

TITLE 18
CRIMES AND PUNISHMENTS

CHAPTER 75
AIRCRAFT HIJACKING

18-7501. AIRCRAFT HIJACKING DEFINED -- PENALTY. The offense of aircraft hijacking is defined as the seizure or exercise of control, by force or violence or threat of force or violence, of any aircraft within the airspace jurisdiction of the state of Idaho. Any person convicted of the offense of aircraft hijacking shall suffer life imprisonment.

[I.C., sec. 18-7501, as added by 1973, ch. 267, sec. 1, p. 561.]

18-7502. ASSAULT WITH INTENT TO COMMIT AIRCRAFT HIJACKING DEFINED -- PENALTY. The offense of assault with intent to commit aircraft hijacking is defined as an intimidation, threat, assault or battery toward any flight crew member, attendant or employee, as to lessen the ability of such member, attendant, or employee to perform his duties, with the intent to commit aircraft hijacking as defined in section [18-7501](#) of this act. Any person convicted of the offense of assault with intent to commit aircraft hijacking shall suffer life imprisonment.

[I.C., sec. 18-7502, as added by 1973, ch. 267, sec. 1, p. 561.]

18-7503. WEAPONS ABOARD AIRCRAFT -- PENALTY. (1) No person, while aboard an airplane being operated by a holder of a certificate issued by the federal government or the state of Idaho, shall carry on or about his person a deadly or dangerous weapon, either concealed or unconcealed; nor shall any person enter or attempt to enter any sterile area of an airport, which is a holder of a certificate issued by the federal government or the state of Idaho, while knowingly carrying on or about his person, or in a bag, case, pouch or other container, a deadly or dangerous weapon, either concealed or unconcealed. Any person who pleads guilty or is found guilty of this subsection shall be guilty of a misdemeanor. As used in this section "sterile area" shall mean that area of a certificated airport to which access is controlled as required by the federal aviation administration regulations.

(2) No person, while aboard an airplane being operated by a holder of a certificate issued by the federal government or the state of Idaho, shall willfully and intentionally conceal on or about his person, or in a bag, case, pouch or other container any deadly or dangerous weapon; nor shall any person enter or attempt to enter any sterile area of an airport which is a holder of a certificate issued by the federal government or the state of Idaho, while willfully and intentionally concealing on or about his person, or in a bag, case, pouch or other container any deadly or dangerous weapon with the intent to avoid its detection by security measures at the sterile area.

(3) This section does not apply to:

(a) Law enforcement officials of a city, county or state, or of the United States, who are authorized to carry arms and who have fulfilled the requirements of federal aviation administration regulations 107 and 108 in effect on January 1, 2001, and as may be amended from time to time;

(b) Crew members and other persons authorized by the certificate holder to carry arms;

(c) Parties chartering an aircraft for the purpose of hunting when a weapon is properly stored and/or in the custody of the pilot in command of the aircraft; or

(d) An aircraft owner and his invited guests when the weapon is properly stored and/or in the custody of the pilot of the aircraft.

(4) Any person convicted of violating the provisions of subsection (2) of this section shall be guilty of a felony, punishable by imprisonment in the state prison not exceeding five (5) years or by fine not exceeding five thousand dollars (\$5,000) or by both such fine and imprisonment.

(5) Any person presenting a ticket to board any commercial or charter aircraft shall by such presentation consent to a search or screening of his person or personal belongings by the aircraft company boarding him, by personnel of the airport from which the flight is originating, persons authorized by federal aviation administration regulations or by law enforcement officials. In case said person shall refuse to submit to a search or screening of his person or personal belongings by said aircraft company personnel, airport personnel, federal aviation administration regulation authorized personnel, federal employees or law enforcement officials the person refusing shall be denied the right to board said commercial or charter aircraft.

(6) Any person entering or attempting to enter into the sterile area of an airport shall be presumed to have fully consented to a search of their person, clothing and belongings including, but not limited to, any bags, cases, pouches or other containers with which they are associated. Such full consent shall remain until the aircraft shall depart from the airport.

(7) No person in, near or attempting to enter a sterile area of a certificated airport shall assault, obstruct or delay any aircraft company personnel, airport personnel, federal aviation administration regulation authorized personnel, federal employee or law enforcement official in the performance of their assigned duties within the airport.

(8) No action, either at law or equity, shall be brought against any commercial or charter airline company or airport operating in this state for the refusal of said company or airport to permit a person to board said aircraft where said person has refused to be searched as set out in subsections (5) and (6) of this section.

[18-7503, added 1973, ch. 267, sec. 1, p. 561; am. 2002, ch. 221, sec. 1, p. 621.]

18-7504. THREATS MADE AGAINST AIRLINE PASSENGERS, OTHER PERSONS, COMMERCIAL AIRLINE COMPANIES, OR AIRCRAFT -- PENALTY. (1) Every person who knowingly and wilfully threatens the safety and well-being of any passenger, flight crew member or flight attendant, aboard any aircraft by making telephone, verbal, or written threats against any airline or aircraft within the airspace jurisdiction of the state of Idaho shall be guilty of a felony.

(2) Any person who seizes, confines, or kidnaps another person against his will or without authority of law, or who threatens the safety and well-being of any person, with the intent to hold such person hostage or use such person for the purpose of aircraft hijacking shall be guilty of a felony.

[I.C., sec. 18-7504, as added by 1973, ch. 267, sec. 1, p. 561; am. 1988, ch. 273, sec. 1, p. 903.]

18-7505. INDICTMENT AND TRIAL JURISDICTION. Any offense occurring aboard an aircraft is declared to be a continuing offense from the point of beginning to the point of termination of the flight, and jurisdiction to prosecute a person accused of such an offense shall be in any county of Idaho over which or in which the aircraft is being operated.

[I.C., sec. 18-7505, as added by 1973, ch. 267, sec. 1, p. 561; am. 1988, ch. 272, sec. 1, p. 903.]