

be served in addition to, and not concurrently with, any other term of imprisonment imposed on the individual subject to the imprisonment.

(Added Pub. L. 106–181, title V, §509(a), Apr. 5, 2000, 114 Stat. 141.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106–181, set out as an Effective Date of 2000 Amendments note under section 106 of this title.

§ 46318. Interference with cabin or flight crew

(a) GENERAL RULE.—An individual who physically or sexually assaults or threatens to physically or sexually assault a member of the flight crew or cabin crew of a civil aircraft or any other individual on the aircraft, or takes any action that poses an imminent threat to the safety of the aircraft or other individuals on the aircraft is liable to the United States Government for a civil penalty of not more than \$35,000.

(b) COMPROMISE AND SETOFF.—

(1) COMPROMISE.—The Secretary may compromise the amount of a civil penalty imposed under this section.

(2) SETOFF.—The United States Government may deduct the amount of a civil penalty imposed or compromised under this section from amounts the Government owes the person liable for the penalty.

(Added Pub. L. 106–181, title V, §511(a), Apr. 5, 2000, 114 Stat. 142; amended Pub. L. 115–254, div. B, title III, §339(a), Oct. 5, 2018, 132 Stat. 3282.)

Editorial Notes

AMENDMENTS

2018—Subsec. (a). Pub. L. 115–254 inserted “or sexually” after “physically” in two places and substituted “\$35,000” for “\$25,000”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106–181, set out as an Effective Date of 2000 Amendments note under section 106 of this title.

§ 46319. Permanent closure of an airport without providing sufficient notice

(a) PROHIBITION.—A public agency (as defined in section 47102) may not permanently close an airport listed in the national plan of integrated airport systems under section 47103 without providing written notice to the Administrator of the Federal Aviation Administration at least 30 days before the date of the closure.

(b) PUBLICATION OF NOTICE.—The Administrator shall publish each notice received under subsection (a) in the Federal Register.

(c) CIVIL PENALTY.—A public agency violating subsection (a) shall be liable for a civil penalty of \$10,000 for each day that the airport remains closed without having given the notice required by this section.

(Added Pub. L. 108–176, title I, §185(a), Dec. 12, 2003, 117 Stat. 2517.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108–176, set out as an Effective Date of 2003 Amendment note under section 106 of this title.

§ 46320. Interference with wildfire suppression, law enforcement, or emergency response effort by operation of unmanned aircraft

(a) IN GENERAL.—Except as provided in subsection (b), an individual who operates an unmanned aircraft and in so doing knowingly or recklessly interferes with a wildfire suppression, law enforcement, or emergency response effort is liable to the United States Government for a civil penalty of not more than \$20,000.

(b) EXCEPTIONS.—This section does not apply to the operation of an unmanned aircraft conducted by a unit or agency of the United States Government or of a State, tribal, or local government (including any individual conducting such operation pursuant to a contract or other agreement entered into with the unit or agency) for the purpose of protecting the public safety and welfare, including firefighting, law enforcement, or emergency response.

(c) COMPROMISE AND SETOFF.—

(1) COMPROMISE.—The United States Government may compromise the amount of a civil penalty imposed under this section.

(2) SETOFF.—The United States Government may deduct the amount of a civil penalty imposed or compromised under this section from the amounts the Government owes the person liable for the penalty.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) WILDFIRE.—The term “wildfire” has the meaning given that term in section 2 of the Emergency Wildfire Suppression Act (42 U.S.C. 1856m).

(2) WILDFIRE SUPPRESSION.—The term “wildfire suppression” means an effort to contain, extinguish, or suppress a wildfire.

(Added Pub. L. 114–190, title II, §2205(a), July 15, 2016, 130 Stat. 630.)

CHAPTER 465—SPECIAL AIRCRAFT JURISDICTION OF THE UNITED STATES

Sec.

46501.	Definitions.
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Editorial Notes

AMENDMENTS

2018—Pub. L. 115–254, div. B, title V, §539(m), div. K, title I, §1991(h)(2), Oct. 5, 2018, 132 Stat. 3371, 3645, made identical amendments, striking out item 46503 “Repealed”.

2001—Pub. L. 107-71, title I, §114(b), Nov. 19, 2001, 115 Stat. 623, added item 46503 “Interference with security screening personnel”.

1994—Pub. L. 103-322, title VI, §60003(b)(1), Sept. 13, 1994, 108 Stat. 1970, substituted “Repealed” for “Death penalty sentencing procedure for aircraft piracy” in item 46503.

§ 46501. Definitions

In this chapter—

(1) “aircraft in flight” means an aircraft from the moment all external doors are closed following boarding—

(A) through the moment when one external door is opened to allow passengers to leave the aircraft; or

(B) until, if a forced landing, competent authorities take over responsibility for the aircraft and individuals and property on the aircraft.

(2) “special aircraft jurisdiction of the United States” includes any of the following aircraft in flight:

(A) a civil aircraft of the United States.

(B) an aircraft of the armed forces of the United States.

(C) another aircraft in the United States.

(D) another aircraft outside the United States—

(i) that has its next scheduled destination or last place of departure in the United States, if the aircraft next lands in the United States;

(ii) on which an individual commits an offense (as defined in the Convention for the Suppression of Unlawful Seizure of Aircraft) if the aircraft lands in the United States with the individual still on the aircraft; or

(iii) against which an individual commits an offense (as defined in subsection (d) or (e) of article I, section I of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation) if the aircraft lands in the United States with the individual still on the aircraft.

(E) any other aircraft leased without crew to a lessee whose principal place of business is in the United States or, if the lessee does not have a principal place of business, whose permanent residence is in the United States.

(3) an individual commits an offense (as defined in the Convention for the Suppression of Unlawful Seizure of Aircraft) when the individual, when on an aircraft in flight—

(A) by any form of intimidation, unlawfully seizes, exercises control of, or attempts to seize or exercise control of, the aircraft; or

(B) is an accomplice of an individual referred to in subclause (A) of this clause.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1240.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
46501(1)	49 App.:1301(38) (words after 10th comma).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §101(38); added Oct. 14, 1970, Pub. L. 91-449, §1(1), 84 Stat. 921; restated Aug. 5, 1974, Pub. L. 93-366, §§102, 206, 88 Stat. 409, 419; Nov. 9, 1977, Pub. L. 95-163, §17(b)(1), 91 Stat. 1286; Oct. 24, 1978, Pub. L. 95-504, §2(b), 92 Stat. 1705; Oct. 12, 1984, Pub. L. 98-473, §2013(c), 98 Stat. 2189.
	49 App.:1472(n)(4).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §902(n)(2), (4); added Aug. 5, 1974, Pub. L. 93-366, §103(b), 88 Stat. 410, 411.
46501(2)	49 App.:1301(38) (words before 10th comma).	
46501(3)	49 App.:1472(n)(2).	

In clause (2), before subclause (A), the words “any of the following” are substituted for “includes” for clarity. In subclause (B), the words “armed forces” are substituted for “national defense forces” because of 10:101. In subclause (D)(i), the word “place” is substituted for “point” for consistency in the revised title. The word “actually” is omitted as surplus. In subclause (D)(ii), the words “on which an individual commits” are substituted for “having . . . committed aboard” for clarity. In subclause (D)(iii), the words “against which an individual commits” are substituted for “regarding which an offense . . . is committed” for clarity. The words “(Montreal, September 23, 1971)” are omitted as surplus. In subclause (E), the words “the lessee does not have a principal place of business” are substituted for “none” for clarity.

In clause (3), the words “by force or threat thereof, or . . . other” are omitted as surplus.

§ 46502. Aircraft piracy

(a) IN SPECIAL AIRCRAFT JURISDICTION.—(1) In this subsection—

(A) “aircraft piracy” means seizing or exercising control of an aircraft in the special aircraft jurisdiction of the United States by force, violence, threat of force or violence, or any form of intimidation, and with wrongful intent.

(B) an attempt to commit aircraft piracy is in the special aircraft jurisdiction of the United States although the aircraft is not in flight at the time of the attempt if the aircraft would have been in the special aircraft jurisdiction of the United States had the aircraft piracy been completed.

(2) An individual committing or attempting or conspiring to commit aircraft piracy—

(A) shall be imprisoned for at least 20 years; or

(B) notwithstanding section 3559(b) of title 18, if the death of another individual results from the commission or attempt, shall be put to death or imprisoned for life.

(b) OUTSIDE SPECIAL AIRCRAFT JURISDICTION.—

(1) An individual committing or conspiring to commit an offense (as defined in the Convention for the Suppression of Unlawful Seizure of Aircraft) on an aircraft in flight outside the special aircraft jurisdiction of the United States—

(A) shall be imprisoned for at least 20 years; or

(B) notwithstanding section 3559(b) of title 18, if the death of another individual results