

SENATE FILE NO. SF0143

Marking structures that obstruct flight.

Sponsored by: Senator(s) Von Flatern and Representative(s)
Brown and Shepperson

A BILL

for

1 AN ACT relating to safety; requiring the visibility of
2 specified structures; requiring the reporting of the
3 location of certain structures; and providing for an
4 effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 10-4-305 is created to read:

9

10 **10-4-305. Marking obstructions.**

11

12 (a) All structures located outside the exterior
13 boundaries of any incorporated city, town or recorded
14 subdivision which are not permanently installed, whose
15 appearance is not otherwise mandated by state or federal
16 law, rule or regulation and whose height is in excess of

1 fifty (50) feet, shall be lighted, marked, painted, flagged
2 or otherwise constructed to be recognizable in clear air
3 during daylight hours from a distance of not less than two
4 thousand (2,000) feet.

5
6 (b) The requirements established in subsection (a) of
7 this section shall apply to every structure erected, raised
8 after having been lowered, purchased or leased on or after
9 the effective date of this act.

10
11 (c) Every person owning or leasing any tower in
12 excess of fifty (50) feet, but less than two hundred (200)
13 feet, which is associated with the development or study of
14 wind powered electric generation, commonly referred to as
15 meteorological towers or "met towers", shall report to the
16 Wyoming department of transportation the exact location of
17 every tower and the owner of every tower. Reports shall be
18 filed on or before April 30, 2009 for every tower erected
19 prior to April 30, 2009. After April 30, 2009, a report
20 shall be filed not less than ten (10) days prior to raising
21 or erecting any new tower subject to this subsection.

22
23 (d) Every person owning or leasing any structure
24 subject to the provisions of subsections (a) and (b) of

1 this section shall report the exact location of the
2 structure to the Wyoming department of transportation not
3 less than ten (10) days prior to raising or erecting the
4 structure.

5

6 (e) Within five (5) days of receiving the location
7 data required under subsections (c) and (d) of this
8 section, the department of transportation shall make all
9 such location data available to the public.

10

11 (f) The Wyoming department of transportation shall
12 promulgate rules and regulations necessary to carry out the
13 purposes of this section.

14

15 **Section 2.** This act is effective immediately upon
16 completion of all acts necessary for a bill to become law
17 as provided by Article 4, Section 8 of the Wyoming
18 Constitution.

19

20 (END)