



General Assembly

January Session, 2003

**Proposed Bill No. 5686**

LCO No. 808

Referred to Committee on Transportation

Introduced by:

REP. PANARONI, 102<sup>nd</sup> Dist.

**AN ACT REQUIRING REDUCTION IN HAZARDOUS ROAD GLARE  
AND LIGHT POLLUTION FROM PRIVATE AREA FLOODLIGHTING  
LOCATED WITHIN THE STATE RIGHT-OF-WAY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 That no floodlight intended for private property illumination shall  
2 be located within the state right-of-way on any state highway unless  
3 (1) the luminaire is designed to maximize energy conservation and to  
4 minimize light pollution, glare and light trespass, (2) the luminaire's  
5 illuminance is equal to the minimum illuminance adequate for the  
6 intended purpose, (3) the luminaire is sufficiently shielded to eliminate  
7 light trespass and prevent any direct glare from any part of the  
8 luminaire from being visible from the state highway or adjacent  
9 property, and (4) the placement and shielding of the luminaire is in  
10 strict compliance with any zoning regulations of the municipality in  
11 which the luminaire is located. No luminaire shall be erected for  
12 illuminating any area of private property if the area intended for  
13 illumination is located across the state highway from the utility pole  
14 used to mount the luminaire. Any luminaire in violation of any  
15 provision of this section operating prior to October 1, 2003, shall be

16 brought into compliance with the requirements in this section no later  
17 than October 1, 2005. On and after October 1, 2005, the Commissioner  
18 of Transportation shall notify an electric distribution company of any  
19 reported violation of the requirements in this section. Any company  
20 receiving such notice shall correct the violation not later than ninety  
21 days after the date of receipt of the notice. In the event an electric  
22 distribution company fails to correct such violation before such ninety-  
23 day period expires, the Commissioner of Transportation shall impose a  
24 civil penalty of one hundred dollars per day for each day the violation  
25 continues after such ninety-day period. Any penalty imposed on an  
26 electric distribution company shall be paid from shareholders' profits  
27 and shall not be included by the Department of Public Utility Control  
28 when determining rates for such company.

***Statement of Purpose:***

To enhance driver safety conditions at night in this state and to reduce light trespass and light pollution.