

Laser Misuse (Vehicles) Bill [HL]

AMENDMENTS
TO BE MOVED
ON REPORT

Clause 1

BARONESS SUGG

Page 1, line 3, leave out “on a journey” and insert “moving or ready to move”

Page 2, line 9, leave out subsections (6) and (7) and insert—

“() 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.”

LORD CRAIG OF RADLEY

Page 2, line 14, leave out from “any” to end of line 15 and insert “person on the aircraft who is engaged in controlling it, or in monitoring the controlling of it.”

BARONESS SUGG

Page 2, line 19, leave out subsection (10)

After Clause 1

BARONESS SUGG

Insert the following new Clause—

“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—

After Clause 1 - continued

- (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.
- (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.”

Insert the following new Clause—

“Interpretation

In this Act—

“aircraft” means any vehicle used for travel by air;

“laser beam” means a beam of coherent light produced by a device of any kind;

“vehicle” means any vehicle which is used for travel by land, water or air;

“vessel” has the meaning given by section 255(1) of the Merchant Shipping Act 1995.”

Clause 2

BARONESS SUGG

Page 2, line 33, at end insert—

- “() This section and section (*Interpretation*) come into force on the day on which this Act is passed.”

Clause 2 - continued

Page 2, line 34, leave out “This Act” and insert “Section 1”

Page 2, line 37, leave out “This Act” and insert “Section 1”

Page 2, line 42, at end insert—

“() Section (*Offences relating to air traffic services*) comes into force at the end of the period of two months beginning with the day on which this Act is passed.”

In the Title

BARONESS SUGG

Line 1, leave out from “creating” to end of line 2 and insert “new offences of shining or directing a laser beam towards a vehicle or air traffic facility; and for connected purposes”

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20 February 2018
