

BILL ANALYSIS

Senate Research Center

H.B. 2898
By: Frank (Hagenbuch)
Economic Development
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the U.S. Air Force, air force bases operate training routes, including low-flying routes, which require the unencumbered use of radar to be conducted safely. The bill author has informed the committee that wind farms constructed near air force bases and radar installations have the potential to encroach on training routes and cause radar disruption, which then could jeopardize the safety of pilots and limit the success of their training missions. In fact, Sheppard Air Force Base had to close three of its 17 training routes in 2018 because of such encroachment by wind turbines, as reported by the *Wichita Falls Times Record News*. Meteorological evaluation towers are used to evaluate locations for future wind turbines in an area, and, as the author has informed the committee, advance notice that a tower is going to be built would enable military base personnel to communicate and coordinate with the wind farm developers to prevent conflicts and adjust routes accordingly. H.B. 2898 seeks to address this issue by requiring notice of intent to build a meteorological evaluation tower to be provided to the Texas Department of Transportation, each federally owned or operated radar or military installation within 50 nautical miles of the tower, and the applicable county judges.

H.B. 2898 amends current law relating to requirements for certain meteorological evaluation towers.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to Texas Department of Transportation is modified in SECTION 2 (Section 21.071, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 21.071, Transportation Code, to read as follows:

Sec. 21.071. REQUIREMENTS FOR CERTAIN METEOROLOGICAL EVALUATION TOWERS; OFFENSE.

SECTION 2. Amends Section 21.071, Transportation Code, by amending Subsections (a) and (e) and adding Subsections (c-1), (c-2), and (c-3), as follows:

(a) Redefines "meteorological evaluation tower" and defines "military aviation training facility."

(c-1) Prohibits a person from erecting a meteorological evaluation tower unless the person provides notice to the Texas Department of Transportation (TxDOT) in accordance with this subsection of the person's intent to erect the tower. Requires that notice provided under this subsection meet certain criteria.

(c-2) Requires the owner or operator of the meteorological evaluation tower to notify TxDOT in the form and manner prescribed by TxDOT of any change in the information contained in the notice provided for the tower under Subsection (c-1).

(c-3) Requires TxDOT, not later than the 30th day after the date TxDOT receives notice of a person's intent to erect a meteorological evaluation tower under Subsection (c-1), to provide a copy of the notice to certain entities.

(e) Requires TxDOT to adopt rules to implement and administer Section 21.071 (Painting and Marking Requirements for Certain Meteorological Evaluation Towers; Offense), including rules requiring a person who owns or operates a meteorological evaluation tower to register the tower with TxDOT. Deletes existing text requiring TxDOT to adopt rules to implement and administer this section, including rules requiring a person who owns, operates, or erects a meteorological evaluation tower to provide notice to TxDOT of the existence of or intent to erect a meteorological evaluation tower and to register the meteorological evaluation tower with TxDOT.

SECTION 3. Effective date: September 1, 2025.