

Chapter 389

(House Bill 452)

AN ACT concerning

Outdoor Lighting – Guidance and Use of State Funds

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

BY adding to

Article – Public Safety

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

Annotated Code of Maryland

(2022 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 14–412

Annotated Code of Maryland

(2021 Replacement Volume and 2024 Supplement)

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

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

(A) ON OR BEFORE OCTOBER 1, 2026, THE MARYLAND GREEN BUILDING COUNCIL SHALL UPDATE OR DEVELOP GUIDANCE FOR THE PURCHASE OF OUTDOOR LIGHTING FIXTURES IN CONSIDERATION OF RECOMMENDATIONS REGARDING LIGHT

POLLUTION AND COLOR TEMPERATURE PUBLISHED BY THE AMERICAN MEDICAL ASSOCIATION.

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

Article – State Finance and Procurement

14–412.

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

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

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

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

(5) “Restricted uplight luminaire” means a luminaire that:

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

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

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

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

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

(2) required by federal regulation;

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

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

(5) used for sign illumination; [or]

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

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

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

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

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

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

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

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

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

- (i) a description of the lighting plan;
- (ii) a description of the efforts made to comply with the requirements of this section; and
- (iii) the reason a waiver is necessary.

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

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

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

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

Approved by the Governor, May 6, 2025.