## HOUSE BILL 709

#### By: Delegate Carr

Introduced and read first time: February 4, 2010 Assigned to: Environmental Matters

### A BILL ENTITLED

#### 1 AN ACT concerning

# Roadway Lighting – Expressways and Controlled Access Highways Lighting Curfew and Tariffs

4 FOR the purpose of requiring, by a certain date, each electric company in the State to  $\mathbf{5}$ prepare and submit to the Public Service Commission a tariff for roadway 6 lighting that is turned off in accordance with this Act; requiring the State  $\mathbf{7}$ Highway Administration and the Maryland Transportation Authority to cause 8 all roadway lighting on expressways and controlled access highways under their 9 jurisdiction to be turned off between certain hours, unless a finding is made that 10 continuous lighting from dusk to dawn is warranted based on certain determinations; and generally relating to lighting on expressways and 11 12controlled access highways.

- 13 BY adding to
- 14 Article Public Utility Companies
- 15 Section 4–210
- 16 Annotated Code of Maryland
- 17 (2008 Replacement Volume and 2009 Supplement)
- 18 BY adding to
- 19 Article Transportation
- 20 Section 8–609.2
- 21 Annotated Code of Maryland
- 22 (2008 Replacement Volume and 2009 Supplement)

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#### Article – Public Utility Companies

26 **4–210.** 

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



<sup>23</sup> SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 24 MARYLAND, That the Laws of Maryland read as follows:

BY JANUARY 1, 2012, EACH ELECTRIC COMPANY IN THE STATE SHALL 1  $\mathbf{2}$ PREPARE AND SUBMIT TO THE COMMISSION A TARIFF FOR ROADWAY LIGHTING 3 THAT IS TURNED OFF BETWEEN MIDNIGHT AND 6:00 A.M. IN ACCORDANCE WITH § 8–609.2 OF THE TRANSPORTATION ARTICLE. 4

#### **Article – Transportation**

6 8-609.2.

7SUBJECT TO SUBSECTION (B) OF THIS (A) SECTION, THE ADMINISTRATION AND THE MARYLAND TRANSPORTATION AUTHORITY SHALL 8 9 CAUSE ALL ROADWAY LIGHTING ON EXPRESSWAYS AND CONTROLLED ACCESS 10 HIGHWAYS UNDER THEIR RESPECTIVE JURISDICTION TO BE TURNED OFF DURING THE HOURS BETWEEN MIDNIGHT AND 6:00 A.M., UNLESS THE 11 ADMINISTRATOR OR THE SECRETARY OF TRANSPORTATION, BY WRITTEN 12FINDING, DETERMINES THAT CONTINUOUS LIGHTING ON A PARTICULAR 13SECTION OF HIGHWAY BETWEEN DUSK AND DAWN IS WARRANTED. 14

15**(B)** FOR PURPOSES OF SUBSECTION (A) OF THIS SECTION, A FINDING 16THAT LIGHTING IS WARRANTED ON A HIGHWAY SHALL BE BASED ON A 17DETERMINATION THAT ROADWAY CONDITIONS AND THE DENSITY OF TRAFFIC 18 ON THE HIGHWAY ARE SUCH THAT THE SAFETY AND SECURITY BENEFITS 19 DERIVED FROM THE LIGHTING JUSTIFY THE ENERGY CONSUMPTION AND 20MONETARY COSTS ASSOCIATED WITH THE USE OF THE LIGHTING.

21SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 22October 1, 2010.

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