

ACT 121

H.B. NO. 155

A Bill for an Act Relating to the Department of Transportation.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Hawaii is home to two of the world's premier astronomy observatories, Haleakala on Maui and Mauna Kea on Hawaii. Mauna Kea is considered the finest observing site in the world. One of the most critical needs for preserving the value of these sites is to reduce bright sources of light that penetrate the dark night sky. Recent nighttime images from the international space station revealed that some of the brightest sources of light on Maui and Hawaii are the airports and harbors on both islands. Astronomers on Mauna Kea are now detecting artificial light sources from urban areas that are diminishing the telescopes' ability to do research.

The purpose of the Act is to require the department of transportation, to the extent that it is practical, to comply with county ordinances and standards relating to outside lighting for all new installations at airports, harbors, and highways; provided that the compliance with county ordinances and standards do not conflict with any safety regulation or federal law, regulation, or mandate.

SECTION 2. Chapter 262, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§262- **Outdoor lighting.** To the extent that it is practical and not in conflict with any safety regulation or federal law, regulation, or mandate, if any airport rule or standard relating to outdoor lighting on any ramp or apron area, roadway, or parking lot conflicts with any county ordinance or other rule regarding

outdoor lighting, the more stringent requirement or standard shall govern all new installations of outdoor lighting.”

SECTION 3. Chapter 264, Hawaii Revised Statutes, is amended by adding a new section to part III to be appropriately designated and to read as follows:

“**§264- Highway lighting.** To the extent that it is practical and not in conflict with any safety regulation or federal law, regulation, or mandate, if any highway rule or standard relating to highway lighting conflicts with any county ordinance or other rule regarding highway lighting, the more stringent requirement or standard shall govern all new installations of highway lighting.”

SECTION 4. Chapter 266, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

“**§266- Outdoor lighting.** To the extent that it is practical and not in conflict with any safety regulation or federal law, regulation, or mandate, if any harbor rule or standard relating to outdoor lighting at any harbor facility conflicts with any county ordinance or other rule regarding outdoor lighting, the more stringent requirement or standard shall govern all new installations of outdoor lighting.”

SECTION 5. New statutory material is underscored.<sup>1</sup>

SECTION 6. This Act shall take effect on July 1, 2007.

(Approved June 4, 2007.)

**Note**

1. Edited pursuant to HRS §23G-16.5.