


'11 JUL 18 AIO :21

SENATE

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S. No. 2888

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

It has been recently reported in the media that the Manila International Airport Authority (MIAA) has warned airline pilots at the Ninoy Aquino International Airport (NAIA) in Parañaque City to watch out for laser beams coming from nearby residential areas that cause temporary blindness among pilots¹.

The report states that two pilots of international airlines reported that they were temporarily blinded by laser beams, believed to have originated from one of the houses beside the NAIA runway. The report said that pilots from Continental Airlines and Royal Brunei complained of being zapped inside the cockpit with an intense beam of laser. The pilots told authorities that the laser beams struck them in the eyes while they were landing their planes at Runway 06-24. Fortunately, the pilots were able to land their planes safely.

These incidents are a cause of grave concern because laser beams, although generally considered to be safe and harmless, can cause temporary blindness if beamed into one's eyes.

This is not the first time that this has happened. Numerous similar laser-zapping incidents have been reported in other countries as well.

In Russia, two pilots were attacked with laser pens while landing at Moscow's Vnukovo airport also this month. Fortunately, the planes landed safely.

According to reports compiled by Russian aviation authorities, there have been more than 30 laser beam attacks on pilots in Russia during the past years. Lawmakers in the said country have decided to criminalize attacking people with laser pens and the guilty punished with imprisonment ranging from three (3) to (10) years.

In Chechnya, authorities have banned the sale of laser pens following the attack on pilots. Similar laws are also being discussed in some Russian states.

¹ See: *Cheap laser pose hazard to pilots* by Rudy Santos; The Philippine Star – 13 July 2011 Edition; Also reported at PhilStar.Com (Online); Data retrieved from <http://www.philstar.com/Article.aspx?articleId=705573&publicationSubCategoryId=63> on 14 July 2011.

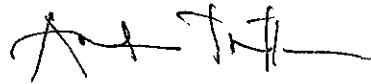
In the United States, there were some 2,836 laser attacks as planes were taking off or landing in 2010 alone. In 2011, pilots have reported over 1,100 such incidents as the U.S. Federal Aviation Administration announced that they would impose fines of up to \$11,000 per violation².

Attacks with the use of lasers cannot be ignored because of the potential danger said acts can cause to civil aviation and the motoring public.

Indeed, attacks of this nature have the potential of not only causing injuries and damage to property but can precipitate serious accidents and can result to catastrophic disasters.

This Bill seeks to address this issue by defining the offenses of assault and aggravated assault using laser devices and imposing stringent penalties thereon.

The immediate passage of this critical piece of legislation is earnestly sought.




ANTONIO "SONNY" F. TRILLANES IV

² Ibid.

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

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S. No. **2888**

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AN ACT
DEFINING THE OFFENSES OF ASSAULT USING A LASER DEVICE AND
AGGRAVATED ASSAULT USING A LASER DEVICE AND IMPOSING
PENALTIES THEREON

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 **SECTION 1. Assault using a laser device.** – Any person who shall use a laser
2 pointer, pen or similar device to distract, annoy or attack another person shall be
3 guilty of the offense of assault using a laser device and shall be penalized with
4 imprisonment ranging from three (3) months to six (6) months or a fine ranging from
5 P10,000.00 to P 100,000.00 or both, at the discretion of the judge.

6

7 **Sec. 2. Aggravated assault using a laser device.** – Any person who shall use
8 laser pointers, pens and similar devices to distract, annoy or attack another person
9 under the following circumstances shall be guilty of aggravated assault using a laser
10 device and shall be penalized as follows, thus:

11

12 (a) When the attack results to damage or destruction of property, the
13 penalty imposed shall be three (3) times the value of the property

14 damaged or destroyed and imprisonment of six (6) months to one (1)
15 year, at the discretion of the judge.

16

17 (b) When the person attacked suffers from temporary or permanent
18 disability or injury of any kind, the penalty imposed shall be
19 imprisonment ranging from one (1) year to three (3) years, at the
20 discretion of the judge.

21

22 (c) When the person attacked is operating a motor vehicle, the penalty
23 imposed shall be imprisonment of four (4) years to eight (8) years, at
24 the discretion of the judge.

25

26 (d) When the person attacked is operating an airplane or helicopter or a
27 ship at sea, the penalty imposed shall be imprisonment ranging from
28 eight (8) years to ten (10) years, at the discretion of the judge.

29

30 **SEC. 3. Separability clause.** If any provision or part hereof is held invalid
31 or unconstitutional, the remainder of the law or the provision not otherwise affected
32 shall remain valid and subsisting.

33

34 **SEC. 4. Repealing clause.** – All laws, rules, regulations, orders, circulars,
35 and memoranda inconsistent with any provisions of this Act are hereby repealed or
36 modified accordingly.

37 **SEC. 5. Effectivity clause.** This Act shall take effect fifteen (15) days after
38 its complete publication in the *Official Gazette* or in at least two (2) newspapers of
39 general circulation.

Approved,