

# News

## FAA Reauthorization Act of 2018 Overhauls Marking Requirements for Short Rural Towers

10/09/2018

Thanks to ARRL efforts on Capitol Hill, language in the [2018 Federal Aviation Administration \(FAA\) Reauthorization Act](#), just signed by President Donald Trump, resolves the issue of problematic or preclusive rules affecting some rural Amateur Radio towers. The previous FAA Reauthorization Act of 2016 had instructed the FAA to enact tower-marking requirements, similar to those in some state statutes, aimed at improving aircraft safety in the vicinity of meteorological evaluation towers (METs). These towers are typically between 50 and 200 feet and set up in rural areas, often on short notice.

In the wake of fatal crop-dusting aircraft collisions with METs, the National Transportation Safety Board (NTSB) had recommended that states institute laws, sometimes called “crop duster” statutes, requiring marking and registration of METs. While some state crop-duster laws exempted ham radio towers, federal regulations dating to the 1996 FAA Reauthorization Act did not, and ARRL had expressed its concerns since.

“There is no evidence whatsoever that even one Amateur Radio antenna below 200 feet has ever been involved in an aviation accident,” ARRL General Counsel Chris Imlay, W3KD, said. “To impose painting and lighting requirements on Amateur Radio antennas between 50 and 200 feet tall would preclude many, if not most, of the exurban, rural, and, in some cases, suburban Amateur Radio antennas that are and will be sited outside incorporated towns and cities. This would ironically defeat the entire reason such antenna facilities are sited in those environments: because rural and exurban areas are where such antennas are permitted and the few areas where antennas are not precluded entirely by private land use regulations.”

Prior to 2017, per long-established FAA regulations, unless such short radio towers were located within the glide slope of airports or heliports, they were not required to be painted or lighted.

After attempting to address the issue through the FAA, ARRL’s legislative team met with staff members of Senator Jim Inhofe (R-OK) and other lawmakers and their staffs associated with the congressional committees of jurisdiction. Senator Inhofe — himself a pilot — was of the view that the 2016 legislation was excessive and that exemptions should exist for both broadcast and Amateur Radio antennas and support structures. “We worked with our close allies at the National Association of Broadcasters (NAB), [who were] afraid that this legislation would have a large adverse effect on short broadcast towers,” Imlay recounted. “We also worked with the Association of American Railroads, which has hundreds of short towers along rail lines in rural areas that would have been affected.”

Imlay said Section 576 of the large 2018 FAA reauthorization now requires that the only towers less than 200 feet tall that have to be painted and lighted are meteorological aids and those within the glide slope of an airport or heliport. The remainder of such towers in rural or agricultural areas lower than

200 feet need to only be included in an FAA-maintained database, which will be updated by the owners of such towers.

Imlay credited members of the ARRL Legislative Advocacy team, as well as Senator Inhofe and ARRL's broadcast and land mobile association partners for getting the language revised in the new, 5-year Reauthorization Act. "We consider this a big success for Amateur Radio," Imlay said, "and it would not have been possible but for the visibility that has been achieved for ARRL through our active Capitol Hill advocacy for the Amateur Radio Parity Act."

[Facebook](#)

[Twitter](#)

[LinkedIn](#)

[Reddit](#)

[More](#) 10

## [Photo Gallery](#)



[Back](#)

[News & Features](#) >> News