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**TESTIMONY BEFORE THE
HOUSE COMMITTEE ON ENERGY, UTILITIES, AND TELECOMMUNICATIONS**

**REGARDING SENATE BILL 49
RELATING TO WIND ENERGY CONVERSION SYSTEMS AND OBSTRUCTION LIGHTING
AND THE INSTALLATION OF LIGHT-MITIGATING TECHNOLOGY**

March 16, 2023

Mr. Chairman and Committee Members:

I am Joel Skelley, and I am the Director of Policy for the Kansas Department of Transportation (KDOT). I am here today to provide testimony about Senate Bill 49. I would like to thank you for the opportunity to meet with you and to provide comments.

KDOT is neutral regarding this bill. However, the agency does have a concern with KDOT being named as the agency to receive notice of the progress of the installation of the lighting system and if necessary, a delay notice and update for extensions past the initial 24-month timeframe.

We would suggest KDOT is not the appropriate agency to engage in this repository role for Senate Bill 49. KDOT does not have interaction or interface with any of the involved stakeholders effected by this bill and therefore would be inserted into a role where there is no strong link.

KDOT does not have authority in this space. Instead, the Federal Aviation Administration is the agency with exclusive authority to regulate aviation safety, the efficiency of the navigable airspace, and air traffic control over airspace and is listed appropriately in the bill to manage system reviews. We believe it is important to note KDOT does not have the authority to act on behalf of the FAA in any of those administrative roles nor does the agency actively interface with FAA in this space. As a result of this KDOT is not currently staffed or equipped to perform the functions of the bill.

KDOT would be happy to work with stakeholders on this bill language as appropriate.

Thank you for the opportunity to provide testimony on Senate Bill 49. I am happy to stand for questions at the appropriate time.