

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

---

Legislative Document

No. 268

H.P. 190

House of Representatives, January 11, 1999

**An Act to Prohibit the Misuse of Laser Pointers.**

(EMERGENCY)

---

Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative USHER of Westbrook.  
Cosponsored by Senator O'GARA of Cumberland and  
Representatives: BERRY of Livermore, CLOUGH of Scarborough, DAVIDSON of  
Brunswick, LEMONT of Kittery, McALEVEY of Waterboro, MUSE of South Portland,  
PLOWMAN of Hampden, POVICH of Ellsworth.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the inappropriate use of laser pointers by directing them at people is increasing and poses a danger to health and safety; and

Whereas, the dangers include potential eye damage and fear that a person is being targeted by a weapon; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 17-A MRSA §1002-A is enacted to read:**

**§1002-A. Criminal use of laser device**

1. A person is guilty of criminal use of a laser device if the person intentionally points the device at another person while it is emitting a laser beam.

2. Criminal use of a laser device is a Class D crime.

3. This section does not apply to the use of a laser device:

A. For a purpose set forth in chapter 5; or

B. By a person otherwise licensed or authorized to use a laser device by law.

For the purposes of this section, "laser" means light amplification by simulated emission of radiation.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

**SUMMARY**

This bill makes it a Class D crime for a person not authorized by law to intentionally point a laser device at another person. This prohibition of the use of laser devices is similar to provisions in current law pertaining to the use of

2        disabling chemicals such as mace and pepper spray. The bill is  
an emergency due to the health dangers and safety risks posed by  
the misdirecting of laser devices at people.