

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1963 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/30/05

A Bill

HOUSE BILL 2665

5 By: Representative Ledbetter
6
7

8 **For An Act To Be Entitled**

9 AN ACT TO ENCOURAGE THE USE OF SHIELED outdoor
10 LIGHTING; AND FOR OTHER PURPOSES.
11

12 **Subtitle**

13 THE SHIELED outdoor LIGHTING ACT.
14
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
17

18 SECTION 1. Arkansas Code Title 8 is amended to add an additional
19 chapter to read as follows:

20 8-14-101. Title.

21 This chapter shall be known and may be cited as the "Shielded Outdoor
22 Lighting Act".
23

24 8-14-102. Purpose.

25 The purpose of this chapter is to conserve energy and preserve the
26 environment through the regulation of outdoor lighting fixtures.
27

28 8-14-103. Definitions.

29 As used in this chapter:

30 (1) "Outdoor lighting fixture" means an automatically-controlled,
31 outdoor artificial illuminating device, whether permanent or portable, used
32 for illumination or advertisement, including searchlights, spotlights, and
33 floodlights, whether for architectural lighting, parking lot lighting,
34 landscape lighting, billboards, or street lighting; and

35 (2) "Shielded" means a fixture that is covered in a manner that light



1 rays emitted by the fixture, either directly from the lamp or indirectly from
2 the fixture, are projected below a horizontal plane running through the
3 lowest point on the fixture where light is emitted.

4
5 8-14-104. Shielding – Prohibitions - Exemptions.

6 (a) After January 1, 2006:

7 (1)(A) No public funds shall be used to install an outdoor
8 lighting fixture unless it is shielded.

9 (B) The provisions of subdivision (a)(1) of this section
10 shall not apply to a municipally owned utility if the municipal employee
11 responsible for procurement determines that the cost of acquiring a shielded
12 outdoor lighting fixture will be more expensive than the alternative after
13 comparing:

14 (i) The cost of the fixtures; and

15 (ii) The projected energy cost of the operation of
16 the fixtures;

17 (C) No state funds shall be used for the installation of a
18 shielded or unshielded mercury vapor outdoor lighting fixture.

19 (2) The Arkansas Department of Environmental Quality shall
20 promulgate regulations prohibiting any person or entity from knowingly
21 placing or disposing of lights containing mercury in a landfill after January
22 1, 2008.

23 (3)(A) Each electric public utility shall offer a shielded
24 lighting service option.

25 (B) Not later than January 1, 2006, each electric public
26 utility shall file an application with the Arkansas Public Service Commission
27 to establish a schedule of rates and charges for the provision of a shielded
28 lighting service option to the utility's customers.

29 (C) The Arkansas Public Service Commission shall require
30 each electric public utility to inform its customers of the availability of
31 the shielded lighting service.

32 (b) This chapter does not apply to acquisitions of:

33 (1) Incandescent outdoor lighting fixtures of one hundred fifty
34 watts (150W) or less or other light sources of seventy watts (70W) or less;

35 (2) Outdoor lighting fixtures on advertisement signs on
36 interstate or federal primary highways;

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