

By: Frank

H.B. No. 2898

A BILL TO BE ENTITLED

1 AN ACT
2 relating to requirements for certain meteorological evaluation
3 towers.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. The heading to Section 21.071, Transportation
6 Code, is amended to read as follows:

7 Sec. 21.071. [~~PAINTING AND MARKING~~] REQUIREMENTS FOR
8 CERTAIN METEOROLOGICAL EVALUATION TOWERS; OFFENSE.

9 SECTION 2. Section 21.071, Transportation Code, is amended
10 by amending Subsections (a) and (e) and adding Subsections (c-1),
11 (c-2), and (c-3) to read as follows:

12 (a) In this section, "meteorological evaluation tower"
13 means a structure that:

14 (1) is self-standing or supported by guy wires and
15 anchors;

16 (2) is not more than 12 [~~six~~] feet in diameter at the
17 base of the structure; and

18 (3) has accessory facilities on which an antenna,
19 sensor, camera, meteorological instrument, or other equipment is
20 mounted for the purpose of documenting whether a site has
21 sufficient wind resources for the operation of a wind turbine
22 generator.

23 (c-1) A person may not erect a meteorological evaluation
24 tower unless the person provides notice to the department in

1 accordance with this subsection of the person's intent to erect the
2 tower. Notice provided under this subsection must:

3 (1) be on a form prescribed by the department;

4 (2) be submitted through the department's Internet
5 website not later than the 30th day before the date erection of the
6 tower begins; and

7 (3) contain the following information:

8 (A) the name, address, and contact information of
9 the owner or operator of the meteorological evaluation tower;

10 (B) the proposed location of the meteorological
11 evaluation tower, including the site's latitude, longitude, and
12 ground elevation and the tower's height above ground level;

13 (C) the date the person proposes to begin
14 erecting the meteorological evaluation tower; and

15 (D) any other information the department
16 considers necessary to determine the ownership, physical
17 characteristics, or location of the meteorological evaluation
18 tower.

19 (c-2) The owner or operator of the meteorological
20 evaluation tower shall notify the department in the form and manner
21 prescribed by the department of any change in the information
22 contained in the notice provided for the tower under Subsection
23 (c-1).

24 (c-3) Not later than the 30th day after the date the
25 department receives notice of a person's intent to erect a
26 meteorological evaluation tower under Subsection (c-1), the
27 department shall provide a copy of the notice to:

1 (1) each federally owned or operated radar or military
2 installation in this state whose boundaries are within 50 nautical
3 miles of the tower;

4 (2) the county judge of each county in this state that
5 contains a radar or military installation described by Subdivision
6 (1); and

7 (3) the county judge of each county in this state that
8 is adjacent to a county described by Subdivision (2).

9 (e) The department shall adopt rules to implement and
10 administer this section, including rules requiring a person[+

11 ~~[(1)]~~ who owns or ~~[(1)]~~ operates~~[, or erects]~~ a
12 meteorological evaluation tower ~~[to provide notice to the~~
13 ~~department of the existence of or intent to erect a meteorological~~
14 ~~evaluation tower; and~~

15 ~~[(2)]~~ to register the ~~[meteorological evaluation]~~
16 tower with the department.

17 SECTION 3. This Act takes effect September 1, 2025.