

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. The rules
10 must be consistent with the federal aviation administration regulations [14 CFR 1.1 et
11 seq.] and must include service and maintenance requirements, safety standards, and
12 lighting system requirements.

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. By December 31, 2021, every wind energy conversion facility for which the
23 commission issued a certificate of site compatibility before June 5, 2016, must be
24 equipped with a functioning light-mitigating technology system that complies with the

- 1 rules adopted by the commission. After public hearing, the commission may grant an
2 extension of time based on technical or economic feasibility considerations.
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.