

“(4) shall consider excluding towers located in a State that has enacted tower marking requirements according to the Federal Aviation Administration’s recommended guidance for the voluntary marking of meteorological evaluation towers erected in remote and rural areas that are less than 200 feet above ground level to enhance the conspicuity of the towers for low level agricultural operations in the vicinity of those towers.

“(e) PERIODIC REVIEW.—The Administrator shall, in consultation with the Federal Communications Commission, periodically review any regulations or guidance regarding the marking of covered towers issued pursuant to this section and update them as necessary, consistent with this section, and in the interest of safety of low-altitude aircraft operations.

“(f) FCC REGULATIONS.—The Federal Communications Commission shall amend section 17.7 of title 47, Code of Federal Regulations, to require a notification to the Federal Aviation Administration for any construction or alteration of an antenna structure, as defined in section 17.2(a) of title 47, Code of Federal Regulations, that is a covered tower as defined by this section.”

STUDY OF EFFECTS OF NEW CONSTRUCTION OF OBSTRUCTIONS ON MILITARY INSTALLATIONS AND OPERATIONS

Pub. L. 111-383, div. A, title III, §358, Jan. 7, 2011, 124 Stat. 4198, as amended by Pub. L. 112-81, div. A, title III, §331, Dec. 31, 2011, 125 Stat. 1369; Pub. L. 112-239, div. A, title X, §1076(b)(1), Jan. 2, 2013, 126 Stat. 1949; Pub. L. 114-92, div. A, title III, §314, Nov. 25, 2015, 129 Stat. 790, related to study of effects of new construction of obstructions on military installations and operations, prior to repeal by Pub. L. 115-91, div. A, title III, §311(b)(1), Dec. 12, 2017, 131 Stat. 1347. See section 183a of Title 10, Armed Forces.

LANDFILLS INTERFERING WITH AIR COMMERCE

Pub. L. 106-181, title V, §503(a), Apr. 5, 2000, 114 Stat. 133, provided that: “Congress finds that—

“(1) collisions between aircraft and birds have resulted in fatal accidents;

“(2) bird strikes pose a special danger to smaller aircraft;

“(3) landfills near airports pose a potential hazard to aircraft operating there because they attract birds;

“(4) even if the landfill is not located in the approach path of the airport’s runway, it still poses a hazard because of the birds’ ability to fly away from the landfill and into the path of oncoming planes;

“(5) while certain mileage limits have the potential to be arbitrary, keeping landfills at least 6 miles away from an airport, especially an airport served by small planes, is an appropriate minimum requirement for aviation safety; and

“(6) closure of existing landfills (due to concerns about aviation safety) should be avoided because of the likely disruption to those who use and depend on such landfills.”

§ 44719. Standards for navigational aids

The Secretary of Transportation shall prescribe regulations on standards for installing navigational aids, including airport control towers. For each type of facility, the regulations shall consider at a minimum traffic density (number of aircraft operations without consideration of aircraft size), terrain and other obstacles to navigation, weather characteristics, passengers served, and potential aircraft operating efficiencies.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1201.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44719	49 App.:1348 (note).	Dec. 30, 1987, Pub. L. 100-223, §308, 101 Stat. 1526.

The words “Not later than December 31, 1988” are omitted as obsolete.

§ 44720. Meteorological services

(a) RECOMMENDATIONS.—The Administrator of the Federal Aviation Administration shall make recommendations to the Secretary of Commerce on providing meteorological services necessary for the safe and efficient movement of aircraft in air commerce. In providing the services, the Secretary shall cooperate with the Administrator and give complete consideration to those recommendations.

(b) PROMOTING SAFETY AND EFFICIENCY.—To promote safety and efficiency in air navigation to the highest possible degree, the Secretary shall—

(1) observe, measure, investigate, and study atmospheric phenomena, and maintain meteorological stations and offices, that are necessary or best suited for finding out in advance information about probable weather conditions;

(2) provide reports to the Administrator, to persons engaged in civil aeronautics that are designated by the Administrator, and to other persons designated by the Secretary in a way and with a frequency that best will result in safety in, and facilitating, air navigation;

(3) cooperate with persons engaged in air commerce in meteorological services, maintain reciprocal arrangements with those persons in carrying out this clause, and collect and distribute weather reports available from aircraft in flight;

(4) maintain and coordinate international exchanges of meteorological information required for the safety and efficiency of air navigation;

(5) in cooperation with other departments, agencies, and instrumentalities of the United States Government, meteorological services of foreign countries, and persons engaged in air commerce, participate in developing an international basic meteorological reporting network, including the establishment, operation, and maintenance of reporting stations on the high seas, in polar regions, and in foreign countries;

(6) coordinate meteorological requirements in the United States to maintain standard observations, to promote efficient use of facilities, and to avoid duplication of services unless the duplication tends to promote the safety and efficiency of air navigation; and

(7) promote and develop meteorological science and foster and support research projects in meteorology through the use of private and governmental research facilities and provide for publishing the results of the projects unless publication would not be in the public interest.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1201; Pub. L. 118-63, title XI, §1101(n), May 16, 2024, 138 Stat. 1414.)