

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 511, As Amended, As Amended in the Senate

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO AERONAUTICS; AMENDING CHAPTER 5, TITLE 21, IDAHO CODE, BY THE  
2 ADDITION OF A NEW SECTION 21-515A, IDAHO CODE, TO ESTABLISH PROVISIONS  
3 RELATING TO THE MARKING AND LIGHTING OF CERTAIN TOWERS, TO PROVIDE FOR  
4 DEFINITIONS, TO PROVIDE FOR AN EXCEPTION AND TO PROVIDE FOR A MISDE-  
5 MEANOR.  
6

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

8 SECTION 1. That Chapter 5, Title 21, Idaho Code, be, and the same is  
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
10 ignated as Section 21-515A, Idaho Code, and to read as follows:

11 21-515A. HAZARDS TO AIR FLIGHT -- STANDARDS FOR GUYED TOWERS. (1) Any  
12 temporary or permanent guyed tower fifty (50) feet or more in height that is  
13 located outside the boundaries of an incorporated city or town on land that  
14 is primarily rural or undeveloped or used for agricultural purposes, or that  
15 is primarily desert, and where such guyed tower's appearance is not other-  
16 wise governed by state or federal law, rule or regulation, shall be lighted,  
17 marked and painted or otherwise constructed to be visible in clear air during  
18 daylight hours from a distance of not less than two thousand (2,000) feet.  
19 Guyed towers shall be required to be in accordance with the following:

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

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

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

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

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

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

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

- 1 (a) "Guyed tower" means a tower that is supported in whole or in part by  
2 guy wires and ground anchors or other means of support besides the su-  
3 perstructure of the tower itself, towers used for military purposes ex-  
4 cepted.
- 5 (b) "Height" means the distance measured from the original grade at the  
6 base of the tower to the highest point of the tower.
- 7 (c) "Temporary or permanent guyed tower" means a guyed tower erected  
8 and standing for any period of time whatsoever.
- 9 (4) This section shall not apply to power poles or structures owned and  
10 operated by an electric supplier as defined in section 61-332A(4), Idaho  
11 Code, or any structure the primary purpose of which is to support telecommu-  
12 nications equipment.
- 13 (5) Any person who violates a provision of this section shall be guilty  
14 of a misdemeanor.