Sponsored by:
Assemblyman UPENDRA J. CHIVUKULA
District 17 (Middlesex and Somerset)
Assemblywoman PAMELA R. LAMPTT
District 6 (Camden)

Co-Sponsored by:
Assemblyman DeAngelo, Senators Beach, Gordon and Greenstein

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

CURRENT VERSION OF TEXT
As reported by the Senate Budget and Appropriations Committee on January 5, 2012, with amendments.
AN ACT regulating outdoor lighting fixtures and supplementing chapter 34 of Title 52 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The Legislature finds and declares that:
   a. Unnecessary outdoor lighting squanders money and energy.
   b. Unshielded outdoor lights are responsible for emitting pollutants, including carbon dioxide and wasted light.
   c. Over-lighting during non-daylight hours neither improves visibility nor increases nighttime safety.
   d. Removing unnecessary lighting and utilizing efficient light sources saves money and improves the nighttime environment, often at minimal expense.
   e. It is in the public interest to minimize misdirected and upward light from luminaires to promote the State's fiscal health and to preserve New Jersey's natural nighttime environment.
   f. It is necessary to regulate the State's outdoor lighting to conserve energy and resources to the greatest extent possible while permitting reasonable uses of outdoor lighting for nighttime safety, utility, security, commerce, and enjoyment.

2. As used in this act:
   "Cutoff luminaire" means a luminaire whose luminous intensity in candelas at or above an angle of 90 degrees above nadir does not numerically exceed 2.5 percent of the luminous flux, in lumens, of the lamp or lamps in the luminaire, and the luminous intensity, in candelas, at or above a vertical angle of 80 degrees above nadir does not numerically exceed 10 percent of the luminous flux of the lamp or lamps in the luminaire.

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

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

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

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
1Assembly ATU committee amendments adopted March 4, 2010.
2Senate SEN committee amendments adopted May 13, 2010.
3Senate SBA committee amendments adopted January 5, 2012.
"Luminous flux" means the measure of the perceived power of the light in lumens.

"Outdoor lighting fixture" means any type of fixed or movable lighting equipment that is designed or used for illumination outdoors [1]. The term includes billboard lighting [2], including [2] street lights, searchlights [2] and other lighting used for advertising purposes [2], and area lighting [2]. The term does [2] "Outdoor lighting fixture" shall [2] not include lighting equipment that is required by law to be installed on motor vehicles or lighting required for the safe operation of aircraft [2], or billboard lighting or lighting used for advertising purposes [2].

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

3. a. On or after the effective date of this act, the State shall install, replace, or maintain an outdoor lighting fixture by using State funds only if:

   (1) any outdoor lighting fixture with a rated output greater than 1,800 lumens is installed or replaced with a cutoff luminaire;
   (2) the minimum illuminance adequate for the intended purpose is used with consideration given to nationally recognized standards;
   (3) for lighting of a designated highway of the State highway system, the Department of Transportation determines that the purpose of the outdoor lighting fixture cannot be achieved by the installation of reflective road markers, lines, warning or informational signs, or other effective passive methods; and
   (4) full consideration has been given to energy conservation, reducing glare, minimizing light pollution and preserving the natural night environment.

b. Subsection a. of this section does not apply if:

   (1) the outdoor lighting fixture is used on a temporary basis because emergency personnel require additional illumination for emergency procedures;
   (2) the outdoor lighting fixture is used on a temporary basis for nighttime work;
   (3) the outdoor lighting fixture is used [on a] for a special event or situation requiring additional illumination that cannot be produced by another method;
   (4) a compelling safety interest exists that cannot be addressed by another method;
   (5) the replacement is of outdoor lighting fixtures that constitute less than 30% of an entire outdoor lighting system at a New Jersey Transit Corporation facility, or an outdoor lighting fixture at a New Jersey Transit Corporation facility that was
approved by the New Jersey Historic Preservation Office in the Department of Environmental Protection or a federal law supersedes or is inconsistent with its requirements.

\[5\] This section shall not be construed to require the State to replace properly functioning outdoor lighting fixtures but shall only apply to the replacement of deficient outdoor lighting fixtures or the installation of outdoor lighting fixtures constructed on or after the effective date of this act.

4. This act shall take effect on the first day of the seventh month next following enactment.