



June 20, 2014

The Honourable Lisa Raitt, Minister of Transport  
and  
The Honourable Peter MacKay, Minister of Justice

Dear Honourable Ministers:

We, the undersigned, representing nearly 9,000 airline pilots who fly commercial transport aircraft in Canada, along with airline, business, and helicopter operators, as well as tens of thousands of general aviation aircraft owners and pilots, respectfully request the federal government to (1) enact legislation to make the act of knowingly pointing a laser at an aircraft in flight a criminal offence, (2) limit possession of handheld laser pointers to those of 5 milliwatts power or less, unless used for a specific purpose for which a permit is required, and (3) mount a campaign to warn the public of using lasers in an unlawful manner. Currently, there are no Canadian laws prohibiting possession of a laser whose output is greater than 5 milliwatts; these lasers pose a risk to eye safety for even incidental exposure. Likewise, Sections 7.41 (1) (a) of the Aeronautics Act and 601.20 of the Canadian Aviation Regulations (CARs) do not specifically address the dangerous practice of pointing a laser at aircraft, an action that has kept increasing exponentially over time.

Powerful lasers as strong as 2,000 milliwatts (i.e., 2 watts) or more can be freely acquired by any person on the internet or through various other sources. The intentional and often nefarious pointing of widely available powerful lasers against airborne flight crews is a genuine and growing safety and security concern. The effects of these occurrences to flight crews have

ranged from startle to glare and, in some instances, flash blindness, afterimage or even temporary eye injury. In recognition of the safety risks associated with such high-powered lasers, the U.S. Food and Drug Administration, which regulates the manufacture and sale of laser devices in that country, has recently proposed to limit the emissions of handheld laser pointers to a maximum of 5 milliwatts.

In recent years, Canada, and the U.S. have recorded increasing instances of laser exposures that have been disruptive to flight operations. In Canada, 80 strikes were reported on aircraft in 2008, 111 in 2009 and 182 in 2010. The strikes reports increased to 229 in 2011, and the trend shows it is getting worse. In 2013, there were 461 laser/aircraft incidents reported to Transport Canada, as compared with 357 in 2012. In the U.S., pilots reported laser strikes 3,960 times, according to Federal Aviation Administration (FAA) statistics for the calendar year 2013, which were released on February 11, 2014. Other countries are observing similar trends. As a result, some States have already enacted legislation that makes laser strikes on aircraft a criminal offence.

In the U.S., the Federal Bureau of Investigation began a public awareness campaign earlier this year, with the co-sponsorship of the FAA and the Air Line Pilots Association, Int'l that is aimed at reducing the incidence of laser strikes on aircraft. Informing the public of federal criminal statutes, to include possible prison sentences and significant fines for those who use handheld lasers illegally, the laser threat campaign has been successful in reducing the number of these events by 19% in just a matter of a few months. The campaign went nationwide in early May 2014 and an even greater reduction of laser strikes is expected.

The Canadian and the world's airline industries maintain that wilfully or knowingly pointing a laser at an aircraft in flight should be prosecuted as an indictable offense. New Canadian legislation to create such a criminal statute is needed now to curb this trend. We have worked with numerous Canadian law enforcement organizations over the past several years on this issue and there is strong agreement that such dangerous actions should be addressed by federal statute and not be adjudicated solely by the Aeronautics Act or the above cited CAR. Making it an indictable offense, and giving law enforcement and prosecutors the tools that they need to enforce them, will put the public on notice that shining a laser into an aircraft cockpit is a serious offense that will be met with serious consequences. Once the criminal statutes are enacted, the public should thereafter be made aware of them through a nationwide campaign as a deterrent to this reckless and dangerous behaviour.

As stated, a number of other countries including the U.S. have already enacted more robust laws making pointing a laser at an aircraft a criminal offense and limiting the maximum allowable power of lasers in one's possession without a permit. On behalf of the Canadian aviation industry, we urge the federal government to expeditiously enact laser legislation aimed at significantly reducing the threat of laser strikes on aircraft and thus, enhance the safety and security of all commercial airline passengers and crewmembers. The consequences of this threat are too great to ignore.

We thank the Honourable Ministers for their consideration of this important initiative. As always, we remain available to discuss this issue with you, should you seek further information or evidence.

Sincerely,



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