

(Added Pub. L. 107–71, title I, §114(a), Nov. 19, 2001, 115 Stat. 623.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 46503, Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1242, provided for death penalty sentencing procedure for individuals convicted of aircraft piracy, prior to repeal by Pub. L. 103–322, title VI, §60003(b)(2), Sept. 13, 1994, 108 Stat. 1970.

#### § 46504. Interference with flight crew members and attendants

An individual on an aircraft in the special aircraft jurisdiction of the United States who, by assaulting or intimidating a flight crew member or flight attendant of the aircraft, interferes with the performance of the duties of the member or attendant or lessens the ability of the member or attendant to perform those duties, or attempts or conspires to do such an act, shall be fined under title 18, imprisoned for not more than 20 years, or both. However, if a dangerous weapon is used in assaulting or intimidating the member or attendant, the individual shall be imprisoned for any term of years or for life.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1244; Pub. L. 107–56, title VIII, §811(i), Oct. 26, 2001, 115 Stat. 382.)

##### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
46504 .....	49 App.:1472(j).	Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §902(j); added Sept. 5, 1961, Pub. L. 87–197, §1, 75 Stat. 466; Oct. 14, 1970, Pub. L. 91–449, §1(3), 84 Stat. 921.

The words “or threatens” are omitted as being included in “intimidating”. The words “(including any steward or stewardess)” are omitted as being included in “attendant”. The words “fined under title 18” are substituted for “fined not more than \$10,000” for consistency with title 18. The words “deadly or” are omitted as surplus.

#### Editorial Notes

##### AMENDMENTS

2001—Pub. L. 107–56 inserted “or attempts or conspires to do such an act,” before “shall be fined under title 18,”.

#### § 46505. Carrying a weapon or explosive on an aircraft

(a) DEFINITION.—In this section, “loaded firearm” means a starter gun or a weapon designed or converted to expel a projectile through an explosive, that has a cartridge, a detonator, or powder in the chamber, magazine, cylinder, or clip.

(b) GENERAL CRIMINAL PENALTY.—An individual shall be fined under title 18, imprisoned for not more than 10 years, or both, if the individual—

(1) when on, or attempting to get on, 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 dan-

gerous weapon that is or would be accessible to the individual in flight;

(2) has placed, attempted to place, or attempted to have placed a loaded firearm on that aircraft in property not accessible to passengers in flight; or

(3) has on or about the individual, or has placed, attempted to place, or attempted to have placed on that aircraft, an explosive or incendiary device.

(c) CRIMINAL PENALTY INVOLVING DISREGARD FOR HUMAN LIFE.—An individual who willfully and without regard for the safety of human life, or with reckless disregard for the safety of human life, violates subsection (b) of this section, shall be fined under title 18, imprisoned for not more than 20 years, or both, and, if death results to any person, shall be imprisoned for any term of years or for life.

(d) NONAPPLICATION.—Subsection (b)(1) of 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 United States Government, authorized to carry arms in an official capacity;

(2) another individual the Administrator of the Federal Aviation Administration or the Administrator of the Transportation Security Administration by regulation authorizes to carry a dangerous weapon in air transportation or intrastate air transportation; or

(3) an individual transporting a weapon (except a loaded firearm) in baggage not accessible to a passenger in flight if the air carrier was informed of the presence of the weapon.

(e) CONSPIRACY.—If two or more persons conspire to violate subsection (b) or (c), and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in such subsection.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1244; Pub. L. 104–132, title VII, §705(b), Apr. 24, 1996, 110 Stat. 1295; Pub. L. 107–56, title VIII, §§810(g), 811(j), Oct. 26, 2001, 115 Stat. 381, 382; Pub. L. 107–71, title I, §140(d)(8), Nov. 19, 2001, 115 Stat. 642; Pub. L. 115–254, div. K, title I, §1991(h)(1), Oct. 5, 2018, 132 Stat. 3645.)

##### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
46505(a) .....	49 App.:1472(l)(4).	Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §902(l)(4); added Feb. 18, 1980, Pub. L. 96–193, §502(c), 94 Stat. 59.
46505(b) .....	49 App.:1472(l)(1).	Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §902(l)(1); added Sept. 5, 1961, Pub. L. 87–197, §1, 75 Stat. 466; Aug. 5, 1974, Pub. L. 93–366, §203, 88 Stat. 417; restated Feb. 18, 1980, Pub. L. 96–193, §502(a), 94 Stat. 59; Oct. 12, 1984, Pub. L. 98–473, §2014(c)(1), 98 Stat. 2189.
46505(c) .....	49 App.:1472(l)(2).	Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §902(l)(2); added Sept. 5, 1961, Pub. L. 87–197, §1, 75 Stat. 466; restated Aug. 5, 1974, Pub. L. 93–366, §203, 88 Stat. 418; Oct. 12, 1984, Pub. L. 98–473, §2014(c)(2), 98 Stat. 2189.