



# Laser Misuse (Vehicles) Act 2018

## 2018 CHAPTER 9

### 2 Offences relating to air traffic services

- (1) A person commits an offence if—
  - (a) the person shines or directs a laser beam—
    - (i) towards an air traffic facility, or
    - (ii) towards a person providing air traffic services, and
  - (b) the laser beam dazzles or distracts, or is likely to dazzle or distract, a person providing air traffic services.
- (2) It is a defence to show—
  - (a) that the person had a reasonable excuse for shining or directing the laser beam towards the facility or person, or
  - (b) that the person—
    - (i) did not intend to shine or direct the laser beam towards the facility or person, and
    - (ii) exercised all due diligence and took all reasonable precautions to avoid doing so.
- (3) A person is taken to have shown a fact mentioned in subsection (2) if—
  - (a) sufficient evidence is adduced to raise an issue with respect to it, and
  - (b) the contrary is not proved beyond reasonable doubt.
- (4) A person who commits an offence under this section is liable—
  - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months, to a fine or to both;
  - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months, to a fine not exceeding the statutory maximum or to both;
  - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both;
  - (d) on conviction on indictment, to imprisonment for a term not exceeding five years, to a fine or to both.

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*Status: This is the original version (as it was originally enacted).*

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- (5) In relation to an offence committed before the coming into force of section 154(1) of the Criminal Justice Act 2003, the reference in subsection (4)(a) to 12 months is to be read as a reference to six months.
- (6) In this section—
- “air traffic facility” means any building, structure, vehicle or other place from which air traffic services are provided;
  - “air traffic services” has the meaning given by section 98(1) of the Transport Act 2000.