

The Federal Ministry for Transport, Innovation and Technology, Department of Civil Aviation refers to the State-Letter mentioned above and transmits the following answers:

a) continue to raise awareness of the dangers of laser illumination of aircraft; 18/17

Promotion is part of the "AASSP" (Austrian Aviation State Safety Programme).

b) indicate progress made to enforce applicable laws when laser attacks are perpetrated; and

c) indicate progress made in including legal provisions and enforcing penalties, if necessary

Legal regulations are in force:

Aviation Act: § 128 Abs. 3:

The use of lasers of classes 1M, 2M, 3R, 3B and 4 according to ÖVE / ÖNORM EN 60825-1 + A11 + A2 "Safety of laser equipment - Part 1: Classification of equipment, requirements and User guidelines "within security zones and below security zones, as well as within a radius of 2 500 m around the aerodrome reference point within the meaning of § 88 (2) is prohibited. This does not apply to lasers and laser equipment required for maintenance activities and the maintenance of safe and orderly operation of aerodromes.

Aviation Act: § 169 (1):

Anyone who

1. infringes or contravenes this Federal Act,
2. attempts to enact or contravene the ordinances issued pursuant to this Federal Act, commits an administrative offense, unless there is a criminal offense, and is fined by the district administrative authority up to € 22,000. If aggravating circumstances exist, a fine of up to six weeks may be imposed in addition to a fine. In cases of commercial transport of persons without the authorizations required by § 102, a fine of at least € 3,630 must be imposed.

Section 186 of the Criminal Code:

(1) Any person who, in such a way as to endanger the safety of an aircraft in flight,

1. is committing violence or is threatened with violence against a person aboard the aircraft,
2. has damaged the aircraft in use or
3. Aircraft facilities destroyed, damaged or impaired in its operation shall be punished with imprisonment of one to ten years if the offense is not threatened under any other provision of a more severe penalty.

(2) It shall also be penalized:

1. Who destroys or damages an in-service aircraft in such a way that it becomes unable to fly, or
2. Who, by knowingly incorrect communication, creates a risk to the safety of an aircraft in flight.
3. If the act results in the death of a person or serious bodily injury (§ 84 (1)) of a larger number of people, then the perpetrator is imprisoned from five to fifteen years, but has the death of a larger number of people to be punished with imprisonment of ten to twenty years or life imprisonment.