

# NOTICE

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

N 8900.185

National Policy

Effective Date:  
4/24/12

Cancellation Date:  
4/24/13

## **SUBJ:** Laser Incident Enforcement Investigations

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**1. Purpose of This Notice.** This notice updates current policy for the Federal Aviation Administration (FAA) to conduct investigations of laser events directed at aircraft using current FAA guidance and procedures.

**2. Audience.** The primary audience for this notice is FAA Flight Standards Service (AFS) field offices (Flight Standards District Offices (FSDO), certificate management offices (CMO)), and aviation safety inspectors (ASI) involved in laser enforcement investigations. The secondary audience includes Flight Standards branches and divisions in the regions and in headquarters (HQ).

**3. Where You Can Find This Notice.** You can find this notice on the MyFAA employee website at [https://employees.faa.gov/tools\\_resources/orders\\_notices](https://employees.faa.gov/tools_resources/orders_notices). Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Operators can find this notice on the FAA's website at <http://fsims.faa.gov>. This notice is available to the public at [http://www.faa.gov/regulations\\_policies/orders\\_notices](http://www.faa.gov/regulations_policies/orders_notices).

**4. What This Notice Cancels.** This notice cancels FAA notice N 8900.155, Laser Incident Enforcement Investigations, dated June 1, 2011.

**5. Background.** The FAA is aware of an increasing number of unauthorized laser illumination incidents nationwide. Reports of lasers being pointed at airplanes nearly doubled in 2010 to more than 2,800 from 2009 figures. As of December 2011, the FAA received over 3,500 laser incident reports for the 2011 calendar-year. This is the highest number of laser events recorded since the FAA began tracking these incidents in 2005.

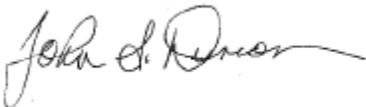
**a. Legal Interpretations.** The FAA Assistant Chief Counsel for Regulations (AGC-200) has issued a legal interpretation stating the FAA would consider a situation in which a laser beam, aimed at an aircraft by a person who is not on board the aircraft, interferes with a crewmember's performance of his or her duties aboard the aircraft to be a violation of Title 14 of the Code of Federal Regulations (14 CFR) part 91, § 91.11. The interpretation would apply equally to the similarly worded provisions of 14 CFR part 121, § 121.580, 14 CFR part 125, § 125.328, and 14 CFR part 135, § 135.120. A copy of this legal interpretation is available on the

FAA's laser website and can be accessed via the following hyperlink:  
<http://www.faa.gov/aircraft/safety/report/laserinfo>.

**b. The FAA Modernization and Reform Act of 2012.** On February 14, 2012, the President signed Public Law 112-95, the "FAA Modernization and Reform Act of 2012." Section 311 amended Title 18 of the United States Code (U.S.C.) Chapter 2, § 39, by adding § 39A, which makes it a federal crime to aim a laser pointer at an aircraft.

**6. Procedures.** When responding to laser incidents, AFS ASIs shall not conduct searches for persons suspected of pointing a laser at an aircraft and or crewmember. AFS inspectors will follow current editions of FAA Order 8900.1, Volume 14, Compliance and Enforcement; and the current edition of FAA Order 2150.3, FAA Compliance and Enforcement Program, Chapter 4, Investigation of Violations. When a laser incident occurs, several entities are involved. Appendix A (A-1 thru A-4) of this notice outlines the complete unauthorized laser illumination incident reporting and civil enforcement process to include the AFS role. Additionally, Appendix A details the protocol for AFS management and ASIs to follow prior to opening a civil enforcement investigation report (EIR).

**7. Disposition.** We will incorporate the information in this notice into FAA Order 8900.1 before this notice expires. Direct questions or comments about laser incident civil enforcement investigations to Air Transportation Division (AFS-200) at 202-267-8166.

for 

John M. Allen,  
Director, Flight Standards Service

## Appendix A. Laser Illumination Incident Reporting and Civil Enforcement Process

1.0 - “Real-Time” Unauthorized Laser Illumination Incident. Pilots are encouraged to report unauthorized laser illumination incidents immediately to the appropriate air traffic control (ATC) facility through aircraft radio communications. The initial report should include:

- Laser illumination location (Latitude/Longitude or Fixed Radial Distance (FRD) if possible);
- Altitude;
- Color of laser beam(s);
- Originating direction and position; and
- Any additional information deemed necessary for ATC, law enforcement, and other governmental action taken to safeguard the safety and efficiency of aviation operations in the National Airspace System (NAS).

If an AFS field office receives notification that an unauthorized laser illumination incident is occurring or has just occurred, the office should immediately contact a Local, State, or Federal Law Enforcement Agency (LEA) to relay the information, and follow-up with a phone call to the Regional Operations Center (ROC). Additionally, the receiving AFS field office will send an email to [laserreports@faa.gov](mailto:laserreports@faa.gov) as detailed in Step 3.0 second bullet.

2.0 - An ATC facility that receives a report of an unauthorized laser illumination should immediately report the laser illumination incident in accordance with FAA Advisory Circular (AC) 70-2, Reporting of Laser Illumination of Aircraft, and FAA Air Traffic Organization (ATO) Job Order (JO) 7210.3X, Facility Operation and Administration, to the Domestic Events Network (DEN) and FAA Washington Operations Center (WOC) – AEO-100 (this is a single report; the facilities are co-located). The DEN will act on such reports in accordance with DEN standard operating procedures (SOP).

2.1 - The WOC distributes the unauthorized laser illumination incident report to:

- ATO, Strategic Operations Security Group (AJR);
- Office of Security and Hazardous Materials Safety (ASH); and
- AFS Air Transportation Division, AFS-200.

3.0 - “Post” Laser Illumination Incident Reporting. After initial notification of an unauthorized laser illumination incident, a laser incident report should be completed as soon as possible utilizing one of the following methods as appropriate:

- Pilot completes laser beam exposure questionnaire located on the FAA website via the following hyperlink:  
<http://www.faa.gov/aircraft/safety/report/laserinfo>.
- Member of the public who witnessed an unauthorized laser illumination incident, or an ASI who receives a report, should send an email to [laserreports@faa.gov](mailto:laserreports@faa.gov) and include the following information:
  - a. Name and contact information;

- b. Date and time the incident was witnessed; and
- c. Location and description of the incident.

**Note:** The ASI who receives a report should create a Program Tracking and Reporting Subsystem (PTRS) record using activity code 1045, 3045 or 5045 (STAFF/ADMIN/SPECIAL PROJECTS), with “LASER” in the “National Use” block. In the comment section, using primary area “H,” keyword “999,” and opinion code “I,” enter the information sent via email to laserreports@faa.gov, including the date when the email was sent.

**Note:** If the pilot or member of the public is unable to access the FAA laser website, or does not have access to a computer, refer them to AC 70-2 for other methods (e.g., fax, phone call) to complete and submit an unauthorized laser illumination report.

- 3.1 - To enable AFS to begin the civil enforcement investigation process, all information submitted in Step 3.0 will be forwarded to AJR and subsequently disseminated to ASH and AFS.
- 3.2 - “Post” laser incident status inquiries should be directed to the ATO Mission Support Services Division (AJV-4).
- 4.0 - ASH will coordinate with the appropriate law enforcement agencies to obtain details of the incident.
- 5.0 - ASH will work with State, Local, and Federal LEAs to identify a possible subject. When a subject is identified and apprehended, ASH will compile information needed for FAA AFS to begin the civil penalty enforcement process and proceed to Step 7.0.
- 6.0 - If a subject cannot be identified, there is no additional action required by FAA AFS.
- 7.0 - If a subject can be identified, ASH will prepare a memorandum detailing the incident and the identifying information of the individual involved in the laser incident. The memo will be transmitted via email in a secure zip file to the geographically responsible AFS Regional Office (RO) division manager and assistant division manager.
- 8.0 - The geographically responsible AFS RO division will assign the civil enforcement to the appropriate AFS field office. The AFS RO division manager or assistant division manager will send an email to AFS-200 identifying the following:
  - Date when the secure zip file was received from ASH;
  - AFS field office assigned to work the enforcement to include date of assignment; and
  - Laser incident report number identified in the ASH memorandum.

The email should be sent to the following AFS-200 mailbox:

- 9-laserincidents@faa.gov.

- 8.1 - The secure zip file received by the AFS RO division manager in Step 7.0 will be forwarded to the AFS field office assigned to work the enforcement.
- 9.1 - The AFS field office ASI assigned to work the civil EIR should contact ASH to obtain any additional information if needed from law enforcement agencies to support civil enforcement action. As with any EIR, if criminal enforcement action is pending, there may be limitations on who the FAA ASI can interview and subsequent coordination with Regional AGC is required. Coordination between AFS field office and law enforcement should be in accordance with the current edition of FAA Order 2150.3, FAA Compliance and Enforcement Program, Chapter 4, Paragraph 18, Criminal Investigations.

The following additional reference material to support preparation of a laser EIR package is located in FSIMS under the “Publications—Other Documents—Laser Investigation References” folder:

**Note:** Additional laser reference material may be added to the above referenced folder in the future.

- AGC-300 PPT – Laser Interference Investigation.
- AFS Laser Item of Proof (IOP) Checklist.

The FAA is taking swift action against individuals who aim a laser at an aircraft and/or crewmember. ASIs should strive to complete the laser EIR package within 60 days.

All PTRS records associated with laser EIRs should include “LASEREIR” in the “National Use” field.

The AFS RO division manager, assistant division manager, or their delegate will send an email to 9-laserincidents@faa.gov when AFS has completed the EIR and subsequently forwarded the EIR to Regional AGC.

**Figure 1. Laser Illumination Incident Reporting and Civil Enforcement Process - Flowchart**

