

ASSEMBLY, No. 917

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

SYNOPSIS

Requires State to use energy-efficient outdoor lighting fixtures.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT regulating outdoor lighting fixtures and supplementing
2 chapter 34 of Title 52 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. The Legislature finds and declares that:

8 a. Unnecessary outdoor lighting squanders money and energy.

9 b. Unshielded outdoor lights are responsible for emitting
10 pollutants, including carbon dioxide and wasted light.

11 c. Over-lighting during non-daylight hours neither improves
12 visibility nor increases nighttime safety.

13 d. Removing unnecessary lighting and utilizing efficient light
14 sources saves money and improves the nighttime environment,
15 often at minimal expense.

16 e. It is in the public interest to minimize misdirected and
17 upward light from luminaires to promote the State's fiscal health
18 and to preserve New Jersey's natural nighttime environment.

19 f. It is necessary to regulate the State's outdoor lighting to
20 conserve energy and resources to the greatest extent possible while
21 permitting reasonable uses of outdoor lighting for nighttime safety,
22 utility, security, commerce, and enjoyment.

23

24 2. As used in this act:

25 "Cutoff luminaire" means a luminaire whose luminous intensity
26 in candelas at or above an angle of 90 degrees above nadir does not
27 numerically exceed 2.5 percent of the luminous flux, in lumens, of
28 the lamp or lamps in the luminaire, and the luminous intensity, in
29 candelas, at or above a vertical angle of 80 degrees above nadir
30 does not numerically exceed 10 percent of the luminous flux of the
31 lamp or lamps in the luminaire.

32 "Energy conservation" means the reduction of energy costs and
33 resources used by methods including, but not limited to, the use of
34 light fixtures with the lowest feasible wattage or a photo-sensitive
35 or timer switch.

36 "Lumen" means an international standard unit of luminous flux
37 representing the quantity of visible light output.

38 "Luminaire" means the complete lighting unit fixture consisting
39 of a lamp, or lamps and ballasts, together with the parts designed to
40 distribut the light, including but not limited a reflector, lens, and
41 diffuser, to position and protect the lamps, and to connect the lamps
42 to the power supply.

43 "Luminous flux" means the measure of the perceived power of
44 the light in lumens.

45 "Outdoor lighting fixture" means any type of fixed or movable
46 lighting equipment that is designed or used for illumination
47 outdoors. The term includes billboard lighting, street lights,

1 searchlights and other lighting used for advertising purposes, and
2 area lighting. The term does not include lighting equipment that is
3 required by law to be installed on motor vehicles or lighting
4 required for the safe operation of aircraft.

5 "State" means the State of New Jersey and any office,
6 department, division, bureau, board, commission, or agency of the
7 State, but does not include counties, municipalities, school districts,
8 and county or municipal authorities.

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10 3. a. On or after the effective date of this act, the State shall
11 install, replace, or maintain an outdoor lighting fixture by using
12 State funds only if:

13 (1) any outdoor lighting fixture with a rated output greater than
14 1,800 lumens is installed or replaced with a cutoff luminaire;

15 (2) the minimum illuminance adequate for the intended purpose
16 is used with consideration given to nationally recognized standards;

17 (3) for lighting of a designated highway of the State highway
18 system, the Department of Transportation determines that the
19 purpose of the outdoor lighting fixture cannot be achieved by the
20 installation of reflective road markers, lines, warning or
21 informational signs, or other effective passive methods; and

22 (4) full consideration has been given to energy conservation,
23 reducing glare, minimizing light pollution and preserving the
24 natural night environment.

25 b. Subsection a. of this section does not apply if:

26 (1) the outdoor lighting fixture is used on a temporary basis
27 because emergency personnel require additional illumination for
28 emergency procedures;

29 (2) the outdoor lighting fixture is used on a temporary basis for
30 nighttime work;

31 (3) the outdoor lighting fixture is used on a for a special event
32 or situation requiring additional illumination that cannot be
33 produced by another method;

34 (4) a compelling safety interest exists that cannot be addressed
35 by another method; or

36 (5) a federal law supersedes or is inconsistent with its
37 requirements.

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39 4. This act shall take effect on the first day of the seventh
40 month next following enactment.

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STATEMENT

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45 This bill requires outdoor lighting fixtures installed, replaced, or
46 maintained by the State to comply with design requirements
47 intended to minimize wasted light. Reducing unnecessary lighting

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1 conserves energy and preserves a pristine nighttime environment for
2 astronomy and other enjoyment.

3 The goal of this legislation is to permit reasonable use of outdoor
4 lighting for nighttime safety and enjoyment while conserving
5 energy and reducing waste. Numerous other states have enacted
6 similar legislation in their efforts to cut waste and reduce light
7 pollution.