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:

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

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

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

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

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

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

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

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

[~~e.~~] **f.** "Glare" means light emitted by a fixture that causes discomfort or reduced visibility.

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

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

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

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

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

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

[~~k.~~] **m.** "Ornamental roadway lighting" means a roadway lighting fixture that serves a decorative function in addition to a roadway lighting function, having an historical period appearance or decorative appearance.

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

[~~m.~~] **o.** "Permanent outdoor fixture" means a fixture for use in an exterior environment installed with mounting not intended for relocation.

[~~n.~~] **p.** "Roadway lighting" means permanent outdoor fixtures specifically intended to illuminate public roadways.

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

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

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

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

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

shield the lamp or lamps from direct view and to minimize upward lighting and glare to the greatest extent possible.

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

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

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

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

g. Light fixtures shall not be visible from federal and state wilderness or areas designated for environmental protection, with light trespass not exceeding 0.1 lux.

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

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

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

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

3. This section shall not apply:

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

b. if the outdoor lighting fixture is used temporarily by emergency personnel requiring additional illumination for emergency procedures or [~~temporarily used by repair personnel for road repair~~] lighting for worker safety as mandated by the occupational safety and health administration;

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

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

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

[~~f.~~] e. to the replacement of a previously installed permanent outdoor fixture that is destroyed, damaged or inoperative, has experienced electrical failure due to failed components, or requires standard maintenance;

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

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

and if a written determination with findings has been made that no compliant fixture exists that would meet the cost limitation.

4. The office of general services, in consultation with the department of transportation and the New York state energy research and development authority, and given due consideration to lighting industry standards and practices, shall establish rules and regulations to implement the provisions of this section.

§ 3. This act shall take effect immediately.