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**Committee: Education, Energy, and the Environment**  
**Testimony on: HB459 “County and Municipal Street Lighting Investment Act”**  
**Position: Favorable with Amendments**  
**Hearing Date: March 28, 2023**

The Maryland Sierra Club requests that HB459 be restored to the version introduced in the House, except for the addition by the House of the inventory required under new section 2 of the bill. In our view, the other provisions added by amendment in the House will have the effect of undermining the ability of the legislation to serve its intended purpose.

The bill would reform the procedure by which a county or municipality may acquire utility-owned street lighting equipment located in that county or municipality, and then convert the street lighting service to a customer-owned street lighting tariff under state law. Such acquisitions could have important environmental and other benefits. The bill is enabling and does not require any particular county or municipality to take such action.

In 2007, the General Assembly established a policy of allowing local governments to acquire utility-owned streetlights. Since that time, however, very few if any Maryland localities have successfully acquired utility-owned overhead lights. This is because utilities have erected hurdles to make valuation of lights and acquisition unnecessarily complex, time-consuming, costly, and uncertain.<sup>1</sup>

This bill, as introduced, would simplify the acquisition process and help make the promise of the 2007 policy a reality at last. However, provisions included by amendment in the House would unfortunately reintroduce unnecessary complexity that may perpetuate the inability of Maryland localities to acquire their streetlights and, in turn, improve the service the streetlights are intended to provide to their residents.

#### Environmental and Other Benefits of a Local Government Owning Its Streetlights

As set forth in the bill’s legislative findings, the change from utility-owned street lighting to local government ownership can have important benefits. These include reducing energy usage, which in turn will assist the State in reaching its greenhouse gas reduction goals, as well as saving money for local governments and improving public safety through the installation of more durable streetlights.

According to a 2020 report published by the Maryland Energy Administration,<sup>2</sup> there are tens of thousands of older, inefficient utility-owned streetlights in Maryland. These streetlights consume large amounts of energy, and also burn out and require expensive, frequent maintenance. Converting Maryland’s streetlights to durable, efficient LED technology would help reduce Maryland’s greenhouse

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<sup>1</sup> A handful of municipalities have been able to implement work-arounds with their utility where they were able to obtain greater control over their streetlights without purchasing them, but these work-arounds have been difficult to implement and have not been replicable by other localities.

<sup>2</sup> “LED Streetlight Conversions in Maryland and Virginia: Opportunities, Challenges, and Strategies in 2020.” <https://news.maryland.gov/mca/wp-content/uploads/sites/15/2020/10/FINAL-LED-Streetlights-in-Maryland-20200929.pdf>.

Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

gas emissions while also improving the safety of communities for people who are driving, bicycling, or walking.<sup>3</sup>

Local governments have a crucial role to play in mitigating climate change and should lead by example in efforts to decrease greenhouse gas emissions. This bill will speed the transition to modern LED streetlights by facilitating local government ownership. As detailed in MEA’s report, converting utility-owned lights to government-owned lights is a best practice that has worked well in other jurisdictions. Jurisdictions that have passed similar laws or taken regulatory action include Connecticut, the District of Columbia, Massachusetts, Maine, New Hampshire, New York, Pennsylvania, and Rhode Island. For a variety of reasons, local governments may be better positioned and have greater incentives than utilities to convert to LED streetlights.

Another potential benefit of this legislation is that it will give local governments the ability to reduce artificial lighting at night, by giving them greater flexibility in the style of light fixtures and providing for part-night dimming. As discussed in a January 2023 article in Science magazine,<sup>4</sup> excessive light pollution can have a deleterious impact on animal behavior and other negative effects.

When it comes to achieving our energy efficiency and climate goals, street lighting should be the low hanging fruit. We believe that this bill, as introduced, is a commonsense step that will help achieve these goals while improving safety and providing improved services at a lower cost.

#### Provisions Added by House Amendment

As introduced, the bill followed the approach used successfully in DC, Connecticut, Maine, Massachusetts, New York, and Rhode Island to speed acquisitions and upgrades by clarifying the value of utility-owned lights.

Unfortunately, the provisions amended by the House into section 1 of the bill would unnecessarily delay and raise the cost of acquisition. These provisions would result in local governments having to hire a “utility valuation expert” and join with the utility in hiring a “licensed engineer,” which would add time and cost to obtain accounting information that utilities already have ready access to.

Accordingly, except for the inventory requirement added as section 2 of the bill, we ask the Senate to restore the bill to its original form. We therefore urge a favorable with amendments report on this legislation.

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<sup>3</sup> According to the report, “[s]treetlighting can account for as much as 40% of all electricity consumed by a municipal government. Expense reductions are achieved by replacing old light fixtures with light-emitting diode or ‘LED’ technologies. . . . LEDs deliver streetlighting levels comparable to – or better than – older technologies but do so while consuming 50-70% less electricity than the high- pressure sodium or mercury vapor lamps that they replace.” Report at 4.

<sup>4</sup> Science Magazine, January 19, 2023, Vol. 379, No. 6629, “Light Pollution is Skyrocketing” <https://www.science.org/doi/10.1126/science.adf4952>.