

An Act

ENROLLED SENATE
BILL NO. 1195

By: Wyrick, Justice and Marlatt
of the Senate

and

Cox and Armes of the House

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

SUBJECT: Anemometer tower identification

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

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

A. For purposes of this section:

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

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

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

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

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

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

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

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

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

E. 1. By November 1, 2015, the Oklahoma Aeronautics Commission shall establish and maintain a database that contains the locations of all existing anemometer towers in the state. The Commission may

contract with a governmental or private entity to create and maintain the database.

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

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

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

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

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

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

Passed the Senate the 22nd day of April, 2014.

Presiding Officer of the Senate

Passed the House of Representatives the 3rd day of April, 2014.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____