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1995 ASSEMBLY BILL 249

March 23, 1995 – Introduced by Representatives Baumgart, Hahn, Black, Bock, La Fave, Williams, R. Potter and R. Young, cosponsored by Senator Adelman. Referred to Committee on Environment and Utilities.

1	$\operatorname{AN}\operatorname{ACT}$ to amend subchapter IV (title) of chapter 101 [precedes 101.80]; and to
2	create 101.815 of the statutes; relating to: the regulation of outdoor light
3	fixtures and bulbs or lamps used in outdoor light fixtures and granting
4	rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires the department of industry, labor and human relations (DILHR) to promulgate rules regulating the design and installation of outdoor lighting to improve energy efficiency and to reduce inappropriate lighting.

The bill also allows a municipality to enact outdoor lighting standards that are stricter than those promulgated by DILHR. Finally, the bill allows a municipality to apply its standards to outdoor light fixtures installed or constructed before the date on which the municipal standards become effective.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Section 1.	Subchapter	IV (t	title) of	chapter	101	[precedes	101.80]	of	the
statutes is amende	ed to read:								

7	CHAPTER 101
8	SUBCHAPTER IV
9	OUTDOOR LIGHTING, INSPECTION

TAY:skg:jlb
SECTION 1

1	OF ELECTRICAL CONSTRUCTION AND
2	CERTIFICATION OF MASTER
3	$ELECTRICIANS_{7}$, AND $ELECTRICAL$
4	CONTRACTORS, JOURNEYMEN AND
5	BEGINNING ELECTRICIANS
6	SECTION 2. 101.815 of the statutes is created to read:
7	101.815 Outdoor Lighting. (1) The department shall promulgate rules
8	relating to the design, sale, construction, installation and use of outdoor light
9	fixtures and bulbs or lamps used in outdoor light fixtures to achieve all of the
10	following:
11	(a) A cost-effective improvement in the energy efficiency of outdoor lighting.
12	(b) Outdoor lighting that is appropriate for its intended purpose, including
13	appropriate light intensity, distribution and color.
14	(c) Avoidance of unsafe conditions created by outdoor lighting by reducing glare
15	and uneven light distribution.
16	(d) Elimination, to the extent technically and economically feasible, of light
17	that is directed on areas other than the area that is intended to be illuminated.
18	(e) An increase in the capability of outdoor lighting to provide nighttime safety
19	and security and to illuminate work sites.
20	(f) Avoidance, to the extent technically and economically feasible, of
21	interference with the functions of any astronomical observatory operated by an
22	educational institution or research facility.
23	(2) (a) Except as provided in par. (b), the rules promulgated under sub. (1) shall
24	apply to all types of outdoor light fixtures and bulbs or lamps used in outdoor light
25	fixtures, whether permanently installed or portable, including all of the following:

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existing bulbs or lamps.

1 1. Outdoor light fixtures used to illuminate areas or objects. 2 2. Outdoor light fixtures the bulb or lamp of which is used for decoration or is 3 otherwise intended to be viewed directly instead of used to illuminate an area or 4 object. 5 3. Outdoor light fixtures used inside an object to make the object visible at night. 6 7 (b) The rules promulgated under sub. (1) shall not apply to an outdoor light 8 fixture, or a bulb or lamp used in an outdoor light fixture, if the light fixture or bulb 9 or lamp is used in or as part of a seasonal holiday decoration between November 1 10 and January 31. (3) Rules promulgated under sub. (1) may include any of the following: 11 (a) Exceptions and exclusions based on any of the following: 12 13 1. The light output or design of an outdoor light fixture or a bulb or lamp used 14 in an outdoor light fixture. 15 2. The use of an outdoor light fixture in an emergency. 16 3. The hours of operation of an outdoor light fixture. 17 (b) Limitations on the hours of operation of an outdoor light fixture. (c) Criteria specific to the type of area or object being illuminated. 18 (d) Prohibitions on any of the following, on either a statewide basis or in 19 20 designated areas of this state: 21 1. Specific types or designs of outdoor light fixtures or bulbs or lamps used in 22 outdoor light fixtures. 23 2. Uses of outdoor light fixtures.

(e) Requirements for upgrading existing outdoor light fixtures or for replacing

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1	(f) Requirements for prior approval of specific types or designs of outdoor light
2	fixtures.
3	(g) Provisions for variances or alternative designs based on equivalence to
4	requirements in rules promulgated under sub. (1).
5	(4) The department shall consult with the department of administration
6	regarding the rules for outdoor light fixtures and bulbs or lamps used in outdoor light
7	fixtures for state buildings and facilities and with the department of transportation
8	regarding the rules for outdoor light fixtures and bulbs or lamps used in outdoor light
9	fixtures used to illuminate highways.
10	(5) A municipality may enact and enforce standards that are more restrictive
11	than the rules promulgated under sub. (1). A municipality may apply its standards
12	to outdoor light fixtures, and bulbs or lamps for outdoor light fixtures, constructed
13	or installed prior to the effective date of the municipal standards.

(END)