

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 216

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO STANDARDS FOR GUYED TOWERS; AMENDING SECTION 21-515A, IDAHO CODE, TO PROVIDE AN EXCEPTION FOR FACILITIES USED BY A FEDERAL POWER MARKETING AGENCY TO SERVE PUBLIC UTILITIES OR CONSUMER-OWNED UTILITIES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 21-515A, Idaho Code, be, and the same is hereby amended to read as follows:

21-515A. HAZARDS TO AIR FLIGHT -- STANDARDS FOR GUYED TOWERS. (1) Any temporary or permanent guyed tower fifty (50) feet or more in height that is located outside the boundaries of an incorporated city or town on land that is primarily rural or undeveloped or used for agricultural purposes, or that is primarily desert, and where such guyed tower's appearance is not otherwise governed by state or federal law, rule or regulation, shall be lighted, marked and painted or otherwise constructed to be visible in clear air during daylight hours from a distance of not less than two thousand (2,000) feet. Guyed towers shall be required to be in accordance with the following:

(a) Guyed towers shall be painted in seven equal alternating bands of aviation orange and white. Such alternating bands shall begin with orange at the top of the tower and end with orange at the base.

(b) Guyed towers shall have a flashing light at the top of the tower. Such light shall be visible in clear air, with the naked eye, from a distance of two thousand (2,000) feet when flashing. Such light shall also be visible with night vision goggles.

(c) The surface area under the footprint of the tower and six (6) feet beyond the outer tower anchors shall have a contrasting appearance with any surrounding vegetation.

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

(e) Guyed towers shall have a seven (7) foot long safety sleeve at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.

(2) Any guyed tower that was erected prior to the effective date of this act shall be marked as required by the provisions of this section within one (1) year of the effective date of this act. Any guyed tower that is erected on or after the effective date of this act shall be marked as required by the provisions of this section at the time it is erected.

(3) For the purposes of this section, the following terms shall have the following meanings:

(a) "Guyed tower" means a tower that is supported in whole or in part by guy wires and ground anchors or other means of support besides the su-

1 perstructure of the tower itself, towers used for military purposes ex-  
2 cepted.

3 (b) "Height" means the distance measured from the original grade at the  
4 base of the tower to the highest point of the tower.

5 (c) "Temporary or permanent guyed tower" means a guyed tower erected  
6 and standing for any period of time whatsoever.

7 (4) This section shall not apply to power poles or structures owned and  
8 operated by an electric supplier as defined in section 61-332A(4), Idaho  
9 Code, to facilities used by a federal power marketing agency to serve public  
10 utilities or consumer-owned utilities or any structure the primary purpose  
11 of which is to support telecommunications equipment.

12 (5) Any person who violates a provision of this section shall be guilty  
13 of a misdemeanor.