§ 240.76 Directing a laser at an aircraft in the second degree.

A person is guilty of directing a laser at an aircraft in the second degree when, with intent to disrupt safe air travel, he or she directs the beam of a laser:

1. onto a specific aircraft intending to thereby disrupt or interfere with such aircraft in the special aircraft jurisdiction of the United States; or

2. in the immediate vicinity of an aircraft in the special aircraft jurisdiction of the United States, and:

(a) the calculated or measured beam irradiance on the aircraft, or in the immediate vicinity of the aircraft, exceeds limits set by the FAA for the FAA-specified laser flight zone (normal, sensitive, critical, or laser-free) where the aircraft was located; and (b) a pilot in the illuminated aircraft files a laser incident report with the FAA.

3. As used in this section:

(a) the term "laser" shall mean any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam; and

(b) the term "FAA" shall mean the Federal Aviation Administration.

4. This section does not prohibit directing a laser beam at an aircraft, or in the immediate vicinity of an aircraft, by:

(a) an authorized individual in the conduct of research and development or flight test operations conducted by an aircraft manufacturer, the FAA, or any other person authorized by the FAA to conduct such research and development or flight test operations; or

(b) members or elements of the United States department of defense or the United States department of homeland security acting in an official capacity for the purpose of research, development, operations, testing or training; or

(c) an individual in an emergency situation using a laser to attract the attention of an aircraft for bona fide rescue purposes; or

(d) an individual whose laser operations have been submitted to and reviewed by the FAA, when:

(i) the FAA has issued a letter not objecting to the laser use; and
(ii) the laser is operated in conformity with the FAA submission.

Directing a laser at an aircraft is a class A misdemeanor.