

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 1195

By: Wyrick and Justice of the  
Senate

3

and

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Cox and Armes of the House

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An Act relating to anemometer towers; defining terms;  
9 requiring certain markings for anemometer towers in  
certain locations; stating effective dates; requiring  
10 certain markings for towers, guy wires and  
facilities; stating penalties for violations;  
11 providing for codification; and providing an  
effective date.

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AUTHOR: Add the following Senate Coauthor: Marlatt

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AMENDMENT NO. 1. Strike the title, enacting clause and entire bill  
and insert

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"An Act relating to anemometer towers; defining  
18 terms; requiring certain markings for anemometer  
towers in certain locations; stating effective dates  
for markings; specifying certain markings for  
19 anemometer towers, guy wires and facilities;  
directing the Oklahoma Aeronautics Commission to  
20 establish a database of anemometer towers; requiring  
owners of anemometer towers to provide certain  
21 information to the Commission; authorizing the  
Commission to enforce law and promulgate rules;  
22 stating penalties for violations; providing for  
codification; and providing an effective date.

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1 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

2 SECTION 1. NEW LAW A new section of law to be codified  
3 in the Oklahoma Statutes as Section 121 of Title 3, unless there is  
4 created a duplication in numbering, reads as follows:

5 A. For purposes of this section:

6 1. "Anemometer" means an instrument for measuring and recording  
7 the speed of wind;

8 2. "Anemometer tower" means a structure, including all guy  
9 wires and accessory facilities, on which an anemometer is mounted;  
10 and

11 3. "Commission" means the Oklahoma Aeronautics Commission as  
12 created in Section 84 of Title 3 of the Oklahoma Statutes.

13 B. In addition to any zoning requirements of the Airport Zoning  
14 Act or the Aircraft Pilot and Passenger Protection Act, any  
15 anemometer tower that is fifty (50) feet in height above the ground  
16 or higher, that is located outside the exterior boundaries of any  
17 municipality, and whose appearance is not otherwise mandated by  
18 state or federal law shall be marked, painted, flagged, or otherwise  
19 constructed to be recognizable in clear air during daylight hours.

20 C. Any anemometer tower erected before the effective date of  
21 this act shall be marked as required in this section within one (1)  
22 year following the effective date of this act. Any anemometer tower  
23 erected on or after the effective date of this act shall be marked  
24 as required in this section at the time it is erected.

1 D. Marking as required by this section shall include marking  
2 the anemometer tower, guy wires, and accessory facilities as  
3 follows:

4 1. The entire anemometer tower shall be painted in seven equal,  
5 alternating bands of aviation orange and white, beginning with  
6 orange at the top of the tower and with orange at the bottom of the  
7 tower;

8 2. Two marker balls shall be attached to and evenly spaced on  
9 each of the outside guy wires; and

10 3. One seven-foot safety sleeve shall be placed at each anchor  
11 point and shall extend from the anchor point along each guy wire  
12 attached to the anchor point with a second sleeve attached to the  
13 outer guy wire.

14 E. 1. By November 1, 2015, the Oklahoma Aeronautics Commission  
15 shall establish and maintain a database that contains the locations  
16 of all existing anemometer towers in the state. The Commission may  
17 contract with a governmental or private entity to create and  
18 maintain the database.

19 2. Within sixty (60) days after the effective date of this act,  
20 an owner of any existing anemometer tower erected in the state shall  
21 provide the Commission with information that specifies the owner,  
22 location and height of the tower and any other information that the  
23 Commission finds necessary for aviation safety.

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1           3. At least ten (10) days before the erection of an anemometer  
2 tower, an owner of the tower shall provide the Commission with  
3 information that specifies the owner, location and height of the  
4 tower and any other information that the Commission finds necessary  
5 for aviation safety.

6           4. An owner of an anemometer tower shall notify the Commission  
7 within ten (10) days after the removal of the tower.

8           F. The Commission shall have the authority to enforce the  
9 provisions of this section and to promulgate any rules necessary to  
10 implement the provisions of this section.

11           G. Violations of this section shall constitute a misdemeanor  
12 punishable by a fine of One Hundred Dollars (\$100.00) per day, per  
13 separate offense. Subsequent violations of this act shall be  
14 punishable by a minimum fine of One Thousand Dollars (\$1,000.00) not  
15 to exceed Five Thousand Dollars (\$5,000.00) per day, per separate  
16 offense.

17           SECTION 2. This act shall become effective November 1, 2014."  
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1 Passed the House of Representatives the 3rd day of April, 2014.

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4 Presiding Officer of the House of  
5 Representatives

6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2014.

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9 Presiding Officer of the Senate