

Sixty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1378

Introduced by

Representatives Johnston, Headland, Kiefert, Simons

Senator Clemens

1 A BILL for an Act to create and enact a new section to chapter 49-22 of the North Dakota
2 Century Code, relating to ~~aircraft detection lighting systems on wind generators~~light-mitigating
3 technology systems on wind energy conversion facilities.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 49-22 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Aircraft detection lighting**Light-mitigating technology system - Rules.

8 1. The commission shall adopt rules by January 1, 2019, relating to the implementation
9 of light-mitigating technology systems on wind energy conversion facilities which must
10 include service and maintenance requirements and safety standards and lighting
11 system requirements, and which are consistent with the federal aviation administration
12 regulations [14 CFR 1.1 et seq.].

13 2. By December 31, 2019, every wind ~~generator, designed for or capable of wind energy~~
14 ~~conversion exceeding one-half megawatt of electricity, must be equipped with a~~
15 ~~functioning aircraft detection lighting system in accordance~~energy conversion facility
16 for which the commission issued a certificate of site compatibility after June 5, 2016,
17 must be equipped with a functioning light-mitigating technology system that complies
18 with rules adopted by the commission.~~The commission shall establish rules relating to~~
19 ~~the implementation of aircraft detection lighting systems on wind generators which~~
20 ~~must include service and maintenance requirements, safety standards, and lighting~~
21 ~~system requirements.~~

22 3. The commission shall require the installation of light-mitigating technology systems
23 that comply with rules adopted by the commission as soon as technically feasible and

- 1 if economically feasible for wind energy conversion facilities for which a certificate of
2 site compatibility was issued before June 5, 2016.
- 3 4. Any ~~cost~~costs associated with the implementation, operation, and maintenance of
4 ~~these systems~~light-mitigating technology systems is the sole responsibility of a
5 ~~turbine~~the wind energy conversion facility owner.