

bomb, grenade, rocket having a propellant charge, missile having an explosive or incendiary charge, mine, or other similar device.

(c) A person who violates this section is guilty of a felony and, upon conviction, is subject to imprisonment for 20 years or a fine of \$10,000 or both.]

[ 139C.

(a) In this section, "pipe bomb" means a noncommercially made explosive device constructed of a solid material filled with explosive material which is designed to explode when subjected to heat, friction, concussion, or detonation.

(b) An individual may not knowingly manufacture, assemble, possess, transport, or use a pipe bomb.

(c) An individual who violates this section is guilty of a felony and on conviction is subject to a fine of not more than \$10,000 or imprisonment for not more than 20 years or both.]

#### DESTRUCTIVE DEVICES

COMMITTEE NOTE (COMMITTEE TO REVISE ARTICLE 27): The purpose of this revision of the explosives laws is to consolidate the law on this subject and to ensure that the creation of any device intended to cause damage to property or injury to persons by way of explosion, fire, or poison is covered by the law. This revision does not prohibit or regulate any materials that are currently legal and commonly used in households and in business. This subheading would apply to such materials only when they are intentionally combined with a delivery system so as to create a destructive capacity for which they were never intended. Those items included as illustrations that have legitimate uses become subject to the provisions of this subheading only when a person uses them for a criminal purpose.

#### 139A. DEFINITIONS.

(A) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) "DESTRUCTIVE DEVICE" MEANS EXPLOSIVE, INCENDIARY, OR TOXIC MATERIAL THAT HAS BEEN COMBINED WITH A DELIVERY OR DETONATING APPARATUS SO AS TO BE CAPABLE OF INFLECTING INJURY TO PERSONS OR DAMAGE TO PROPERTY.

(2) "DESTRUCTIVE DEVICE" INCLUDES:

(I) DEVICES WHICH ARE PRIMARILY DESIGNED AND MANUFACTURED FOR MILITARY PURPOSES AS INSTRUMENTALITIES OF DESTRUCTION, INCLUDING ANY BOMB, GRENADE, MINE, SHELL, MISSILE, FLAMETHROWER, OR POISON GAS; AND

(II) ANY EXPLOSIVE, INCENDIARY, OR TOXIC MATERIAL WHICH HAS BEEN DELIBERATELY MODIFIED, CONTAINERIZED OR OTHERWISE EQUIPPED WITH ANY SORT OF SPECIAL DELIVERY, ACTIVATION OR DETONATION COMPONENT