

**TITLE 25. OKLAHOMA DEPARTMENT OF AEROSPACE AND AERONAUTICS
CHAPTER 35. ANEMOMETER TOWER REGULATIONS**

SUBCHAPTER 1. GENERAL PROVISIONS

25:35-1-1. Purpose

The purpose of this chapter is to set forth administrative rules for the implementation of Title 3, Oklahoma Statutes, Section 121. This chapter establishes the requirements and procedures to be followed by the ~~Commission~~Department in the administration and enforcement of its duties under this provision. HB 3348 gives the ~~Commission~~Department the authority to promulgate rules to ensure that anemometer towers are marked for clear visibility and to establish a data base of anemometer tower locations throughout the state.

25:35-1-2. Definitions

The following words and terms, when used in this chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Anemometer" is an instrument for measuring and recording wind speed;

"Anemometer tower" is a structure, including all guy wires and accessory facilities, on which an anemometer is mounted, that is fifty (50) feet in height above the ground or higher, is not located within the boundaries of a municipality, and whose appearance is not otherwise regulated by state or federal law; and

"Commission" means the seven members of the Oklahoma Aerospace and Aeronautics Commission as created in Title 3, Oklahoma Statutes, Section 84 of the Oklahoma Statutes appointed by the governor.

"Department" means the Oklahoma Department of Aerospace and Aeronautics, the state agency responsible for the administration and enforcement of the anemometer tower regulations.

25:35-1-3. Additional zoning requirements

In addition to any zoning requirements of the Airport Zoning Act or the Aircraft Pilot and Passenger Protection Act, the ~~Commission~~Department shall promulgate rules regulating the appearance of anemometer towers to ensure that anemometer towers are clearly recognizable in clear air during daylight hours.

SUBCHAPTER 5. ESTABLISHMENT OF DATABASE

25:35-5-1. Database requirements

(a) The ~~Commission~~Department shall establish and maintain a database containing the location of all anemometer towers by November 1, 2015. The ~~Commission~~Department may contract with a governmental entity or private entity to create and maintain the database.

(b) An owner of any existing anemometer tower erected in the state shall provide the ~~Commission~~Department with information that specifies the owner, location and height of the tower and any other information that the ~~Commission~~Department finds necessary for aviation safety.

(c) At least ten (10) days before the erection of an anemometer tower, an owner of the tower shall provide the ~~Commission~~Department with information that specifies the owner, location and height of the tower and any other information that the ~~Commission~~Department finds necessary for aviation safety.

(d) An owner of an anemometer tower shall notify the ~~Commission~~Department within thirty (30) days after the removal of the tower.