

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 34 proposes amend the Night Sky Protection Act by increasing requirements for shielding outdoor light fixtures and introducing new exemptions.

Section 1 of SB 34 adds the definitions of “fully shielded” and “lumen” to Section 74-12-3 NMSA 1978. “Fully shielded” means a fixture that is shielded in such a manner that no more than five percent of the total light emitted, either directly or indirectly, is at or above ten degrees below a horizontal plane running through the lowest point on the fixture where light is emitted. “Lumen” means an international standard of measurement that quantifies the amount of light emitted by a light source.

Section 2 amends the exception for outdoor lighting fixtures to “except for strings of small lights or temporary holiday lighting, an outdoor lighting fixture installed after July 1, 2025 that is mounted more than four feet above the ground shall be fully shielded and installed and maintained in accordance with the manufacturer's specifications and instructions for use.” SB 34 strikes “all outdoor lighting fixtures installed after January 1, 2000 shall be shielded, except incandescent fixtures of one hundred fifty watts or less and other sources of seventy watts or less” and adds the requirement that outdoor lighting fixtures shall not be directed toward the sky if mounted less than four feet above the ground and emits more than one thousand lumens.

Section 3 strikes subsection A from Section 74-12-5 NMSA 1978.

Section 4 of SB 34 changes the exemption for outdoor lighting fixtures from advertisements to “roadway navigation and safety” and subjects existing outdoor lighting fixtures installed prior to July 1, 2025, to the requirements of the Act when they are replaced. Section 4 further amends the exception for outdoor lighting fixtures “that are necessary for worker safety” to apply to fixtures at “farms, ranches, dairies, feedlots or industrial, mining or oil and gas facilities installed prior to January 1, 2027.” SB 34 also creates exemptions for outdoor digital or electronic billboards and temporary outdoor lighting fixtures that are necessary for construction, emergency services or film or television production.

Section 5 would repeal Section 74-12-2 NMSA 1978.

FISCAL IMPLICATIONS

None.

SIGNIFICANT ISSUES

SB 34 amends the Night Sky Protection Act to impose stricter lighting regulations which could affect communities in poorly lit rural or urban areas where adequate lighting is critical for public safety and accessibility. This could pose challenges for local governments and businesses tasked with enforcing compliance, leading to the requirement of additional resources.

Additionally, SB 34 amends outdoor lighting fixture exemptions for worker safety to specify certain groups and industries, which could lead to ambiguous or inconsistent enforcement.

SB 34 would not have a direct impact on the New Mexico Tourism Department.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo.

AMENDMENTS

None.