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SENATE BILL

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO THE NIGHT SKY; REVISING THE REQUIREMENTS FOR SHIELDING OUTDOOR LIGHT FIXTURES; ADDING EXEMPTIONS FOR ROADWAY NAVIGATION AND SAFETY SIGNS ON INTERSTATES AND FEDERAL PRIMARY HIGHWAYS AND TEMPORARY OUTDOOR LIGHT FIXTURES NECESSARY FOR CONSTRUCTION, EMERGENCY SERVICES OR FILM OR TELEVISION PRODUCTION; REMOVING THE EXEMPTION FOR OUTDOOR LIGHT FIXTURES WITH AUTOMATIC SHUT-OFF DEVICES AND ADVERTISEMENT SIGNS ON INTERSTATES AND FEDERAL PRIMARY HIGHWAYS; REPEALING SECTION 74-12-2 NMSA 1978 (BEING LAWS 1999, CHAPTER 197, SECTION 2).

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 74-12-3 NMSA 1978 (being Laws 1999, Chapter 197, Section 3) is amended to read:

"74-12-3. DEFINITIONS.--As used in the Night Sky Protection Act:

.228608.3

underscoring material = new
~~[bracketed material] = delete~~

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[bracketed material] = delete

1 A. "fully shielded" means a fixture that is
2 shielded in such a manner that no more than five percent of the
3 total light emitted, either directly or indirectly, is at or
4 above ten degrees below a horizontal plane running through the
5 lowest point on the fixture where light is emitted;

6 B. "lumen" means an international standard of
7 measurement that quantifies the amount of light emitted by a
8 light source; and

9 [A-] C. "outdoor lighting fixture" means an outdoor
10 artificial illuminating device, whether permanent or portable,
11 used for illumination or advertisement, including searchlights,
12 spotlights and floodlights, whether for architectural lighting,
13 parking lot lighting, landscape lighting, billboards or street
14 lighting [and

15 ~~B. "shielded" means a fixture that is shielded in~~
16 ~~such a manner that light rays emitted by the fixture, either~~
17 ~~directly from the lamp or indirectly from the fixture, are~~
18 ~~projected below a horizontal plane running through the lowest~~
19 ~~point on the fixture where light is emitted]."~~

20 SECTION 2. Section 74-12-4 NMSA 1978 (being Laws 1999,
21 Chapter 197, Section 4) is amended to read:

22 "74-12-4. SHIELDING OF OUTDOOR LIGHT FIXTURES.--~~[All~~
23 ~~outdoor lighting fixtures installed after January 1, 2000 shall~~
24 ~~be shielded, except incandescent fixtures of one hundred fifty~~
25 ~~watts or less and other sources of seventy watts or less.]~~

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1 A. Except for strings of small lights or temporary
2 holiday lighting, an outdoor lighting fixture installed after
3 July 1, 2025 that is mounted more than four feet above the
4 ground shall be fully shielded and installed and maintained in
5 accordance with the manufacturer's specifications and
6 instructions for use.

7 B. An outdoor lighting fixture that is mounted less
8 than four feet above the ground and emits more than one
9 thousand lumens shall not be directed toward the sky."

10 SECTION 3. Section 74-12-5 NMSA 1978 (being Laws 1999,
11 Chapter 197, Section 5) is amended to read:

12 "74-12-5. [~~NONCONFORMING~~] OUTDOOR RECREATIONAL FACILITY
13 LIGHT FIXTURES.--~~[A. In addition to other exemptions provided~~
14 ~~in the Night Sky Protection Act, an outdoor lighting fixture~~
15 ~~not meeting these provisions shall be allowed, if the fixture~~
16 ~~is extinguished by an automatic shutoff device between the~~
17 ~~hours of 11:00 p.m. and sunrise.~~

18 ~~B. No~~] An outdoor recreational facility, whether
19 public or private, shall not be illuminated after 11:00 p.m.
20 except for a national or international tournament or to
21 conclude any recreational or sporting event or other activity
22 conducted, which is in progress prior to 11:00 p.m. at a
23 ballpark, outdoor amphitheater, arena or similar facility."

24 SECTION 4. Section 74-12-7 NMSA 1978 (being Laws 1999,
25 Chapter 197, Section 7) is amended to read:

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1 "74-12-7. EXEMPTIONS.--

2 A. The following are exempt from the requirements
3 of the Night Sky Protection Act:

4 (1) outdoor lighting fixtures on
5 ~~[advertisement]~~ roadway navigation and safety signs on
6 interstates and federal primary highways;

7 (2) outdoor lighting fixtures existing and
8 legally installed prior to ~~[the effective date of the Night Sky~~
9 ~~Protection Act]~~ July 1, 2025; however, when existing lighting
10 fixtures ~~[become unrepairable]~~ are replaced, their replacements
11 are subject to all the provisions of the Night Sky Protection
12 Act;

13 (3) navigational lighting systems at airports
14 and other lighting necessary for aircraft safety; ~~[and]~~

15 (4) outdoor lighting fixtures ~~[that are~~
16 ~~necessary for worker safety]~~ at farms, ranches, dairies,
17 feedlots or industrial, mining or oil and gas facilities
18 installed prior to January 1, 2027; and

19 (5) temporary outdoor lighting fixtures that
20 are necessary for construction, emergency services or film or
21 television production.

22 B. The provisions of the Night Sky Protection Act
23 are cumulative and supplemental and shall not apply within any
24 county or municipality that, by ordinance or resolution, has
25 adopted provisions restricting light pollution that are equal

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1 to or more stringent than the provisions of the Night Sky
2 Protection Act."

3 SECTION 5. REPEAL.--Section 74-12-2 NMSA 1978 (being Laws
4 1999, Chapter 197, Section 2) is repealed.