

Regular Session, 2013

HOUSE BILL NO. 357

BY REPRESENTATIVE GUINN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AIRCRAFT/AVIATION: Provides for the marking for safety of certain communication facilities

1 AN ACT

2 To amend and reenact R.S. 2:1004(B), relative to communication facilities; to provide for  
3 certain markings for safety; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 2:1004(B) is hereby amended and reenacted to read as follows:

6 §1004. Marking of communication facility

7 \* \* \*

8 B. ~~A person who proposes to construct a~~ Each communication facility that  
9 is at least one hundred feet, ~~but not more than two hundred feet~~ in height above  
10 ground level, which is located in a cultivated field or within one ~~hundred~~ thousand  
11 feet of a cultivated field, shall ~~mark the highest guy wires on the facility, if any,~~  
12 ~~marked with two warning spheres each.~~ be marked as follows:

13 (1) Two warning spheres or marker balls shall be attached to and evenly  
14 spaced on each of the outside guy wires.

15 (2) The area surrounding each point where a guy wire is anchored to the  
16 ground shall have a contrasting appearance with any surrounding vegetation. The  
17 "area surrounding the anchor point", means an area not less than sixty-four square  
18 feet whose outer boundary is at least four feet from the anchor point.

1                   (3) One or more seven-foot reflective safety sleeves shall be placed at each  
2                   anchor point and shall extend from the anchor point along each guy wire attached to  
3                   the anchor point.

4                   Section 2. This Act shall become effective on January 1, 2014.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Guinn

HB No. 357

**Abstract:** Requires guy wires on certain communication towers to be marked with certain markings.

Present law defines a "communication facility" as equipment enclosure, antenna, antenna support structure, and any associated facility used for the signal for a commercial communications purpose where the antenna or antenna support structure is not connected to a similar antenna or antenna support structure by an overhead wire used to transmit the signal. Present law further provides requirements for notice of construction of a communication facility.

Proposed law retains present law.

Present law requires a person who proposes to construct a communication facility that is at least 100 feet, but not more than 200 feet in height, which is located within a cultivated field or within 100 feet of a cultivated field, to mark the highest guy wire on the facility, if any, with two warning spheres each.

Proposed law deletes the height cap of the tower and requires a communication facility that is at least 100 feet in height above ground level, which is located in a cultivated field or within 1,000 feet (instead of 100 feet) of a cultivated field, to be marked as follows:

- (1) Two warning spheres attached to and evenly spaced on each of the outside guy wires.
- (2) Contrasting appearance with any surrounding vegetation in the area surrounding each point where a guy wire is anchored to the ground.
- (3) One or more seven-foot reflective safety sleeves placed at each anchor point and extending from the anchor point along each guy wire attached to the anchor point.

Effective Jan. 1, 2014.

(Amends R.S. 2:1004(B))