

AMENDED IN ASSEMBLY APRIL 13, 2011

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 to add Section 21417 to the Public Utilities Code, relating to aviation.

LEGISLATIVE COUNSEL'S DIGEST

AB 511, as amended, Yamada. Aeronautics:—~~anemometer meteorological~~ 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~~ a *meteorological* 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.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: 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”~~—“*Meteorological instrument*” means an
6 instrument for measuring and recording the speed of the wind.

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

12 (b) ~~An anemometer tower~~ *A meteorological tower below 200*
13 *feet in height and above 50 feet in height* shall be marked as
14 follows:

15 (1) ~~The top one-half of the anemometer~~ *full length of the*
16 *meteorological tower shall be painted in seven* equal, alternating
17 bands of aviation orange and white, beginning with orange at the
18 top of the tower and ending with orange at the bottom of the
19 marked portion of the tower.

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

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

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

32 (5) *A red flashing obstruction light shall be affixed to the highest*
33 *point on the tower and operate continuously, or at a minimum,*
34 *when the northern sky illuminance reaching a vertical surface falls*
35 *below 35 foot-candles (367.7 lux).*

36 SEC. 2. No reimbursement is required by this act pursuant to
37 Section 6 of Article XIII B of the California Constitution because
38 the only costs that may be incurred by a local agency or school

1 district will be incurred because this act creates a new crime or
2 infraction, eliminates a crime or infraction, or changes the penalty
3 for a crime or infraction, within the meaning of Section 17556 of
4 the Government Code, or changes the definition of a crime within
5 the meaning of Section 6 of Article XIII B of the California
6 Constitution.

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