

1 S.198

2 Introduced by Senator Rodgers

3 Referred to Committee on

4 Date:

5 Subject: Energy; public service; renewable energy; generation siting; wind
6 generation; wind turbines; lighting

7 Statement of purpose of bill as introduced: This bill proposes to direct the
8 Public Service Board to require in-state wind electric generation facilities to
9 install radar-controlled obstruction lighting if obstruction lighting is
10 otherwise required.

11 An act relating to radar-controlled obstruction lighting on wind turbines

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 30 V.S.A. § 248(r) is added to read:

14 (r)(1) The Board shall require any in-state wind electric generation facility
15 receiving a certificate of public good to install radar-controlled obstruction
16 lights on all wind turbines for which the Federal Aviation Administration
17 (FAA) requires obstruction lights, provided the FAA allows the use of
18 radar-controlled lighting technology. Nothing in this subdivision shall allow
19 the Board to approve obstruction lights that do not meet FAA standards.

1 (2) The purpose of this subsection is to reduce the visual impact of wind
2 turbine obstruction lights on the environment and nearby properties. The
3 General Assembly finds that wind turbine obstruction lights that remain
4 illuminated through the night create light pollution, and may attract birds and
5 bats. Radar-controlled obstruction lights are only illuminated when aircraft are
6 detected in the area, and therefore the use of these lights will reduce the
7 negative environmental impacts of obstruction lights.

8 (3) Notwithstanding 1 V.S.A. §§ 213 and 214, subdivision (1) of this
9 subsection shall apply to petitions for certificates pending as of the effective
10 date of this subsection, and to facilities for which certificates have been issued
11 on or before the effective date of this subsection. After a hearing, the Board
12 may relieve the holder of a certificate for a wind electric generation facility
13 issued on or before the effective date of this subsection from the requirement to
14 comply with this subsection if the Board finds that requiring compliance would
15 impose harsh or oppressive effects on the holder.

16 Sec. 2. STATUTORY REVISION

17 In its statutory revision capacity under 2 V.S.A. § 424, the Office of
18 Legislative Council shall replace the phrase “effective date of this subsection”
19 wherever it appears in Sec. 1, 30 V.S.A. § 248(r)(3) with the actual effective
20 date of this act.

- 1 Sec. 3. EFFECTIVE DATE
- 2 This act shall take effect on passage.