

State letter AS8/5-18/17 – Laser illumination and flight safety – notification of legal provisions

Dear Secretary General

To raise the awareness of the danger of laser illumination of aircraft we endeavour to draw the attention on the imminent dangers of laser illumination by means of various measures, especially protecting and proceeding instructions in aviation as well as in general through our corresponding authorities.

Regarding the legal provisions, we are happy to provide you with a short overview of our existing and new legislation on laser illumination.

Current legal provisions

To protect the health and the environment, the Swiss legislation contains several isolated provisions (product safety law, environmental law, labor law, general order of the Federal Inspectorate for Heavy Current Installations) concerning non-ionized radiation. However, an immediate prohibition, and in particular the sanctioning of private possession or use regarding laser illumination is not provided to those regulations.

The weapon law prohibits the abusive carrying of strong laser pointers in public or along in a car and the relevant equipment can be confiscated by the police. Nevertheless, there is currently no legislation dealing with a direct sanctioning of laser pointers.

New legal provisions

Regarding the increasing health and safety-related hazards, not least due to the enhanced endangerment of pilots and crew members through the use of laser pointers, Switzerland has developed in recent years a federal law on the protection against hazards of non-ionized radiation which was approved by Parliament on 16 June 2017. The law allows regulations that take account of a wide variety of risks. The possession and use of laser illumination of certain endangered classes (class 2 and above) that seriously endanger health shall be allowed only under certain preconditions. This relates primarily to laser pointers respectively laser illumination. Violations of the prohibition are thereby punished. The implementing legislation to the law is currently in the process of consultation. The new legislation is expected to come into force in spring 2019 together with more detailed implementing provisions prohibiting laser illumination, and will be directly applicable.

Yours sincerely