



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 [^{F1}the general limit in a magistrates' court], 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.

Changes to legislation: There are currently no known outstanding effects for the Laser Misuse (Vehicles) Act 2018, Section 2. (See end of Document for details)

- (5) In relation to an offence committed before [F² 2 May 2022], the reference in subsection (4)(a) to [F³ the general limit in a magistrates' court] 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.

Textual Amendments

- F1** Words in s. 2(4)(a) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), **Sch. Pt. 1**
- F2** Words in s. 2(5) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\)](#), regs. 1(2), 5(1), **Sch. Pt. 1**
- F3** Words in s. 2(5) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), **Sch. Pt. 1**

Changes to legislation:

There are currently no known outstanding effects for the Laser Misuse (Vehicles) Act 2018, Section 2.