

HOUSE BILL No. 2391

By Committee on Taxation

3-15

1 AN ACT concerning anemometer towers; relating to required markings;
2 penalties.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) As used in this section:

6 (1) "Anemometer" means an instrument for measuring and recording
7 the speed of the wind; and

8 (2) "anemometer tower" means a structure, including all guy wires
9 and accessory facilities, on which an anemometer is mounted for the
10 purposes of documenting whether a site has wind resources sufficient for
11 the operation of a wind turbine generator.

12 (b) Any anemometer tower that is 50 feet in height above the ground
13 or higher, located outside the exterior boundaries of any municipality, and
14 whose appearance is not otherwise mandated by state or federal law, shall
15 be marked, painted, flagged or otherwise constructed to be recognizable in
16 clear air during daylight hours. Any anemometer tower that was erected
17 before July 1, 2011, shall be marked as required by this section on or
18 before July 1, 2013. Any anemometer tower that is erected on or after July
19 1, 2011, shall be marked as required by this section at the time such tower
20 is erected. Marking required by this section includes marking the
21 anemometer tower, guy wires and accessory facilities as follows:

22 (1) The top $\frac{1}{3}$ of the anemometer tower shall be painted in equal,
23 alternating bands of aviation orange and white, beginning with orange at
24 the top of the tower and ending with orange at the bottom of the marked
25 portion of the tower;

26 (2) two marker balls shall be attached to and evenly spaced on each of
27 the outside guy wires;

28 (3) the area surrounding each point where a guy wire is anchored to
29 the ground shall have a contrasting appearance with any surrounding
30 vegetation. If the adjacent land is grazed, the area surrounding the anchor
31 point shall be fenced. For purposes of this subsection, the term "area
32 surrounding the anchor point" means an area not less than 64 square feet
33 whose outer boundary is at least four feet from the anchor point; and

34 (4) one or more seven-foot safety sleeves shall be placed at each
35 anchor point and shall extend from the anchor point along each guy wire

1 attached to the anchor point.

2 (c) Failure to properly mark an anemometer tower is failing to mark
3 an anemometer tower as required by subsection (b). An owner of an
4 anemometer tower who fails to properly mark an anemometer tower shall
5 be guilty of a class C misdemeanor.

6 Sec. 2. This act shall take effect and be in force from and after its
7 publication in the statute book.

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