

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.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H2/11/03

A Bill

HOUSE BILL 1282

5 By: Representative Ledbetter
6
7

For An Act To Be Entitled

9 AN ACT TO REQUIRE THE SHIELDING OF CERTAIN
10 OUTDOOR LIGHTING; AND FOR OTHER PURPOSES.

Subtitle

11 THE NIGHT SKY PROTECTION ACT.
12
13
14
15

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 Night Sky
22 Protection Act".
23

24 8-14-102. Purpose.

25 The purpose of this chapter is to regulate outdoor night lighting
26 fixtures to preserve and enhance the state's dark sky while promoting safety,
27 conserving energy and preserving the environment for astronomy.
28

29 8-14-103. Definitions.

30 As used in this chapter:

31 (1) "Outdoor lighting fixture" means an outdoor artificial
32 illuminating device, whether permanent or portable, used for illumination or
33 advertisement, including searchlights, spotlights and floodlights, whether
34 for architectural lighting, parking lot lighting, landscape lighting,
35 billboards or street lighting, except that owned or operated by a municipal
36 government; and



1 (2) "Shielded" means a fixture that is shielded in such a manner that
2 light rays emitted by the fixture, either directly from the lamp or
3 indirectly from the fixture, are projected below a horizontal plane running
4 through the lowest point on the fixture where light is emitted.

5
6 8-14-104. Shielding – Prohibitions - Exemptions.

7 (a) All outdoor lighting fixtures installed after January 1, 2004,
8 shall be shielded.

9 (b) No mercury vapor outdoor lighting fixtures shall be sold or
10 installed after January 1, 2004.

11 (c) This chapter does not apply to:

12 (1) Incandescent fixtures of one hundred fifty (150) watts or
13 less, or other light sources of seventy (70) watts or less;

14 (2) Outdoor lighting fixtures that are extinguished between the
15 hours of 11:00 p.m. and sunrise by an automatic shutoff device;

16 (3) Outdoor lighting fixtures on advertisement signs on
17 interstates or federal primary highways;

18 (4)(A) Outdoor lighting fixtures existing and legally installed
19 before the effective date of this chapter.

20 (B) However, when existing lighting fixtures become
21 unrepairable, their replacements are subject to the provisions of this
22 chapter;

23 (5) Navigational lighting systems at airports or other lighting
24 necessary for aircraft safety; and

25 (6) Outdoor lighting fixtures that are necessary for worker
26 safety at farms, ranches, dairies, feedlots or industrial, mining or oil and
27 gas facilities, and all municipal or governmental operations.

28
29 8-14-105. Penalties.

30 Violations of this chapter are punishable by:

31 (1) For a first offense, a warning; and

32 (2) For a second or subsequent offense or for an offense that
33 continues for thirty (30) calendar days from the date of the warning, a fine
34 of twenty-five dollars (\$25.00) minus the replacement cost for each offending
35 fixture.

36

