

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

UNLAWFUL USE OF LASER POINTERS

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: D. Edgar Allen

This act modifies the Criminal Code to create the offense of unlawful use of a laser pointer.

The act provides definitions and penalties.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

76-10-2401, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-10-2401** is enacted to read:

Part 24. Unlawful Use of a Laser Pointer

76-10-2401. Unlawful use of a laser pointer.

(1) As used in this section:

(a) "Laser pointer" means any portable device that emits a visible beam of laser light that may be directed at a person.

(b) "Law enforcement officer" means an officer under Section 53-13-103.

(2) A person is guilty of unlawful use of a laser pointer if the person directs a beam of laser light from a laser pointer at:

(a) a moving motor vehicle or its occupants; or

(b) one whom the person knows or has reason to know is a law enforcement officer.

(3) It is an affirmative defense to a charge under Subsection (2)(b) that:

(a) the law enforcement officer was:

(i) not in uniform;

(ii) not traveling in a vehicle identified as a law enforcement vehicle; and

(iii) not otherwise engaged in an activity that would give the person reason to know him to be a law enforcement officer; and

28 (b) the law enforcement officer was not otherwise known by the person to be a law
29 enforcement officer.

30 (4) Violation of Subsection (2)(a) is an infraction. Violation of Subsection (2)(b) is a class
31 C misdemeanor.

Legislative Review Note
as of 11-29-00 12:50 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel