



# Laser Misuse (Vehicles) Act 2018

## 2018 CHAPTER 9

### **1 Offence of shining or directing a laser beam towards a vehicle**

- (1) A person commits an offence if—
- (a) the person shines or directs a laser beam towards a vehicle which is moving or ready to move, and
  - (b) the laser beam dazzles or distracts, or is likely to dazzle or distract, a person with control of the vehicle.
- (2) It is a defence to show—
- (a) that the person had a reasonable excuse for shining or directing the laser beam towards the vehicle, or
  - (b) that the person—
    - (i) did not intend to shine or direct the laser beam towards the vehicle, 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 [<sup>F1</sup>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.

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*Changes to legislation:* There are currently no known outstanding effects for the Laser Misuse (Vehicles) Act 2018, Section 1. (See end of Document for details)

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- (5) In relation to an offence committed before [<sup>F2</sup>2 May 2022], the reference in subsection (4)(a) to [<sup>F3</sup>the general limit in a magistrates' court] is to be read as a reference to six months.
- (6) A mechanically propelled vehicle which is not moving or ready to move but whose engine or motor is running is to be treated for the purposes of subsection (1)(a) as ready to move.
- (7) In relation to an aircraft, the reference in subsection (1)(b) to “a person with control of the vehicle” is a reference to any person on the aircraft who is engaged in controlling it, or in monitoring the controlling of it.
- (8) In relation to a vessel, hovercraft or submarine, the reference in subsection (1)(b) to “a person with control of the vehicle” is a reference to the master, the pilot or any person engaged in navigating the vessel, hovercraft or submarine.

#### Textual Amendments

- F1** Words in s. 1(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. 1(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. 1(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**

#### Commencement Information

- I1** S. 1 in force at 10.7.2018 for certain purposes, see s. 4(3)(4)

**Changes to legislation:**

There are currently no known outstanding effects for the Laser Misuse (Vehicles) Act 2018, Section 1.