

1 **SENATE FLOOR VERSION**

2 February 13, 2014

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1195

By: Wyrick and Justice of the
Senate

6 and

7 Cox and Armes of the House

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

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

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

21 A. For purposes of this act, the term "anemometer" means an
22 instrument for measuring and recording the speed of wind. The term
23 "anemometer tower" means a structure, including all guy wires and
24 accessory facilities, on which an anemometer is mounted.

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

8 C. Any anemometer tower erected before the effective date of
9 this act shall be marked as required herein within one year
10 following the effective date of this act. Any anemometer tower
11 erected on or after the effective date of this act shall be marked
12 as required herein at the time it is erected.

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

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

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

21 3. The area surrounding each point where a guy wire is attached
22 to the ground shall have a contrasting appearance with any
23 surrounding vegetation. If the adjacent land is grazed, the area
24 surrounding the anchor point shall be fenced not less than sixty-

1 four (64) square feet with an outer boundary at least four (4) feet
2 from the anchor point; and

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

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

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

13 COMMITTEE REPORT BY: COMMITTEE ON ENERGY
14 February 13, 2014 - DO PASS AS AMENDED

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