

# HOUSE BILL 125

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8lr1209

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

Introduced and read first time: January 15, 2018

Assigned to: Judiciary

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 14, 2018

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## CHAPTER \_\_\_\_\_

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.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) In this section, "laser pointer" has the meaning stated in § 3-806 of this  
2 subtitle.

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

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

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

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

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

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

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

17 ~~(2) A PERSON MAY NOT COMMIT A VIOLATION OF PARAGRAPH (1) OF~~  
18 ~~THIS SUBSECTION THAT RESULTS IN BODILY INJURY TO A PERSON.~~

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

23 ~~(2) A PERSON WHO VIOLATES SUBSECTION (C)(2) OF THIS SECTION IS~~  
24 ~~GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT~~  
25 ~~EXCEEDING 25 YEARS.~~

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

29 SECTION ~~2.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 2018.