

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3348

By: Armes

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5
6 AS INTRODUCED

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

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

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

19 A. As used in this section:

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

22 2. "Anemometer tower" means a structure, including all guy
23 wires and accessory facilities, on which an anemometer is mounted
24 for the purposes 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
3 boundaries of any municipality and whose appearance is not otherwise
4 mandated by state or federal law shall be marked, painted, flagged,
5 or 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 one year after the effective date of this act. Any
9 anemometer tower that is erected on or after the effective date of
10 this act shall be marked as required in this section at the time it
11 is erected. Marking required under this section includes marking
12 the anemometer tower, guy wires, and accessory facilities as
13 follows:

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

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

20 3. The area surrounding each point where a guy wire is anchored
21 to the ground shall have a contrasting appearance with any
22 surrounding vegetation. If the adjacent land is grazed, the area
23 surrounding the anchor point shall be fenced. For purposes of this
24 section the term "area surrounding the anchor point" means an area

1 not less than sixty-four (64) square feet whose outer boundary is at
2 least four (4) feet 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 C. Any person who violates the provisions of this section shall
7 be guilty of a misdemeanor punishable by imprisonment in the county
8 jail not exceeding one (1) year or by a fine not exceeding Five
9 Hundred Dollars (\$500.00), or both such fine and imprisonment.

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

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