

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 511

Introduced by Assembly Member Yamada

February 15, 2011

~~An act relating to building standards. An act to add Section 21417 to the Public Utilities Code, relating to aviation.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 511, as amended, Yamada. ~~Building standards: towers. Aeronautics: anemometer towers.~~

(1) Existing law, the State Aeronautics Act, governs aeronautics in this state. One of the purposes of the act is to further and protect the public interest in aeronautics and aeronautical progress by fostering and promoting safety in aeronautics.

This bill would require an anemometer tower, as defined, to be marked as prescribed.

Because any violation of the State Aeronautics Act is a crime and the provisions of the bill would be within the act, this bill would impose a state-mandated local program by creating a new crime.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~The California Building Standards Law requires any building standard adopted or proposed by a state agency to be submitted to, and approved~~

or adopted by the California Building Standards Commission prior to codification.

This bill would state the intent of the Legislature to enact legislation that would regulate the construction of low-level towers.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21417 is added to the Public Utilities
2 Code, to read:

3 21417. (a) As used in this section, the following terms have
4 the following meanings:

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

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

11 (b) An anemometer tower shall be marked as follows:

12 (1) The top one-half of the anemometer tower shall be painted
13 in equal, alternating bands of aviation orange and white, beginning
14 with orange at the top of the tower and ending with orange at the
15 bottom of the marked portion of the tower.

16 (2) Two marker balls shall be attached to and evenly spaced on
17 each of the outside guy wires.

18 (3) The area surrounding each point where a guy wire is
19 anchored to the ground shall have a contrasting appearance with
20 any surrounding vegetation. If the adjacent land is grazed, the
21 area surrounding the anchor point shall be fenced. For the
22 purposes of this paragraph, "area surrounding the anchor point"
23 means an area not less than 64 square feet whose outer boundary
24 is at least four feet from the anchor point.

25 (4) One or more seven-foot safety sleeves shall be placed at
26 each anchor point and shall extend from the anchor point along
27 each guy wire attached to the anchor point.

28 SEC. 2. No reimbursement is required by this act pursuant to
29 Section 6 of Article XIII B of the California Constitution because
30 the only costs that may be incurred by a local agency or school
31 district will be incurred because this act creates a new crime or

1 *infraction, eliminates a crime or infraction, or changes the penalty*
2 *for a crime or infraction, within the meaning of Section 17556 of*
3 *the Government Code, or changes the definition of a crime within*
4 *the meaning of Section 6 of Article XIII B of the California*
5 *Constitution.*

6 ~~SECTION 1. It is the intent of the Legislature to enact~~
7 ~~legislation that would regulate the construction of low-level towers.~~

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