

HOUSE BILL 298

P2

2lr0559

By: **Delegate Carr**

Introduced and read first time: January 27, 2012

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement – State Funds – Energy Efficient Outdoor Lighting Fixtures**

3 FOR the purpose of expanding the prohibition on the use of State funds to install or
4 replace certain permanent outdoor luminaires to include all permanent outdoor
5 luminaires unless the luminaire meets certain requirements; repealing a
6 certain definition; and generally relating to the use of State funds for energy
7 efficient outdoor lighting fixtures.

8 BY repealing and reenacting, with amendments,
9 Article – State Finance and Procurement
10 Section 14–412
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2011 Supplement)

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

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
19 light.

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

21 (4) “Luminaire” means the complete lighting unit, including the lamp
22 or other component that produces light and the assembly that holds the lamp,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 including an assembly housing, a mounting bracket or pole socket, a lamp holder, a
2 ballast, a reflector or mirror, and a refractor or lens.

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

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

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

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

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

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

13 (2) required by federal regulation;

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

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

18 (5) used for sign illumination; or

19 (6) in a lighting plan where less than 25% of the luminaires are to be
20 replaced.

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

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

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

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

29 (d) (1) The Board of Public Works or the Board’s designee may waive the
30 requirement of subsection (c)(3) of this section if, after a request for a waiver has been

1 made, the Board of Public Works or the Board's designee determines that the waiver is
2 necessary for the lighting application.

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

5 (i) a description of the lighting plan;

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

8 (iii) the reason a waiver is necessary.

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

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2012.