

STATE OF NEW YORK

739--A

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to the preparation and distribution of criterion for a comprehensive outdoor lighting ordinance; and to amend the public buildings law, in relation to lighting restrictions

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The general municipal law is amended by adding a new
2 section 137 to read as follows:

3 § 137. Comprehensive outdoor lighting ordinance. The secretary of
4 state, in consultation with the New York state energy research and
5 development authority, the commissioner of transportation and the
6 commissioner of general services, shall prepare or cause to be prepared
7 and distributed to cities, towns and villages a comprehensive outdoor
8 lighting ordinance for reducing bright sources of glare that hinder
9 visual performance, reducing inappropriate sources of light that waste
10 energy and reducing unnecessary sky glow. The comprehensive outdoor
11 lighting ordinance shall, at a minimum, be in compliance with the
12 requirements of subdivision two of section one hundred forty-three of
13 the public buildings law. For purposes of this section, the term "glare"
14 shall mean light emitted by a fixture that causes discomfort or reduced
15 visibility; and the term "sky glow" shall mean a condition caused by
16 light directed upwards or sideways reducing one's ability to view the
17 night sky.

18 § 2. Section 143 of the public buildings law, as added by chapter 512
19 of the laws of 2014, is amended to read as follows:

20 § 143. Lighting restrictions. 1. Definitions. As used in this section:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 a. "CCT" or "correlated color temperature" means the measured color
2 appearance of white light using units of kelvin (K). Lower CCTs, 1800K
3 to 2200K appear very warm or amber. Medium CCTs, 2700K to 3000K, appear
4 warm white, similar to standard incandescent bulbs. High CCTs, 4000K and
5 higher, appear cool white or blue.

6 b. "Direct light" means light emitted by a fixture from the lamp, from
7 a reflector, or through a refractor.

8 [~~b-~~] c. "Facade lighting" means permanent outdoor fixtures that are
9 specifically intended to illuminate the exterior surfaces of buildings
10 or structures.

11 [~~e-~~] d. "Fully shielded fixture" means a fixture that allows no direct
12 light from the fixture above a horizontal plane through the fixture's
13 lowest light-emitting part, in its mounted position.

14 [~~d-~~] e. "Fixture lumens" means total lumens emitted by a fixture.

15 [~~e-~~] f. "Glare" means light emitted by a fixture that causes discom-
16 fort or reduced visibility.

17 [~~f-~~] g. "Illuminance" means the luminous power incident per unit area
18 of a surface.

19 [~~g-~~] h. "Lamp" means a light bulb or other component of a fixture that
20 changes electricity into visible light.

21 [~~h-~~] i. "Light trespass" means light that falls beyond the property it
22 is intended to illuminate when measured vertically and five feet above
23 grade.

24 [~~i-~~] j. "Lumen" means a standard unit of measurement of the quantity
25 of light emitted from a lamp.

26 k. "Lux" means the unit of measure for lighting illuminance.

27 [~~j-~~] l. "Fixture" means a complete lighting unit, including a lamp
28 together with the parts designed to distribute the light, to position
29 and protect the lamp and to connect the lamp to the power supply.

30 [~~k-~~] m. "Ornamental roadway lighting" means a roadway lighting fixture
31 that serves a decorative function in addition to a roadway lighting
32 function, having an historical period appearance or decorative appear-
33 ance.

34 [~~l-~~] n. "Parking-lot lighting" means permanent outdoor fixtures
35 specifically intended to illuminate uncovered vehicle parking areas.

36 [~~m-~~] o. "Permanent outdoor fixture" means a fixture for use in an
37 exterior environment installed with mounting not intended for relo-
38 cation.

39 [~~n-~~] p. "Roadway lighting" means permanent outdoor fixtures specif-
40 ically intended to illuminate public roadways.

41 [~~o-~~] q. "Sky glow" means a condition caused by light directed upwards
42 or sideways reducing one's ability to view the night sky.

43 [~~p-~~] r. "State agency" means any state department, office, board,
44 commission, agency, or a public authority or public benefit corporation
45 at least one of whose members is appointed by the governor.

46 2. No state agency operating in the state shall install or cause to be
47 installed any new or replacement permanent outdoor fixture unless the
48 following conditions are met:

49 a. In the case of roadway [~~lighting or~~], parking-lot and other pedes-
50 trian lighting greater than three thousand lumens; whether mounted to
51 poles, buildings or other structures, the fixture is fully shielded.

52 b. [~~In the case of building-mounted fixtures not specifically intended~~
53 ~~for roadway lighting, parking lot lighting, or facade lighting, the~~
54 ~~fixture is fully shielded when its initial fixture lumens is greater~~
55 ~~than three thousand lumens] Aerial sports fields are allowed eight
56 percent uplight; provided all such lighting be selected and installed to~~

1 shield the lamp or lamps from direct view and to minimize upward light-
2 ing and glare to the greatest extent possible.

3 c. In the case of facade lighting, the fixture is shielded to reduce
4 glare, sky glow, and light trespass to the greatest extent possible.

5 d. In the case of ornamental roadway lighting fixtures, the fixture
6 allows no more than [~~seven~~] five hundred lumens from the fixture above a
7 horizontal plane through the fixture's lowest light emitting part.

8 e. For illumination by new permanent outdoor fixtures for applications
9 described in paragraph a, b, c or d of this subdivision, only illumi-
10 nance levels that are no greater than those required for the intended
11 purpose may be used, as established by the commissioner of the office of
12 general services in consultation with the department of transportation
13 and the New York State Energy Research and Development Authority, and
14 given due consideration to lighting industry standards and practices.

15 f. In the case of roadway lighting unassociated with intersections of
16 two or more streets or highways, the department of transportation has
17 determined that the purpose of the lighting installation or replacement
18 cannot be achieved by installation of reflectorized roadway markers,
19 lines, warnings or informational signs, or other passive means.

20 g. Light fixtures shall not be visible from federal and state wilder-
21 ness or areas designated for environmental protection, with light tres-
22 pass not exceeding 0.1 lux.

23 h. Light trespass onto waters of the United States and residential
24 property shall not exceed one lux, with public right-of-way not exceed-
25 ing five lux.

26 i. Sports lighting shall confine eighty-five percent of its total
27 lumens to within a distance of one pole height beyond the playing field,
28 spectator track or bleacher area, whichever is greater.

29 j. The maximum allowable CCT for outdoor fixtures is 3000K excluding
30 uses for public safety, sports fields, and the decorative illumination
31 of building facades, landscape features, and entertainment effects.

32 k. Sports lighting shall not exceed a CCT of 5700K.

33 3. This section shall not apply:

34 a. if a federal law, rule or regulation preempts state law;

35 b. if the outdoor lighting fixture is used temporarily by emergency
36 personnel requiring additional illumination for emergency procedures or
37 [~~temporarily used by repair personnel for road repair~~] lighting for
38 worker safety as mandated by the occupational safety and health adminis-
39 tration;

40 c. to navigational lighting systems and other lighting necessary for
41 aviation and nautical safety;

42 d. [~~to lighting for athletic playing areas, provided, however, that~~
43 ~~all such lighting shall be selected and installed to shield the lamp or~~
44 ~~lamps from direct view and to minimize upward lighting and glare to the~~
45 ~~greatest extent possible,~~

46 ~~e.] if the state agency determines a safety or security need exists
47 that cannot be addressed by any other method;~~

48 [~~f.] e. to the replacement of a previously installed permanent outdoor
49 fixture that is destroyed, damaged or inoperative, has experienced elec-
50 trical failure due to failed components, or requires standard mainte-
51 nance;~~

52 [~~g.] f. to lighting intended for tunnels and roadway underpasses; or~~

53 [~~h.] g. if the combined cost of acquiring and operating a fixture
54 complying with the paragraphs [~~a, b and e~~] of this subdivision is more
55 than fifteen percent greater than the cost of acquiring and operating
56 comparable non-compliant fixtures over the life of the lighting system~~

1 and if a written determination with findings has been made that no
2 compliant fixture exists that would meet the cost limitation.
3 4. The office of general services, in consultation with the department
4 of transportation and the New York state energy research and development
5 authority, and given due consideration to lighting industry standards
6 and practices, shall establish rules and regulations to implement the
7 provisions of this section.
8 § 3. This act shall take effect immediately.