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HOUSE BILL 2534

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State of Washington                      60th Legislature                      2008 Regular Session

By Representatives Lantz, Hunt, Appleton, Dunshee, Kagi, and Chase

Prefiled 01/07/08. Read first time 01/14/08. Referred to Committee on Ecology & Parks.

1            AN ACT Relating to light pollution; adding a new section to chapter  
2 70.95M RCW; and adding a new chapter to Title 70 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.** The increased use of ineffective and  
5 inefficient exterior lighting in Washington has generated unnecessary  
6 light pollution and wasteful energy consumption. With the application  
7 of the best technology available, Washington will be able to reduce sky  
8 glow, create substantial reductions in energy consumption, and protect  
9 the nighttime environment.

10           Light pollution may be greatly reduced by using properly designed  
11 light fixtures that direct light downward, are mounted at the proper  
12 height to do their job, and avoid glare and light trespass. This  
13 lighting is known as fully shielded lamps. Modern fully shielded lamps  
14 deliver the same amount of light to the ground as older wasteful  
15 designs but use less power, thus reducing the amount of energy used,  
16 which saves money and reduces the quantity of greenhouse gases released  
17 into the environment.

18           Therefore, it is the intent of the legislature to require the best

1 technology available in all exterior lighting in order to reduce energy  
2 consumption and protect our night sky.

3 NEW SECTION. **Sec. 2.** The definitions in this section apply  
4 throughout this chapter unless the context clearly requires otherwise.

5 (1) "Fully shielded" means an outdoor lighting fixture that is  
6 installed and shielded in such a manner that all light rays emitted by  
7 the fixture, either directly from the lamp or indirectly from the  
8 fixture, are projected below a horizontal plane running through the  
9 lowest point on the fixture where light is emitted.

10 (2) "Lamp" means the component of a luminaire that produces actual  
11 light.

12 (3) "LED" means light emitting diodes.

13 (4) "Luminaire" means a complete lighting system, which includes a  
14 lamp or lamps and a fixture.

15 (5) "Outdoor lighting" means nighttime illumination of an outside  
16 area or object by any human-made device located outdoors that produces  
17 light by any means.

18 (6) "Outdoor lighting fixture" means outdoor electrically powered  
19 illuminating devices, outdoor lighting or reflective surfaces, lamps,  
20 and similar devices that are permanently installed or portable and used  
21 for illumination, decoration, or advertisement. These devices include  
22 search, spot, and floodlights at or on the following:

- 23 (a) Buildings and structures;
- 24 (b) Recreational areas;
- 25 (c) Parking lot lighting;
- 26 (d) Landscape lighting;
- 27 (e) Billboards and other signs;
- 28 (f) Street lighting;
- 29 (g) Product display area lighting; and
- 30 (h) Building overhangs and open canopies.

31 (7) "Person" means an individual, a tenant, a lessee, an owner, or  
32 any commercial entity, including a firm, business, partnership, joint  
33 venture, government entity, or corporation.

34 (8) "Temporary outdoor lighting" means the specific illumination of  
35 an outside area of objects by any human-made device located outdoors  
36 that produces light by any means for a period of less than thirty days,  
37 with at least one hundred eighty days passing before it is used again.

1        NEW SECTION.    **Sec. 3.** (1) All new public and private outdoor  
2 lighting installed after July 1, 2008, in Washington must conform to  
3 the requirements of this chapter. All other public and private outdoor  
4 lighting must conform to the requirements of this chapter by July 1,  
5 2012.

6        (2) Nothing in this chapter prevents the application or adoption of  
7 local regulations restricting light pollution that are equal to or more  
8 stringent than the requirements of this chapter.

9        NEW SECTION.    **Sec. 4.** The provisions of this chapter do not apply  
10 to:

11        (1) Temporary lighting required for construction projects and  
12 related to road construction and repair, installation of sewer and  
13 water facilities, and other public infrastructure;

14        (2) Temporary emergency lighting used by police, fire departments,  
15 or other emergency services;

16        (3) Hazard warning luminaires required by federal law and federal  
17 regulatory agencies, if the luminaires are red and as close as possible  
18 to the minimum required lumen output for the task under federal law;

19        (4) Seasonal and decorative lighting displays that use multiple low  
20 wattage bulbs, including LED lights;

21        (5) Navigational lighting systems at airports.

22        NEW SECTION.    **Sec. 5.** (1) Any new or replacement outdoor lighting  
23 fixture must be a fully shielded luminaire if the rated output of the  
24 outdoor lighting fixture is greater than one thousand eight hundred  
25 lumens.

26        (2) Where practicable, lighting must include timers, dimmers, and  
27 sensors to reduce overall energy consumption.

28        NEW SECTION.    **Sec. 6.** In addition to the restrictions under RCW  
29 47.42.062(4), an outdoor lighting fixture used to illuminate outdoor  
30 advertising signs, including street signs and directive signs, must be  
31 fully shielded and mounted on top of the sign structure.

32        NEW SECTION.    **Sec. 7.** (1) Outdoor lighting may not be used for  
33 public or private outdoor recreational facilities, including but not

1 limited to football fields, soccer fields, baseball fields, softball  
2 fields, tennis courts, race tracks, ski slopes, or show areas unless  
3 the following conditions are met:

4 (a) Lighting for parking lots and other areas surrounding the  
5 recreational facility comply with this chapter;

6 (b) The fixtures used for event lighting are fully shielded; and

7 (c) The event is scheduled to complete all activity before or as  
8 near to 10:00 p.m. as practical.

9 (2) A person may not illuminate a playing field, court, slope, or  
10 track after 11:00 p.m. except to conclude a scheduled event that was in  
11 progress before 11:00 p.m. and if circumstances prevented the event  
12 from concluding before 11:00 p.m.

13 NEW SECTION. **Sec. 8.** (1) Outdoor lighting may not be used for  
14 lighting outdoor display lots, including automobile sales or rentals,  
15 recreational vehicle sales, or building material sales unless the  
16 following conditions are met:

17 (a) Lighting of parking lots and other areas surrounding the  
18 display lot comply with this chapter;

19 (b) Fixtures used for display lighting are fully shielded; and

20 (c) Display lot lighting is turned off within thirty minutes after  
21 closing the business.

22 (2) A person may not fully illuminate a display lot after 10:00  
23 p.m., but security lighting may be used after 10:00 p.m.

24 NEW SECTION. **Sec. 9.** A new section is added to chapter 70.95M RCW  
25 to read as follows:

26 (1) A person may not install, sell, offer to sell, lease, or  
27 purchase a mercury vapor fixture, lamp, or other device for outdoor  
28 lighting use.

29 (2) Mercury vapor lamps or fixtures used for outdoor lighting must  
30 be removed by July 1, 2009.

31 NEW SECTION. **Sec. 10.** Sections 1 through 8 of this act constitute  
32 a new chapter in Title 70 RCW.

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