

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1934

H.P. 1295

House of Representatives, May 6, 2025

An Act to Promote Responsible Outdoor Lighting

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative OSHER of Orono.
Cosponsored by Senator GUERIN of Penobscot and
Representatives: CAMPBELL of Orrington, JULIA of Waterville, RIELLY of Westbrook,
WOODSOME of Waterboro, Senators: BALDACCI of Penobscot, BENNETT of Oxford,
GROHOSKI of Hancock, TIPPING of Penobscot.

1 Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 5 MRSA c. 21 is enacted to read:

3 CHAPTER 21

4 RESPONSIBLE OUTDOOR LIGHTING

5 §481. Responsible outdoor lighting

6 **1. Definitions.** As used in this chapter, unless the context otherwise indicates, the
7 following terms have the following meanings:

8 A. "ANSI/IES lighting standard" means a standard developed by the Illuminating
9 Engineering Society and adopted by the American National Standards Institute or
10 successor organizations to describe adequate outdoor lighting that does not
11 unnecessarily brighten the night sky when used for particular purposes or in particular
12 settings, including, but not limited to, the following standards:

13 (1) RP-6: outdoor sports and recreational areas;

14 (2) RP-7: outdoor industrial areas;

15 (3) RP-8: roadway and parking facilities;

16 (4) RP-40: port terminals; and

17 (5) RP-43: outdoor pedestrian areas.

18 B. "Correlated color temperature" means the measured color appearance of light
19 emitted by a light source, described using a nominal value stated in kelvins.

20 C. "Fully shielded luminaire" means a luminaire that is shielded in such a manner that
21 no light is emitted, either directly or indirectly, at or above a horizontal plane running
22 through the lowest light-emitting part of the luminaire.

23 D. "Light level" means the maintained luminance or illuminance value.

24 E. "Light trespass" means artificial lighting illuminating across property lines at night
25 without permission. Unless specified otherwise, light trespass limits are measured at
26 any location along a property line both horizontally at the ground plane facing upward
27 and vertically at 1.5 meters above the ground plane with the light meter aimed toward
28 the light source in question.

29 F. "Lumen" means a unit of measure of the luminous flux of a light source.

30 G. "Luminaire" means a complete lighting unit, including the light source, housing,
31 optics, electronics and other necessary components for the purpose of providing
32 illumination.

33 H. "Lux" means the metric system unit of measure for illuminance, the total luminous
34 flux incident at a point on a surface.

35 I. "Nadir" means a downward vertical vector directly beneath a luminaire, opposite to
36 zenith.

1 J. "Nighttime hours" means the time between 10:00 p.m. and sunrise or 7:00 a.m.,
2 whichever comes earlier, except that for facilities, offices, activities and events with
3 operating hours later than 10:00 p.m., nighttime hours begin one hour after the end of
4 the operating hours.

5 K. "Nonessential lighting" means public outdoor lighting that does not improve the
6 physical safety of motor vehicles or pedestrians, including, but not limited to,
7 landscape lighting, illuminated signage or advertising during nighttime hours, facade
8 lighting, vacant sports field lighting, decorative lighting and seasonal lighting.

9 L. "Outdoor sports lighting" means public outdoor lighting for illumination of sporting
10 events or activities, including, but not limited to, downhill skiing areas, playing fields
11 for team sports and similar outdoor recreational facilities.

12 M. "Public entity" means an agency as defined in section 43 and any political
13 subdivision or public instrumentality of the State.

14 N. "Public improvement" means any improvement or replacement of facilities or
15 equipment undertaken by, on behalf of or pursuant to a contract or grant agreement
16 with a public entity.

17 O. "Public outdoor lighting" means any public improvement that includes the
18 installation or replacement of luminaires for the purpose of providing outdoor
19 illumination.

20 P. "Seasonal lighting" means public outdoor lighting that is portable, temporary,
21 decorative and used in connection with festivals, celebrations, holidays and traditions.
22 "Seasonal lighting" includes, but is not limited to, string lighting, icicle lighting and
23 lighted inflatables, none of which are intended for general illumination.

24 **2. Requirements.** Beginning October 1, 2026, public outdoor lighting that is installed
25 or replaced must comply with the requirements of this subsection as follows:

26 A. Public outdoor lighting, with the exception of outdoor sports lighting, may not
27 exceed 125% of the light level recommended by the applicable ANSI/IES lighting
28 standard or a more stringent standard specified by rule adopted pursuant to subsection
29 4 or an ordinance authorized by subsection 5;

30 B. Light trespass to a federally designated or state-designated wilderness, natural area,
31 habitat or reserve may not measure greater than 0.1 lux;

32 C. Luminaires emitting more than 1,000 lumens must be fully shielded luminaires and
33 may not emit more than 5% of their total lumen output above 80 degrees from the
34 luminaries' nadir;

35 D. Nonessential lighting must be extinguished during nighttime hours;

36 E. The maximum allowable correlated color temperature of outdoor luminaires is 3,000
37 kelvins, except for outdoor sports lighting; and

38 F. Outdoor sports lighting must meet the following standards in addition to the
39 standards in paragraphs B to D:

40 (1) Eighty-five percent of the lumens generated must be confined to within 10
41 meters of the playing field or the spectator track or bleacher area, whichever is
42 greater;

(2) Lighting applications for sports in which the height of a ball in play would, in the normal course of playing the sport, exceed the height of the sports lighting poles must have a maximum of 8% of their total lumen output above 80 degrees from the lighting's nadir;

(3) Luminaires must use the lowest possible correlated color temperature necessary for the sport, class of play and viewing audience, except that the correlated color temperature may not exceed 5,700 kelvins; and

(4) Outdoor sports lighting must comply with paragraphs A and E except during the seasons and times of day when the activities for which the lighting is designed are taking place or maintenance to support those activities is being conducted.

3. Exemptions. This chapter does not apply to public outdoor lighting to the extent that:

A. Regulations or orders of the United States Department of Transportation, Federal Aviation Administration require lighting that exceeds or otherwise fails to comply with the standards in subsection 2;

B. Rules adopted pursuant to subsection 4 by the Department of Public Safety require lighting necessary to protect public safety or security that does not comply with the requirements of subsection 2;

C. Law enforcement officers and authorized first responders use public outdoor lighting during emergency procedures that does not comply with subsection 2;

D. Rules adopted pursuant to subsection 4 by the Department of Transportation permit temporary lighting to ensure safety and efficiency in completion of road construction and repair, as long as such lighting deviates from the standards in subsection 2 to the minimum extent necessary;

E. Luminaires replicating historical character and lighting effect are protected pursuant to a law governing historical registration; and

F. Seasonal lighting complies with subsection 2, paragraphs B and D.

4. Rulemaking. The Department of Administrative and Financial Services may adopt rules governing the implementation of this chapter. The Department of Public Safety may adopt rules establishing exemptions as described in subsection 3, paragraph B. The Department of Transportation may adopt rules governing temporary lighting necessary to ensure safety and efficiency in completion of road construction and repair as described in subsection 3, paragraph D. Any department proposing rules that affect municipalities shall confer with the Maine Office of Community Affairs before proposing those rules. All rules adopted pursuant to this subsection are major substantive rules as defined in chapter 375, subchapter 2-A.

Sec. 2. Local ordinances required. By December 31, 2028, each municipality in the State is required to adopt a local ordinance to promote compliance with this chapter and to extend its standards as appropriate beyond public improvements governed by this chapter. No later than September 30, 2026, the Maine Office of Community Affairs shall develop and share with municipalities a model ordinance for these purposes.

This section may not be construed to prohibit a municipality from adopting lighting ordinances stricter than those adopted by the State pursuant to this chapter.

