



2020 South Dakota Legislature

Senate Bill 165

Introduced by: **Senator** Steinhauer

1 **An Act to require all wind energy facilities to include an aircraft detection lighting**
 2 **system.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1.** That § 49-41B-25.2 be AMENDED:

5 **49-41B-25.2. Wind energy facility to include aircraft detection lighting**
 6 **system--Effective date postponed for certain wind energy facilities.**

7 ~~For any~~ Any wind energy facility ~~that receives for which a permit was granted~~ under
 8 this chapter ~~after July 1, 2019, the facility shall~~ must be equipped with an aircraft detection
 9 lighting system that meets the requirements set forth by the Federal Aviation
 10 Administration for obstruction marking and lighting in Chapter 14 of FAA Advisory Circular
 11 (AC) 70/7460-1L, "Obstruction Marking and Lighting," dated December 4, 2015. Any cost
 12 associated with the installation, operation, or maintenance of a system under this section
 13 is solely the responsibility of any owner of the wind energy facility.

14 The provisions of this section do not become effective until January 1, 2024, for a
 15 wind energy facility for which a permit was granted under this chapter before July 2, 2019.