

wise specifically provided, see section 3 of Pub. L. 108-176, set out as a note under section 106 of this title.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-181 applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as a note under section 106 of this title.

EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105-102, §3(c), Nov. 20, 1997, 111 Stat. 2215, provided that the amendment made by section 3(c)(4) is effective Oct. 9, 1996.

Amendment by Pub. L. 105-102 effective as if included in the provisions of the Act to which the amendment relates, see section 3(f) of Pub. L. 105-102, set out as a note under section 106 of this title.

EFFECTIVE DATE OF 1996 AMENDMENTS

Amendment by Pub. L. 104-287 effective July 5, 1994, see section 8(1) of Pub. L. 104-287, set out as a note under section 5303 of this title.

Amendment by section 502(c) of Pub. L. 104-264 applicable to any air carrier hiring an individual as a pilot whose application was first received by the carrier on or after the 120th day following Oct. 9, 1996, see section 502(d) of Pub. L. 104-264, set out as a note under section 30305 of this title.

Except as otherwise specifically provided, amendment by Pub. L. 104-264 applicable only to fiscal years beginning after Sept. 30, 1996, and not to be construed as affecting funds made available for a fiscal year ending before Oct. 1, 1996, see section 3 of Pub. L. 104-264, set out as a note under section 106 of this title.

EFFECTIVE DATE OF 1994 AMENDMENTS

Amendment by Pub. L. 103-429 effective July 5, 1994, see section 9 of Pub. L. 103-429, set out as a note under section 321 of this title.

Amendment by section 207(c) of Pub. L. 103-305 effective Feb. 1, 1995, see section 207(d) of Pub. L. 103-305, set out as an Effective Date note under section 41719 of this title.

SAVINGS PROVISION

Pub. L. 102-345, §2(c), Aug. 26, 1992, 106 Stat. 925, provided that: "Notwithstanding subsections (a) and (b) of this section, sections 901(a)(3) and 905 of the Federal Aviation Act of 1958 [Pub. L. 85-726] as in effect on July 31, 1992, shall continue in effect on and after such date of enactment with respect to violations of the Federal Aviation Act of 1958 occurring before such date of enactment."

LASER POINTER INCIDENTS

Pub. L. 114-190, title II, §2104, July 15, 2016, 130 Stat. 620, provided that:

"(a) IN GENERAL.—Beginning 90 days after the date of enactment of this Act [July 15, 2016], the Administrator of the Federal Aviation Administration, in coordination with appropriate Federal law enforcement agencies, shall provide quarterly updates to the appropriate committees of Congress [Committee on Commerce, Science, and Transportation of the Senate and Committee on Transportation and Infrastructure of the House of Representatives] regarding—

"(1) the number of incidents involving the beam from a laser pointer (as defined in section 39A of title 18, United States Code) being aimed at, or in the flight path of, an aircraft in the airspace jurisdiction of the United States;

"(2) the number of civil or criminal enforcement actions taken by the Federal Aviation Administration,

the Department of Transportation, or another Federal agency with regard to the incidents described in paragraph (1), including the amount of the civil or criminal penalties imposed on violators;

"(3) the resolution of any incidents described in paragraph (1) that did not result in a civil or criminal enforcement action; and

"(4) any actions the Department of Transportation or another Federal agency has taken on its own, or in conjunction with other Federal agencies or local law enforcement agencies, to deter the type of activity described in paragraph (1).

"(b) CIVIL PENALTIES.—The Administrator shall revise the maximum civil penalty that may be imposed on an individual who aims the beam of a laser pointer at an aircraft in the airspace jurisdiction of the United States, or at the flight path of such an aircraft, to be \$25,000."

§ 46302. False information

(a) CIVIL PENALTY.—A person that, knowing the information to be false, gives, or causes to be given, under circumstances in which the information reasonably may be believed, false information about an alleged attempt being made or to be made to do an act that would violate section 46502(a), 46504, 46505, or 46506 of this title, is liable to the United States Government for a civil penalty of not more than \$10,000 for each violation.

(b) COMPROMISE AND SETOFF.—(1) The Secretary of Homeland Security and, for a violation relating to section 46504, the Secretary of Transportation, may compromise the amount of a civil penalty imposed under subsection (a) of this section.

(2) The Government may deduct the amount of a civil penalty imposed or compromised under this section from amounts it owes the person liable for the penalty.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1234; Pub. L. 108-458, title IV, §4027(b), Dec. 17, 2004, 118 Stat. 3727.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
46302(a)	49 App.:1471(c).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §901(c); added Oct. 12, 1984, Pub. L. 98-473, §2014(a)(1), 98 Stat. 2189.
46302(b)	49 App.:1471(a)(2) (related to 1471(c)).	Aug. 23, 1958, Pub. L. 85-726, §901(a)(2) (related to §901(c)), 72 Stat. 784; July 10, 1962, Pub. L. 87-528, §12, 76 Stat. 150; restated Oct. 24, 1978, Pub. L. 95-504, §35(b), 92 Stat. 1740; Oct. 12, 1984, Pub. L. 98-473, §2014(b), 98 Stat. 2189.
	49 App.:1551(b)(1)(E).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §1601(b)(1)(E); added Oct. 4, 1984, Pub. L. 98-443, §3(e), 98 Stat. 1704.

In subsection (a), the words "gives, or causes to be given" are substituted for "imparts or conveys or causes to be imparted or conveyed" to eliminate unnecessary words. The words "attempt or", "a crime", and "which shall be recoverable in a civil action brought in the name of the United States" are omitted as surplus.

In subsection (b)(1), the words "imposed under" are substituted for "provided for in" for consistency.

In subsection (b)(2), the words "imposed or compromised" are substituted for "The amount of such penalty when finally determined or fixed by order of the Board, or the amount agreed upon in compromise" to eliminate unnecessary words.

Editorial Notes

AMENDMENTS

2004—Subsec. (b)(1). Pub. L. 108-458 substituted “Secretary of Homeland Security and, for a violation relating to section 46504, the Secretary of Transportation,” for “Secretary of Transportation”.

§ 46303. Carrying a weapon

(a) CIVIL PENALTY.—An individual who, when on, or attempting to board, an aircraft in, or intended for operation in, air transportation or intrastate air transportation, has on or about the individual or the property of the individual a concealed dangerous weapon that is or would be accessible to the individual in flight is liable to the United States Government for a civil penalty of not more than \$10,000 for each violation.

(b) COMPROMISE AND SETOFF.—(1) The Secretary of Homeland Security may compromise the amount of a civil penalty imposed under subsection (a) of this section.

(2) The Government may deduct the amount of a civil penalty imposed or compromised under this section from amounts it owes the individual liable for the penalty.

(c) NONAPPLICATION.—This section does not apply to—

(1) a law enforcement officer of a State or political subdivision of a State, or an officer or employee of the Government, authorized to carry arms in an official capacity; or

(2) another individual the Administrator of the Federal Aviation Administration or the Secretary of Homeland Security by regulation authorizes to carry arms in an official capacity.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1234; Pub. L. 107-71, title I, §140(d)(5), Nov. 19, 2001, 115 Stat. 642; Pub. L. 108-458, title IV, §4027(c), Dec. 17, 2004, 118 Stat. 3727.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
46303(a)	49 App.:1471(d) (words after 3d comma).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §901(d); added Oct. 12, 1984, Pub. L. 98-473, §2014(a)(1), 98 Stat. 2189.
46303(b)	49 App.:1471(a)(2) (related to 1471(d)).	Aug. 23, 1958, Pub. L. 85-726, §901(a)(2) (related to §901(d)), 72 Stat. 784; July 10, 1962, Pub. L. 87-528, §12, 76 Stat. 150; restated Oct. 24, 1978, Pub. L. 95-504, §35(b), 92 Stat. 1740; Oct. 12, 1984, Pub. L. 98-473, §2014(b), 98 Stat. 2189.
	49 App.:1551(b)(1)(E).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §1601(b)(1)(E); added Oct. 4, 1984, Pub. L. 98-443, §3(e), 98 Stat. 1704.
46303(c)	49 App.:1471(d) (words before 3d comma).	

In subsection (a), the words “deadly or” and “which shall be recoverable in a civil action brought in the name of the United States” are omitted as surplus.

In subsection (b)(1), the words “imposed under” are substituted for “provided for in” for consistency.

In subsection (b)(2), the words “imposed or compromised” are substituted for “The amount of such penalty when finally determined or fixed by order of the Board, or the amount agreed upon in compromise” to eliminate unnecessary words.

In subsection (c)(1), the words “State or political subdivision of a State” are substituted for “municipal or

State government” for consistency in the revised title and with other titles of the United States Code. The words “or required” are omitted as surplus.

Editorial Notes

AMENDMENTS

2004—Subsec. (b)(1). Pub. L. 108-458, §4027(c)(1), substituted “Secretary of Homeland Security” for “Secretary of Transportation”.

Subsec. (c)(2). Pub. L. 108-458, §4027(c)(2), substituted “Secretary of Homeland Security” for “Under Secretary of Transportation for Security”.

2001—Subsec. (c)(2). Pub. L. 107-71 inserted “or the Under Secretary of Transportation for Security” after “Federal Aviation Administration”.

§ 46304. Liens on aircraft

(a) AIRCRAFT SUBJECT TO LIENS.—When an aircraft is involved in a violation referred to in section 46301(a)(1)(A)–(C) of this title and the violation is by the owner of, or individual commanding, the aircraft, the aircraft is subject to a lien for the civil penalty.

(b) SEIZURE.—An aircraft subject to a lien under this section may be seized summarily and placed in the custody of a person authorized to take custody of it under regulations of the Secretary of Transportation (or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator of the Federal Aviation Administration). A report on the seizure shall be submitted to the Attorney General. The Attorney General promptly shall bring a civil action in rem to enforce the lien or notify the Secretary or Administrator that the action will not be brought.

(c) RELEASE.—An aircraft seized under subsection (b) of this section shall be released from custody when—

- (1) the civil penalty is paid;
- (2) a compromise amount agreed on is paid;
- (3) the aircraft is seized under a civil action in rem to enforce the lien;

(4) the Attorney General gives notice that a civil action will not be brought under subsection (b) of this section; or

(5) a bond (in an amount and with a surety the Secretary or Administrator prescribes), conditioned on payment of the penalty or compromise, is deposited with the Secretary or Administrator.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1235; Pub. L. 108-176, title V, §503(d)(2), Dec. 12, 2003, 117 Stat. 2559; Pub. L. 115-254, div. K, title I, §1991(g)(2), Oct. 5, 2018, 132 Stat. 3644.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
46304(a)	49 App.:1471(b).	Aug. 23, 1958, Pub. L. 85-726, §§901(b), 903(b)(2), (3), 72 Stat. 784, 786.
46304(b)	49 App.:1473(b)(2). 49 App.:1551(b)(1)(E).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §1601(b)(1)(E); added Oct. 4, 1984, Pub. L. 98-443, §3(c), 98 Stat. 1704.
	49 App.:1655(c)(1).	Oct. 15, 1966, Pub. L. 89-670, §6(c)(1), 80 Stat. 938; Jan. 12, 1983, Pub. L. 97-449, §7(b), 96 Stat. 2444.
46304(c)	49 App.:1473(b)(3). 49 App.:1551(b)(1)(E). 49 App.:1655(c)(1).	