

FILE NO. 990409ORDINANCE NO. 157-99

1 [LASER POINTERS]

2 AMENDING CHAPTER VIII, PART 2 OF THE SAN FRANCISCO MUNICIPAL CODE
 3 (POLICE CODE) BY ADDING ARTICLE 48, SECTIONS 4800 TO 4808, REGULATING THE
 4 SALE, POSSESSION AND USE OF LASER POINTERS.

5 Note: This entire section is new.

6 Be it ordained by the People of the City and County of San Francisco:

7 Section 1. Chapter VIII, Part 2 of The San Francisco Municipal Code (Police Code) is
 8 hereby amended by adding Article 48, Sections 4800 to 4808, to read as follows:

9 **ARTICLE 48 LASER POINTERS**

10 **SEC. 4800. DEFINITIONS.** For purposes of this Article, "Laser Pointer" shall mean
 11 any handheld device which emits a laser lighting beam that is designed to be used by the
 12 operator as a pointer or highlighter to indicate, mark or identify a specific position, place, item
 13 or object.

14 **SEC. 4801. STORAGE AND DISPLAY OF LASER POINTERS.** (a) It shall be
 15 unlawful for any person who owns, conducts, operates or manages a retail commercial
 16 establishment where Laser Pointers are sold to store or display, or cause to be stored or
 17 displayed, such Laser Pointers in an area that is accessible to the public without employee
 18 assistance.

19 (b) Nothing herein shall preclude the storage or display of Laser Pointers in an area
 20 viewable by the public so long as such items are not accessible to the public without
 21 employee assistance.

22 **SEC. 4802. SALE OF LASER POINTERS TO MINORS PROHIBITED.** It shall be
 23 unlawful for any person, firm, or corporation, except a parent or legal guardian, to sell,
 24 exchange, give or loan to any minor under the age of 18 years, any Laser Pointer.
 25

SUPERVISOR YAKI, BROWN
 BOARD OF SUPERVISORS

1 **SEC. 4803. USE OF LASER POINTERS BY MINORS PROHIBITED.** It shall be
2 unlawful for any person under the age of 18 years to have in his or her possession any Laser
3 Pointer unless said minor is under the direct supervision and control of the minor's parent,
4 legal guardian, or other adult authorized by the parent or legal guardian to exercise such
5 supervision.

6 **SEC. 4804. POSSESSION OF LASER POINTERS AT MOVIE THEATERS AND**
7 **PUBLIC EVENTS PROHIBITED.** It shall be unlawful for any person attending any movie
8 theater or public event including, but not limited to, any sporting event to have in his or her
9 possession any Laser Pointer.

10 **SEC. 4805. DIRECTING LASER BEAM INTO INTO A MOVING VEHICLE OR ONTO**
11 **ANOTHER PERSON PROHIBITED.** It shall be unlawful for any person to direct intentionally
12 the beam from a Laser Pointer into a moving vehicle or onto another person without such
13 person's prior knowledge and consent.

14 **SEC. 4806. PENALTY.** Any person who violates Section 4803 or 4804 of this Article
15 shall be guilty of an infraction. Any person who violates Section 4801, 4802 or 4805 of this
16 Article shall be guilty of an infraction or a misdemeanor, at the discretion of the prosecutor. A
17 violation which is an infraction is punishable by a fine of not more than \$500. A violation
18 which is a misdemeanor is punishable by a fine of not more than \$1000, or by imprisonment in
19 the County Jail for not more than 6 months, or by both such fine and imprisonment.

20 **SEC 4807. DISCLAIMER.** In regulating the sale, possession and use of Laser
21 Pointers, the City and County of San Francisco is assuming an undertaking only to promote
22 the general welfare. It is not assuming, nor is it imposing on its officers and employees, an
23 obligation for breach of which it is liable in money damages to any person who claims that
24 such breach proximately caused injury.
25

1 **SEC. 4808. SEVERABILITY.** If any of the provisions of this Article or the application
2 thereof to any Person or circumstance is held invalid, the remainder of this Code, including the
3 application of such part or provisions to persons or circumstances other than those to which it is
4 held invalid, shall not be affected thereby and shall continue in full force and effect. To this end,
5 the provisions of this Article are severable.

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7
8 APPROVED AS TO FORM:

9 LOUISE H. RENNE, City Attorney

10
11
12 By: Mario M. Kashou
13 Mario M. Kashou
14 Deputy City Attorney



City and County of San Francisco

City Hall
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San Francisco, CA 94102-4689

Tails Ordinance

File Number: 990409

Date Passed:

Ordinance amending Police Code by adding Article 48 (Sections 4800 through 4808) regulating the sale, possession and use of laser pointers.

May 24, 1999 Board of Supervisors — PASSED ON FIRST READING

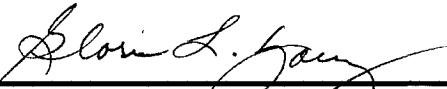
Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

June 1, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 990409

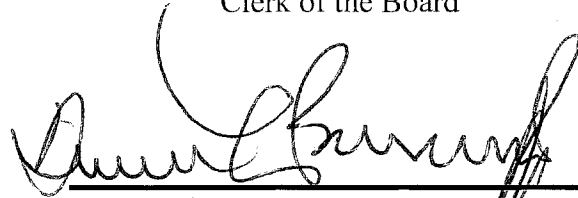
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on June 1, 1999 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

JUN 1 1 1999

Date Approved



Mayor Willie L. Brown Jr.