

Cherokee Nation Code Annotated
Title 21: Crimes and Punishments
Part VII. Crimes Against Property
Chapter 70: Other Offenses Against Property Rights
§ 1992. Short title--Penalties--Definitions

Cite as: 21 CNCA § 1992

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

B. Any person who knowingly and maliciously projects a laser, as defined in this section, on or at a law enforcement officer without the consent of the officer while the officer is acting within the scope of the official duties of the officer shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than One Hundred Dollars (\$100.00). Any person who commits a second or subsequent violation of this section shall be guilty of a misdemeanor punishable by a fine of not more than Five Hundred Dollars (\$500.00), a term of imprisonment for a term of not more than six (6) months, or by both such fine and imprisonment.

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

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

1. An authorized individual in the conduct of research and development or flight test operations conducted by an aircraft manufacturer, the Federal Aviation Administration, or any other person authorized by the Federal Aviation Administration to conduct research and development or flight test operations;
2. Members or elements of the Department of Defense or Department of Homeland Security acting in an official capacity for the purpose of research, development, operations, testing or training; or
3. By an individual using a laser emergency signaling device to send an emergency distress signal.

E. As used in this section:

1. "Laser" or "laser pointer" means any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark or identify a specific position, place, item or object; and

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

Historical Data

LA 07-21, eff. February 22, 2021.