

HOUSE BILL NO. 168

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE GATTIS

Introduced: 3/27/15

Referred: Transportation

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the registration and marking of towers; relating to the duties of the
2 Department of Transportation and Public Facilities; and providing for an effective
3 date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 02.10 is amended by adding new sections to read:

6 **Sec. 02.10.100. Registration and marking of tower structures.** (a) A
7 communications, wind, or other tower greater than 100 feet in height above ground
8 level shall

9 (1) be constructed, marked, painted, or equipped with an operational
10 light system visible from at least 2,000 feet away in daylight and in darkness;

11 (2) have at least one seven-foot safety sleeve, attached in a manner that
12 does not interfere with a spherical marker ball,

13 (A) on each anchor point above the adjacent vegetative canopy;

14 and

- 1 (B) on each outer guy wire;
- 2 (3) have at least four high visibility spherical marker balls of aviation
3 orange color attached to each outer guy wire at least 15 feet from the top wire
4 connection to the tower; and
- 5 (4) have at least four high visibility spherical marker balls of aviation
6 orange color attached to each outer guy wire at or below the middle point of the tower.
- 7 (b) The owner of a tower greater than 50 feet in height above ground level
8 shall, not later than 20 days before installation of a tower, register the tower with the
9 department. Registration under this section shall include
- 10 (1) the location of the tower, including the nearest community or
11 municipality;
- 12 (2) the height above ground and the total height of the tower;
- 13 (3) the type of tower;
- 14 (4) the owner of the tower; and
- 15 (5) the method used to make the tower visible under (a) of this section.
- 16 (c) Within 15 days after receiving the registration information required under
17 (b) of this section, the department shall make the information required under (b) of this
18 section available on the department's Internet website. The website shall display the
19 information required under (b) of this section in sortable table format and in an
20 interactive map.
- 21 (d) The owner of a tower subject to registration under (b) of this section shall
22 notify the department with 30 days after the removal or significant alteration of the
23 tower.
- 24 (e) On or after the effective date of this Act, a tower greater than 50 feet in
25 height may not be constructed within one mile of an airport intended for public use or
26 directly through or under an air approach of an airport intended for public use. The
27 prohibition in this section may be waived if the commissioner finds it is not
28 practicable to construct a tower more than one mile from an airport intended for public
29 use.
- 30 (f) The owner of a tower shall comply with applicable federal laws and
31 standards related to lighting, painting, and visibility of a tower.

1 (g) A person who violates this section is guilty of a violation and shall be
2 punished as provided in AS 12.55.

3 **Sec. 02.10.190. Definitions.** In this chapter,

4 (1) "airport" means an area of land or water that is used or intended for
5 use for the landing and take-off of aircraft, and any appurtenant areas that are used or
6 intended for use for airport buildings or other airport facilities or rights-of-way,
7 together with airport buildings and facilities located in the area;

8 (2) "commissioner" means the commissioner of transportation and
9 public facilities;

10 (3) "department" means the Department of Transportation and Public
11 Facilities;

12 (4) "tower" includes accessory facilities and guy wires attached to the
13 tower.

14 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
15 read:

16 TRANSITIONAL PROVISIONS. The owner of a tower existing on the effective date
17 of this Act shall register the tower in accordance with AS 02.10.100(b), enacted by sec. 1 of
18 this Act, within 45 days after the effective date of this Act. A person in violation of this
19 section is guilty of a violation and shall be punished as provided in AS 12.55.

20 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).