

## **IC 35-47-6**

### **Chapter 6. Weapons on Aircraft**

#### **IC 35-47-6-0.1**

##### **Application of certain amendments to chapter**

Sec. 0.1. The addition of section 1.1 of this chapter by P.L.50-2005 applies only to offenses committed after June 30, 2005. *As added by P.L.220-2011, SEC.623.*

#### **IC 35-47-6-0.5**

##### **Applicability of chapter**

Sec. 0.5. (a) Except as provided in subsection (b), this chapter does not apply to an official or employee:

(1) of:

(A) the United States;

(B) a state or political subdivision of a state;

(C) an operator (as defined in IC 5-23-2-8); or

(D) any other entity that has been granted statutory authority to enforce the penal laws of Indiana;

(2) who has been granted the power to effect arrests under Indiana law; and

(3) who has been authorized by the official's or employee's agency or employer to carry firearms.

(b) An individual described in subsection (a) is subject to the applicable regulations of the United States concerning the possession and carriage of firearms on aircraft or in areas of an airport to which access is controlled by the inspection of persons and property.

*As added by P.L.84-1996, SEC.2. Amended by P.L.49-1997, SEC.67.*

#### **IC 35-47-6-1**

##### **Firearm, explosive, or deadly weapon; possession in commercial or chartered aircraft**

Sec. 1. A person who boards a commercial or charter aircraft having in his possession:

(1) a firearm;

(2) an explosive; or

(3) any other deadly weapon;

commits a Class C felony.

*As added by P.L.311-1983, SEC.32.*

#### **IC 35-47-6-1.1**

##### **Undisclosed transport of dangerous device**

Sec. 1.1. (a) As used in this section, "dangerous device" means:

(1) a firearm;

(2) a destructive device (as defined in IC 35-47.5-2-4); or

(3) a weapon of mass destruction (IC 35-41-1-29.4).

(b) A person who checks an item to be transported on a commercial passenger airline and who:

(1) knows the item contains a dangerous device; and

(2) knowingly or intentionally fails to disclose orally or in

writing to the person to whom possession of the item is delivered for carriage that the item contains a dangerous device; commits undisclosed transport of a dangerous device, a Class A misdemeanor.

*As added by P.L.50-2005, SEC.2.*

### **IC 35-47-6-1.3**

#### **Firearm, explosive, or deadly weapon; possession in controlled access areas of an airport**

Sec. 1.3. A person who knowingly or intentionally enters an area of an airport to which access is controlled by the inspection of persons and property while the person:

- (1) possesses:
  - (A) a firearm;
  - (B) an explosive; or
  - (C) any other deadly weapon; or
- (2) has access to property that contains:
  - (A) a firearm;
  - (B) an explosive; or
  - (C) any other deadly weapon;

commits a Class A misdemeanor.

*As added by P.L.84-1996, SEC.3.*

### **IC 35-47-6-1.4**

#### **Unlawful entry to restricted area of airport**

Sec. 1.4. (a) This section does not apply to a person who is:

- (1) employed by:
  - (A) an airport;
  - (B) an airline; or
  - (C) a law enforcement agency; and
- (2) acting lawfully within the scope of the person's employment.

(b) A person who knowingly or intentionally enters an area of an airport to which access is controlled by the inspection of persons or property without submitting to the inspection commits a Class A misdemeanor.

*As added by P.L.59-2002, SEC.3.*

### **IC 35-47-6-1.6**

#### **Disrupting operation of aircraft; Class B felony**

Sec. 1.6. (a) A person who knowingly or intentionally uses force or violence or the threat of force or violence to disrupt the operation of an aircraft commits a Class B felony.

(b) A person who knowingly or intentionally uses force or violence or the threat of force or violence to hijack an aircraft in flight commits a Class A felony.

(c) For purposes of this section, an aircraft is considered to be in flight while the aircraft is:

- (1) on the ground in Indiana:
  - (A) after the doors of the aircraft are closed for takeoff; and
  - (B) until the aircraft takes off;

- (2) in the airspace above Indiana; or
- (3) on the ground in Indiana:
  - (A) after the aircraft lands; and
  - (B) before the doors of the aircraft are opened after landing.

*As added by P.L.59-2002, SEC.4.*

**IC 35-47-6-2**

**Repealed**

*(Repealed by P.L.84-1996, SEC.4.)*

**IC 35-47-6-3**

**Consent to search of person or personal belongings**

Sec. 3. Any person purchasing a ticket to board any commercial or charter aircraft shall by such purchase consent to a search of his person or personal belongings by the company selling said ticket to him. In case said person shall refuse to submit to a search of his person or personal belongings by said aircraft company, the person refusing may be denied the right to board said commercial or charter aircraft.

*As added by P.L.311-1983, SEC.32.*

**IC 35-47-6-4**

**Action against airline company for denial of person refusing search to board aircraft**

Sec. 4. No action, either at law or equity, shall be brought against any commercial or charter airline company operating in Indiana for the refusal of said company to permit a person to board said aircraft where said person has refused to be searched as set out in section 3 of this chapter.

*As added by P.L.311-1983, SEC.32.*