

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

A BILL ENTITLED

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

23 Annotated Code of Maryland

24 (2021 Replacement Volume and 2024 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

26 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Public Safety**2 **SUBTITLE 13. OUTDOOR LIGHTING GUIDANCE.**3 **12–1301.**

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

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

11 **Article – State Finance and Procurement**

12 14–412.

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

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

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

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

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

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

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

26 (6) “State building” means a building owned or leased by the State or a unit
27 of the State.

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

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

- 1 (2) required by federal regulation;
- 2 (3) required for storm operation activities performed by the Department of
3 Transportation;
- 4 (4) required to illuminate the State flag or the flag of the United States;
- 5 (5) used for sign illumination; [or]
- 6 (6) in a lighting plan where less than 25% of the luminaires are to be
7 replaced; **OR**
- 8 **(7) USED TO ILLUMINATE THE FIELD OF PLAY AT A SPORTS FACILITY.**

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

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

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

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

19 [(3)] (4) for a luminaire with an output of more than 1,800 lumens, the
20 luminaire is a restricted uplight luminaire.

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

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

27 (i) a description of the lighting plan;

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

30 (iii) the reason a waiver is necessary.

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

4 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before September 30,
5 2026, the Department of Transportation shall conduct a review of highway lighting
6 practices and, where applicable, consider alterations to current State practices that are
7 inconsistent with the guidelines established in the most recent edition of the Federal
8 Highway Administration's Lighting Handbook.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2025.