## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## **HOUSE BILL**

No. 300

Session of 2001

INTRODUCED BY B. SMITH, SCHRODER, READSHAW, KREBS, STEELMAN, HERSHEY, YOUNGBLOOD, J. EVANS, HARHAI, HORSEY, HUTCHINSON, R. MILLER, S. MILLER, RUBLEY, SANTONI, WALKO, WANSACZ, WILT, HENNESSEY, ARMSTRONG, COSTA AND HARPER, MARCH 26, 2001

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, NOVEMBER 13, 2001

## AN ACT

- 1 Providing for management of outdoor night lighting.
- 2 The General Assembly of the Commonwealth of Pennsylvania
- 3 hereby enacts as follows:
- 4 Section 1. Short title.
- 5 This act shall be known and may be cited as the Outdoor
- 6 Lighting Control Act.
- 7 Section 2. Findings.
- 8 The General Assembly finds that fully shielded lighting units
- 9 considerably reduce light pollution. The General Assembly
- 10 further finds that the replacement of unshielded lighting units
- 11 with fully shielded lighting units can result in substantial
- 12 lowering in the wattage of the lamp needed to maintain an
- 13 equivalent level of lighting on the ground, thereby realizing a
- 14 considerable energy savings to the Commonwealth. Therefore, it
- 15 is in the public interest to require the use of fully shielded
- 16 lighting units to the maximum extent possible.

- 1 Section 3. Definitions.
- 2 The following words and phrases when used in this act shall
- 3 have the meanings given to them in this section unless the
- 4 context clearly indicates otherwise:
- 5 "Direct light." Light emitting generally in a downward
- 6 direction by a lamp, off a reflector or through a refractor of a
- 7 lighting unit.
- 8 "Fully shielded lighting unit." A lighting unit that is
- 9 constructed in such a manner that all light emitted, either
- 10 directly from the lamp or indirectly by reflection or refraction
- 11 from any part of the lighting unit, is projected below the
- 12 horizontal.
- "Glare." Direct light emitted by a lighting unit that causes
- 14 reduced visibility of objects or momentary blindness.
- 15 "Lamp." The component of a lighting unit that produces
- 16 light.
- 17 "Light pollution." General sky glow caused by the scattering
- 18 of artificial light in the atmosphere.
- 19 "Lighting unit." A complete lighting unit, including a lamp
- 20 or lamps together with the parts designed to distribute the
- 21 light, to position and protect the lamps and to connect the
- 22 lamps to the power supply.
- 23 "Lumen." A specific standard unit of measurement of luminous
- 24 flux.
- 25 "Outdoor light fixtures." Outdoor artificial illuminating
- 26 devices, installed or portable, used for flood-lighting, roadway
- 27 and area lighting, general illumination or advertisement.
- 28 "Partially shielded lighting unit." A lighting unit that is
- 29 constructed in such a manner that more than zero but less than
- 30 10% of the light emitted, either directly from the lamp or

- 1 indirectly by reflection or refraction from any part of the
- 2 lighting unit, is projected above the horizontal.
- 3 "Permanent outdoor lighting unit." Any fixed lighting unit
- 4 or system of lighting units that is outdoors and that is
- 5 intended to be used for seven days or longer.
- 6 "Roadway lighting." Permanent outdoor lighting units that
- 7 are specifically intended to illuminate roadways for automotive
- 8 vehicles.
- 9 "Unshielded lighting unit." A lighting unit that is
- 10 constructed in such a manner that more than 10% of the light
- 11 emitted, either directly from the lamp or indirectly by
- 12 reflection or refraction from any part of the lighting unit, is
- 13 projected above the horizontal.
- 14 Section 4. Outdoor lighting control.
- 15 (a) Permanent outdoor lighting unit installation.--The
- 16 installation of any new or replacement permanent outdoor
- 17 lighting unit by or for a State agency shall meet the following
- 18 conditions:
- 19 (1) The new or replacement unit shall be a fully
- 20 shielded lighting unit if the rated output of the lighting
- 21 unit is greater than 1,800 lumens.
- 22 (2) The minimum allowance specified by an applicable
- 23 recommendation or regulation shall be used. The average
- 24 minimum allowance adequate for the intended purpose shall be
- used if no lighting recommendation or regulation is
- 26 applicable, giving full consideration to energy conservation
- and glare.
- 28 (3) Reflectorized roadway markers, lines, warning signs,
- informational signs or other passive means shall be utilized
- 30 for roadway lighting except at intersections of two or more

- 1 streets or highways unless it is determined that the purpose
- of the lighting installation or replacement cannot be
- 3 achieved by these means.
- 4 (4) Adequate consideration shall be given to conserving
- 5 energy and minimizing glare and light pollution.
- 6 (b) Exceptions. -- The following instances shall be exempt
- 7 from the requirements of subsection (a):
- 8 (1) Where Federal laws, rules or regulations preempt
- 9 State regulations.
- 10 (2) Where fire, police, rescue or repair personnel need
- light for temporary emergencies or road repair work.
- 12 (3) Where there are special requirements, such as sports
- 13 facilities, historic decorative considerations or flag
- lighting. All such lighting shall be selected and installed
- to shield the lamp or lamps from direct view to the greatest
- 16 extent possible and to minimize upward lighting and light
- 17 pollution.
- 18 (4) Where there is substantial nighttime pedestrian
- 19 traffic in an urban area and an engineer experienced in
- 20 outdoor lighting has deemed it necessary to permit the
- installation of partially shielded lighting units.
- 22 (5) Where it has been determined that a reasonable
- 23 safety and security interest exists that cannot be addressed
- 24 by another method without increasing the cost or reducing the
- 25 effectiveness of the lighting.
- 26 (c) Implementation.--The Governor shall be responsible for
- 27 the implementation of this section.
- 28 Section 5. Dark Sky Preserve.
- 29 (a) Designation.--The Department of Conservation and Natural
- 30 Resources shall identify and designate Cherry Springs State Park

- 1 in Potter County as a Dark Sky Preserve.
- 2 (b) Management. -- The Department of Conservation and Natural
- 3 Resources shall manage Cherry Springs State Park in a manner to
- 4 eliminate or prevent light pollution and preserve the
- 5 exceptional conditions necessary for astronomical observations.
- 6 Section 6. Applicability.
- 7 The provisions of this act shall not supersede any other
- 8 Federal or State law controlling lighting, light fixtures or

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- 9 units, signage, outdoor advertising, displays or devices.
- 10 Section 7. Effective date.
- 11 This act shall take effect in 60 days JULY 1, 2002.