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# A BILL FOR AN ACT

RELATING TO POLLUTION.

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

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

4           "§342F-     Leaf blowers; restrictions. (a) In any urban  
5 land use district, as designated pursuant to section 205-2, it  
6 shall be unlawful for any person to operate a leaf blower within  
7 a residential zone or within one hundred feet of a residential  
8 zone in the State, except between the hours of 8:00 a.m. and  
9 6:00 p.m. on any day except Sunday or a state or federal  
10 holiday, and between the hours of 9:00 a.m. and 6:00 p.m. on  
11 Sunday or any state or federal holiday.

12           (b) Violators shall be fined \$50 for the first violation,  
13 \$100 for the second violation, \$200 for the third violation, and  
14 \$500 for each subsequent violation.

15           (c) Government entities, and agents acting on behalf of  
16 government entities, shall not be subject to this section.



1        (d) Any county may adopt a rule or ordinance that places  
2 stricter limitations on the use of leaf blowers than are in this  
3 section. In case of a conflict between the requirements or  
4 limitations of this section and any county rule or ordinance  
5 regarding the use of leaf blowers, the more restrictive  
6 requirements shall apply.

7        (e) For the purposes of this section:  
8        "Leaf blower" means any machine used to blow leaves, dirt,  
9 or other debris off sidewalks, driveways, lawns, and other  
10 surfaces.

11        "State holiday" means any day established as a state  
12 holiday in section 8-1."

13        SECTION 2. Chapter 342H, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

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



1        (b) It shall be unlawful for any person to use or operate  
2 a leaf blower in such a way as to blow leaves, dirt, and other  
3 debris onto the public rights-of-way or onto private property  
4 not owned, leased, or controlled by the leaf blower operator or  
5 the employer or contractor of the leaf blower operator and to  
6 allow the debris to remain there in excess of thirty minutes.

7        (c) For purposes of this section:

8        "Leaf blower" shall have the same meaning as defined in  
9 section 342F- .

10       "Parcel" means a legal lot of record. Contiguous parcels  
11 owned by the same individual or entity shall be considered one  
12 parcel for purposes of this section."

13       SECTION 3. New statutory material is underscored.

14       SECTION 4. This Act shall take effect on July 1, 2010.

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**Report Title:**

Leaf Blowers; Noise Pollution; Debris; Violations

**Description:**

Prohibits the use of leaf blowers on or near residential zones, except within allowed time periods; exempts government entities; authorizes counties to adopt rules or ordinances that are more restrictive; provides that, in case of a conflict between the leaf blower restrictions and county rule or ordinance, the more restrictive provision shall apply; prohibits leaf blowing operations from blowing debris onto adjacent property without permission. (CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

