

JOINT COMMITTEE ON TELECOMMUNICATIONS, UTILITIES, AND ENERGY

BILL SUMMARY

BILL NO. H.3494

TITLE: An Act to improve outdoor lighting, conserve energy, and increase dark sky visibility

SPONSOR: Representative Sean Garballey

COMMITTEE: Telecommunications, Utilities, and Energy

HEARING DATE: September 25, 2025

PRIOR HISTORY: 2023-2024: H.3164; accompanied a new draft, H.4502, and reported favorably by TUE to House W&M; no further action taken.
2021-2022: H.3306 heard by TUE; amended by H.5079.
2019-2020: H.2858 heard by TUE; accompanied S.1937 and reported favorably by TUE to Senate W&M; no further action taken.
2017-2018: H.2692 heard by TUE; accompanied study order H.4651.
2015-2016: H.2878 heard by TUE; accompanied new draft S.2159; reported favorably by TUE to W&M; recommended out to pass with amendment, see new draft S.2453; passed to be engrossed by Senate, referred to W&M; no further action taken.
2014: H.2941 and S.1573 accompanied redraft S.2041; reported favorably by TUE; referred to Senate W&M; no further action taken.
2011: H.1762 heard by TUE; accompanied study order H.4465; discharged to House Rules.

CURRENT LAW:

Chapter 85 of the Massachusetts General Laws pertains to the regulations and by-laws relative to ways and bridges in the Commonwealth.

SUMMARY:

The legislation would require DOER, in consultation with MassDOT and EOPSS, to promulgate regulations with the intent of reducing energy waste and minimizing light pollution and therefore to ensure that state or municipal funds are not used for the installation or operation of any outdoor lighting fixture unless the following conditions are met:

- Roadway or parking lot lighting fixtures must be fully shielded, unless they are ornamental or light tunnels or roadway underpasses
- Ornamental lighting fixtures that comply with a certain lumen limit as established in regulations
- Fixtures used for roadway lighting shall not be more numerous than is necessary for adequate vehicular and pedestrian safety as determine by the regulations and given due consideration by

criteria published by the Federal Highway Administration and the Illuminating Engineering Society

- Building mounted fixtures shall be fully shielded unless they are façade lighting fixtures
- Façade lighting fixtures, and lighting fixtures used to light historic structures, flags, monuments, and works of art, shall direct the light onto the intended targets and be shielded to minimize glare, glow, and light trespass
- Athletic field lighting shall be installed in a way that minimizes the glare, glow, and light trespass outside of the field
- Lighting fixtures shall have a correlated color temperature that is not greater than a limit established in the regulations provided that the limit shall not exceed 3000K, unless:
 - o an exemption is granted for a demonstrated public safety need
 - o the fixtures are used for decorative illumination through color
 - o the fixtures are used for illumination of athletic fields
- Lighting shall maintain illuminance at levels that are no greater than those required for the intended purpose, as established in the regulations and given due consideration to lighting industry standards and practices, unless a demonstrated and verified need exists for higher levels. Provided, that if a municipality or county ordinance or regulation specifies lower illuminance levels, the illuminance level required for the intended purpose by the municipal or county ordinance or regulation shall be used.

The prohibition shall not apply to certain situations, including but not limited to: if it is preempted by federal law; if the outdoor lighting is used temporarily for emergency, repair, construction, or similar activities; navigational, aviation, and nautical safety; if a compelling safety or security risk exists; replacement of previous fixtures that have been destroyed, damaged, or inoperative; festoon lighting; or fixtures installed under exemptions as codified in regulations established pursuant to Section 38(b).

The Department of Transportation shall review current practices, the impact of roadway lighting on health, safety, and the environment, and explore cost-saving measures through light replacement, and report to the Department of Energy Resources and the legislature not later than January 1, 2026.

Section 3 of the Act directs the DPU to develop a rate for unmetered roadway or parking-lot lighting fixtures utilizing less than 25 watts of electricity not later than January 1, 2026.