

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend House Bill No. 3348, by striking the title, enacting clause and entire body of the bill and substituting the attached floor substitute.

Submitted by:

Senator Wyrick

Wyrick-QD-FS-Req#3755
5/14/2014 2:21 PM

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

FLOOR SUBSTITUTE
FOR ENGROSSED

HOUSE BILL NO. 3348

By: Wyrick of the Senate

and

Armes, McPeak, Sherrer and
Hoskin of the House

FLOOR SUBSTITUTE

An Act relating to defining terms; requiring the Aeronautics Commission to promulgate rules regulating the appearance of anemometer towers in certain locations; requiring the Commission to establish and maintain a database; requiring the Commission to promulgate rules to gather information on anemometer towers; authorizing the Commission to promulgate rules; prohibiting violations of the act; providing for codification; and providing an effective date.

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 wind speed.

1 2. "Anemometer tower" means a structure, including all guy
2 wires and accessory facilities, on which an anemometer is mounted,
3 that is fifty (50) feet in height above the ground or higher, is not
4 located within the boundaries of a municipality, and whose
5 appearance is not otherwise regulated by state or federal law.

6 3. "Commission" means the Oklahoma Aeronautics Commission.

7 B. In addition to any zoning requirements of the Airport Zoning
8 Act or the Aircraft Pilot and Passenger Protection Act, the
9 Commission shall promulgate rules regulating the appearance of
10 anemometer towers to ensure that anemometer towers are clearly
11 recognizable in clear air during daylight hours according to the
12 following guidelines;

13 1. The Commission shall consider the best method for making
14 anemometer towers visible, including but not limited to painting,
15 flagging, or marking the towers and guide wires;

16 2. Any rule promulgated pursuant to this section may apply
17 immediately, upon adoption, to anemometer towers constructed after
18 the date of adoption; however, anemometer towers constructed prior
19 to the date of adoption of the rule shall be exempt from the rule
20 for one year from the date of adoption.

21 C. The Commission shall establish and maintain a database
22 containing the location of all anemometer towers by November 1,
23 2015. The Commission may contract with a governmental entity or
24 private entity to create and maintain the database.

1 D. The Commission shall promulgate rules requiring an owner of
2 an anemometer tower to provide the Commission with information
3 specifying the location height of the tower, and any other
4 information the Commission may require to ensure aviation safety.

5 E. The Commission shall promulgate rules requiring any person
6 proposing to construct an anemometer tower to notify the Commission
7 of such proposal. The Commission shall require the owner of the
8 proposed tower to provide the Commission with information specifying
9 the location and height of the tower, and any other information the
10 Commission may require to ensure aviation safety.

11 F. The Commission shall promulgate rules by requiring the owner
12 of an anemometer tower to notify the Commission upon removal or
13 destruction of an anemometer tower.

14 G. The Commission shall have the authority to promulgate rules
15 and implement administrative penalties to enforce the provisions of
16 this act.

17 H. Violations of this act are prohibited.

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

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20 54-2-3755 QD 5/14/2014 2:21:21 PM

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