

JAN 23 2009

A BILL FOR AN ACT

RELATING TO POLLUTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 342B, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§342B- Leaf blower; emissions. No person shall operate
5 a leaf blower, or other nonroad spark-ignition engine at or
6 below 25 hp, with exhaust emissions greater than 10 g/kW-hr."

7 SECTION 2. Chapter 342F, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§342F- Leaf blower; restrictions. (a) It shall be
11 unlawful for any person to operate a leaf blower within a
12 residential zone or within one hundred feet of a residential
13 zone in the State, except between the hours of 8:00 A.M. and
14 8:00 P.M. on any day except Sunday, and between the hours of
15 9:00 A.M. and 6:00 P.M. on Sunday or a federal holiday; provided
16 that:



- 1 (1) No leaf blower shall be operated within a horizontal
2 distance of ten feet of any operable window, door, or
3 mechanical air intake opening or duct;
- 4 (2) No leaf blower shall be operated for more than fifteen
5 minutes per hour, per day, on parcels less than one-
6 half acre and no more than thirty minutes per hour on
7 parcels greater than one-half acre and up to one acre.
8 Leaf blowers shall not be operated for more than two
9 hours per day on parcels of one acre or more;
- 10 (3) No person shall operate simultaneously more than one
11 leaf blower per parcel on one-half acre, no more than
12 two leaf blowers on parcels greater than one-half acre
13 and no more than three leaf blowers on parcels greater
14 than one acre or more; and
- 15 (4) The maximum decibel level of 70 dba shall not be
16 exceeded.
- 17 (b) Violators shall be fined \$50 for the first violation,
18 \$100 for the second violation, \$200 for the third violation and
19 \$500 for each subsequent violation.
- 20 For the purposes of this section:



1 "Leaf blower" means any machine, however powered, used to
2 blow leaves, dirt or other debris off sidewalks, driveways,
3 lawns and other surfaces.

4 "Parcel" means an area of real property with a separate or
5 distinct number or other designation shown on a plat recorded in
6 the bureau of conveyances for the State. Contiguous parcels
7 owned by the same individual or entity shall be considered one
8 parcel for purposes of this section."

9 SECTION 3. Chapter 342H, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 "§342H- Leaf blower debris. (a) It shall be unlawful
13 for any person to use or operate a leaf blower in such a manner
14 as to blow, dispel or make airborne, dust, leaves, grass
15 cuttings, paper, trash or any other type of unattached debris or
16 material, beyond the parcel boundaries of the parcel being
17 cleaned, unless the consent of the adjoining owner or person in
18 possession of the adjoining property is obtained.

19 (b) It shall be unlawful for any person to use or operate
20 a leaf blower within the State in such a way as to blow leaves,
21 dirt and other debris onto the public rights-of-way or onto
22 private property not owned, leased, or controlled by the leaf



1 blower operator or the employer or contractor of the leaf blower
2 operator and to allow such debris to remain there in excess of
3 thirty minutes."

4 SECTION 4. New statutory material is underscored.

5 SECTION 5. This Act shall take effect upon its approval.

6

INTRODUCED BY: Mike Johnson
Ron Brown
Will Egan



Report Title:

Leaf Blowers; Noise pollution; Emissions; Violations

Description:

Prohibits the use of leaf blowers during certain hours and with emissions greater than 10 g/kW-hr; restricts the use of leaf blowers for certain periods of time and near operable doors, windows, and air ducts.

