

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 3348

6 By: Armes

7 COMMITTEE SUBSTITUTE

8 An Act relating to wind energy; providing
9 definitions; requiring certain anemometer towers to
10 be marked, painted and flagged in certain manner;
11 granting certain time period for anemometer towers to
12 be marked; specifying types of marking required on
13 towers, guy wires and accessory facilities; providing
14 a penalty for violations; providing for codification;
15 and providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 160.20 of Title 17, unless there
19 is created a duplication in numbering, reads as follows:

20 A. As used in this section:

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

23 2. "Anemometer tower" means a structure, including all guy
24 wires and accessory facilities, on which an anemometer is mounted
for the purpose of documenting whether a site has wind resources
sufficient for the operation of a wind turbine generator.

1 B. Any anemometer tower that is fifty (50) feet in height above
2 the ground or higher that is located outside the exterior boundaries
3 of any municipality and whose appearance is not otherwise mandated
4 by state or federal law shall be marked, painted, flagged or
5 otherwise constructed to be recognizable in clear air during
6 daylight hours. Any anemometer tower that was erected before the
7 effective date of this act shall be marked as required in this
8 section within two (2) years after the effective date of this act.
9 Any anemometer tower that is erected on or after the effective date
10 of this act shall be marked as required in this section at the time
11 it is erected. Marking required under this section includes marking
12 the anemometer tower, guy wires and accessory facilities as follows:

13 1. The top one-third (1/3) of the anemometer tower shall be
14 painted in equal, alternating bands of aviation orange and white,
15 beginning with orange at the top of the tower and ending with orange
16 at the bottom of the marked portion of the tower;

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

19 3. One or more seven-foot safety sleeves shall be placed at
20 each anchor point and shall extend from the anchor point along each
21 guy wire attached to the anchor point.

22 C. Any person who violates the provisions of this section shall
23 be guilty of a misdemeanor punishable by a fine not exceeding One
24 Hundred Dollars (\$100.00) per day for each day the person is in

1 violation of the provisions of this section but not more than a
2 maximum of Three Thousand Dollars (\$3,000.00).

3 SECTION 2. This act shall become effective November 1, 2014.

4

5 54-2-10426 KB 02/26/14

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24