighter to
8 indicate, mark or identify a specific position, place, item or
9 object; and

10 2. "Law enforcement officer" means any police officer, peace
11 officer, sheriff, deputy sheriff, correctional officer, probation or
12 parole officer, emergency management employee, judge, magistrate, or
13 any employee of a governmental agency who is authorized by law to
14 engage in the investigation, arrest, prosecution, or supervision of
15 the incarceration of any person for any violation of law and has
16 statutory powers of arrest.

17 SECTION 2. This act shall become effective November 1, 2015.

18 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION
19 February 17, 2015 - DO PASS