



AN ACT SETTING AERONAUTIC SAFETY STANDARDS FOR METEOROLOGICAL EVALUATION TOWERS; REQUIRING REPORTS AND PUBLIC NOTIFICATION; PROVIDING THAT A VIOLATION OF THE STANDARDS FOR METEOROLOGICAL EVALUATION TOWERS IS A MISDEMEANOR; PROVIDING A TRANSITION PERIOD FOR COMPLIANCE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1. Standards for meteorological evaluation towers -- report -- notification -- penalty. (1)**

The requirements of subsection (2) apply to a meteorological evaluation tower:

- (a) that is 50 feet or more in height;
- (b) that is located outside the boundaries of an incorporated city or town;
- (c) that is on land that is primarily rural or undeveloped or used for agricultural purposes; and
- (d) the appearance of which is not otherwise governed by state or federal law, rule, or regulation.

(2) A meteorological evaluation tower that meets the description provided in subsection (1) must:

(a) be painted in seven equal-width and alternating bands of aviation orange and white beginning with orange at the top of the tower and ending with orange at the base;

(b) have two marker balls attached to and evenly spaced on each of the tower's outside guy wires; and

(c) have a yellow safety sleeve on each guy wire that extends 7 feet up from the anchor point of the guy wire.

(3) Not less than 10 working days prior to erecting a meteorological evaluation tower subject to this section, the owner of the tower shall provide a report to the department that identifies the owner and specifies the tower's location, height, and other information that the department finds necessary for aviation safety.

(4) The owner of a meteorological evaluation tower subject to this section who is removing the tower shall report its removal to the department within 10 working days of its removal.

(5) A person who violates subsection (3) or (4) is guilty of a misdemeanor.

(6) Within 5 working days of receiving information pursuant to subsection (3) or (4), the department shall

make the information, excluding the ownership of the tower, available to the public.

(7) For the purposes of this section, the following definitions apply:

(a) "Height" means the distance from the original grade at the base of the tower to the highest point of the tower.

(b) "Meteorological evaluation tower" means a structure erected and standing for any period of time whatsoever, whether self-standing or supported by guy wires and ground anchors and including all guy wires and accessory facilities, on which a meteorological instrument is mounted for the purpose of documenting whether a site has sufficient wind resources for the operation of a wind turbine generator.

**Section 2. Transition.** The owner of a tower meeting the description provided in [section 1] that was erected prior to [the effective date of this act] shall bring the tower into compliance with the standards provided in [section 1] within 1 year of [the effective date of this act].

**Section 3. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 67, chapter 1, and the provisions of Title 67, chapter 1, apply to [section 1].

**Section 4. Effective date.** [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,  
HB 0546, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013.

HOUSE BILL NO. 546

INTRODUCED BY HOLLANDSWORTH

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