

HOUSE BILL 452

M3, M5, E4
HB 305/24 – ENT

5lr0640
CF 5lr1116

By: **Delegates Guyton, Wilkins, Kaiser, Lehman, Patterson, Ruth, Stonko, and Wolek**

Introduced and read first time: January 16, 2025

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 2025

CHAPTER _____

1 AN ACT concerning

2 **Outdoor Lighting – Guidance and Use of State Funds**

3 FOR the purpose of requiring the Maryland Green Building Council, on or before a certain
4 date, to update or develop guidance for the purchase of outdoor lighting fixtures in
5 consideration of certain recommendations; prohibiting State funds from being used
6 to install or replace certain permanent outdoor luminaires for lighting unless certain
7 requirements are met; altering the requirements for the use of State funds for the
8 installation or replacement of certain permanent outdoor luminaires for lighting;
9 authorizing the Board of Public Works, or the Board's designee, to waive a
10 requirement for the use of State funds for the installation or replacement of certain
11 permanent outdoor luminaires under certain circumstances; requiring the
12 Department of Transportation to conduct a certain review; and generally relating to
13 outdoor lighting.

14 BY adding to

15 Article – Public Safety

16 Section 12–1301 to be under the new subtitle “Subtitle 13. Outdoor Lighting
17 Guidance”

18 Annotated Code of Maryland

19 (2022 Replacement Volume and 2024 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article – State Finance and Procurement

22 Section 14–412

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland
2 (2021 Replacement Volume and 2024 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
4 That the Laws of Maryland read as follows:

5 **Article – Public Safety**

6 **SUBTITLE 13. OUTDOOR LIGHTING GUIDANCE.**

7 **12–1301.**

8 (A) ON OR BEFORE OCTOBER 1, 2026, THE MARYLAND GREEN BUILDING
9 COUNCIL SHALL UPDATE OR DEVELOP GUIDANCE FOR THE PURCHASE OF OUTDOOR
10 LIGHTING FIXTURES IN CONSIDERATION OF RECOMMENDATIONS REGARDING LIGHT
11 POLLUTION AND COLOR TEMPERATURE PUBLISHED BY THE AMERICAN MEDICAL
12 ASSOCIATION.

13 (B) THE DEPARTMENT OF TRANSPORTATION IS NOT SUBJECT TO ANY
14 GUIDELINES UPDATED OR DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION.

15 **Article – State Finance and Procurement**

16 14–412.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Lamp” means the component of a luminaire that produces the light.

19 (3) “Lumen” means a unit of measurement of luminous flux.

20 (4) “Luminaire” means the complete lighting unit, including the lamp or
21 other component that produces light and the assembly that holds the lamp, including an
22 assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector
23 or mirror, and a refractor or lens.

24 (5) “Restricted upright luminaire” means a luminaire that:

25 (i) except for a 0.5% maximum incidental uplight from reflection off
26 mounting hardware, allows no direct light emission above a horizontal plane through the
27 luminaire’s lowest light-emitting part; and

28 (ii) emits no more than 10% of the total direct light emission at or
29 above a vertical angle of 80 degrees.

1 (6) "State building" means a building owned or leased by the State or a unit
2 of the State.

3 (b) This section does not apply to a luminaire:

4 (1) located on the grounds of a correctional facility;

5 (2) required by federal regulation;

6 (3) required for storm operation activities performed by the Department of
7 Transportation;

8 (4) required to illuminate the State flag or the flag of the United States;

9 (5) used for sign illumination; [or]

10 (6) in a lighting plan where less than 25% of the luminaires are to be
11 replaced; **OR**

12 **(7) USED TO ILLUMINATE THE FIELD OF PLAY AT A SPORTS FACILITY.**

13 (c) State funds may not be used to install or replace a permanent outdoor
14 luminaire for lighting on the grounds of any State building [or], facility, **PARK, OR TRAIL**
15 unless:

16 (1) the luminaire is designed to maximize energy conservation and to
17 minimize light pollution, glare, and light trespass;

18 (2) **EXCEPT FOR A LUMINAIRE INSTALLED OR REPLACED BY THE**
19 **DEPARTMENT OF TRANSPORTATION, THE LUMINAIRE HAS A CORRELATED LIGHT**
20 **TEMPERATURE THAT IS LESS THAN OR EQUAL TO 3,000 KELVINS;**

21 (3) the illumination produced by the luminaire is the minimum
22 illumination necessary for the intended purpose of the lighting; and

23 **[(3)] (4)** for a luminaire with an output of more than 1,800 lumens, the
24 luminaire is a restricted upright luminaire.

25 (d) (1) The Board of Public Works or the Board's designee may waive the
26 [requirement] **REQUIREMENTS** of subsection **[(c)(3)] (C)(2) OR (4)** of this section if, after
27 a request for a waiver has been made, the Board of Public Works or the Board's designee
28 determines that the waiver is necessary for the lighting application.

29 (2) The Board of Public Works shall establish the requirements for a waiver
30 request under paragraph (1) of this subsection, including:

1 (i) a description of the lighting plan;

2 (ii) a description of the efforts made to comply with the requirements
3 of this section; and

4 (iii) the reason a waiver is necessary.

5 (3) In reviewing a waiver request, the Board of Public Works or the Board’s
6 designee shall consider design safety, costs, and any other factors the Board or the Board’s
7 designee determines are appropriate.

8 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before September 30,
9 2026, the Department of Transportation shall conduct a review of highway lighting
10 practices and, where applicable, consider alterations to current State practices that are
11 inconsistent with the guidelines established in the most recent edition of the Federal
12 Highway Administration’s Lighting Handbook.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to
14 apply only prospectively and may not be applied to or interpreted to have any effect on or
15 application to the purchase of any outdoor lighting fixtures for a project for which the design
16 phase has been completed before the effective date of any guidance published in accordance
17 with § 12–1301 of the Public Safety Article, as enacted by Section 1 of this Act.

18 SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.