

ASSEMBLY, No. 1652

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

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District 29 (Essex)

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District 14 (Mercer and Middlesex)

Assemblyman BENJIE E. WIMBERLY

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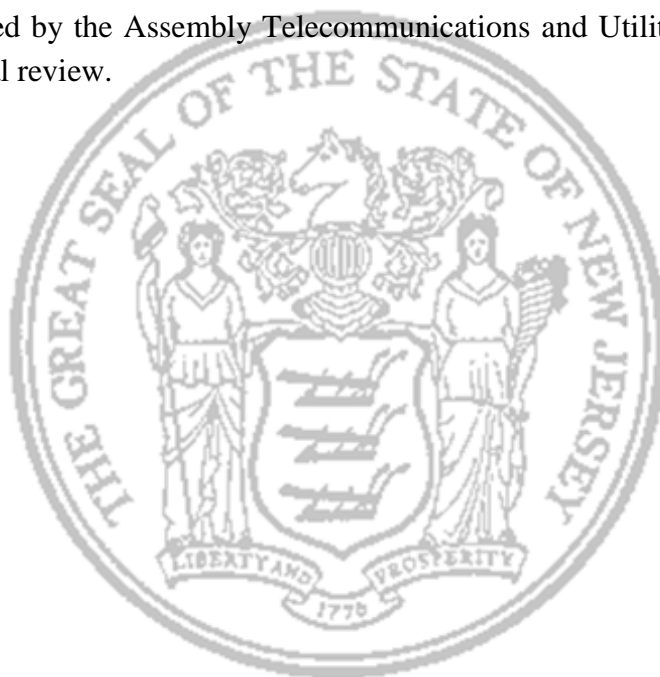
Assemblyman Benson, Assemblywoman Murphy and Assemblyman Calabrese

SYNOPSIS

Requires State to use certain energy-efficient outdoor lighting fixtures.

CURRENT VERSION OF TEXT

As reported by the Assembly Telecommunications and Utilities Committee with technical review.



(Sponsorship Updated As Of: 2/8/2019)

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

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
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 P.L. , c. (C.) (pending before the
25 Legislature as this bill):

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

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

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

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

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

46 "Outdoor lighting fixture" means any type of fixed or movable
47 lighting equipment that is designed or used for illumination
48 outdoors, including street lights, searchlights, and area lighting.

1 “Outdoor lighting fixture” shall not include lighting equipment that
2 is required by law to be installed on motor vehicles, lighting
3 required for the safe operation of aircraft, or lighting used for
4 advertising purposes.

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

9

10 3. a. The State shall install, replace, or maintain an outdoor
11 lighting fixture by using State funds only if:

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

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

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

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

24 b. Subsection a. of this section shall not apply if:

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

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

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

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

35 (5) the replacement of outdoor lighting fixtures constitutes less
36 than 30 percent of an entire outdoor lighting system at a New Jersey
37 Transit Corporation facility, or an outdoor lighting fixture at a New
38 Jersey Transit Corporation facility that was approved by the New
39 Jersey Historic Preservation Office in the Department of
40 Environmental Protection;

41 (6) a federal law supersedes or is inconsistent with the
42 requirements of subsection a. of this section ; or

43 (7) the outdoor lighting fixture is used on a historic property as
44 that term is defined in section 3 of P.L.1999, c.152 (C.13:8C-3) or
45 any building, site, or area designated historic by a historic
46 preservation commission pursuant to sections 21 through 26 of
47 P.L.1985, c.516 (40:55D-107 et seq.).

- 1 c. This section shall not be construed to require the State to
2 replace properly functioning outdoor lighting fixtures and shall only
3 apply to the replacement of deficient outdoor lighting fixtures or the
4 installation of outdoor lighting fixtures constructed on or after the
5 effective date of P.L. , c. (C.) (pending before the Legislature
6 as this bill).
- 7 d. The provisions of section 9 of P.L.2009, c.4 (C.52:34-25)
8 shall apply to P.L. , c. (C.) (pending before the Legislature as
9 this bill) if the State, as part of implementing an energy savings
10 improvement program, enters into an energy savings services
11 contract with an energy services company to install, replace, or
12 maintain an outdoor lighting fixture.
- 13
- 14 4. This act shall take effect on the first day of the thirteenth
15 month next following the date of enactment.