
A BILL FOR AN ACT

RELATING TO LEAF BLOWERS.

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

1 SECTION 1. The legislature finds that noise pollution is a
2 steadily increasing problem, particularly in densely populated
3 areas of the State. Leaf blowers contribute an excessive and
4 unusual amount of noise, often producing sound in excess of
5 ninety decibels. Not only is the sound extremely annoying and
6 distracting, but it also has the potential to cause permanent
7 hearing damage. The sustained operation of leaf blowers at this
8 decibel level can literally be deafening to people within
9 earshot. In addition, leaf blowers tend to blow dirt, dust, and
10 other particulate matter into the air, reducing the surrounding
11 air quality and aggravating the conditions of people who suffer
12 from allergies and asthma.

13 The purpose of this Act is to promote public health by
14 banning the use of leaf blowers within the State.

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



1 "§342F- Leaf blowers; ban. (a) It shall be unlawful
2 for any person within the State, including an employee of the
3 State or any county, to use or cause to be used a leaf blower.

4 (b) Notwithstanding any law to the contrary, any person
5 who violates this section shall be guilty of a misdemeanor.

6 (c) A leaf blower shall include but not be limited to any
7 portable machine powered with a gasoline engine or electric
8 motor that is used to blow leaves, dirt, and other debris off
9 sidewalks, driveways, lawns, and other surfaces."

10 SECTION 3. Section 342F-30.8, Hawaii Revised Statutes, is
11 repealed.

12 ~~["§342F-30.8 Leaf blowers; restrictions. (a) In any~~
13 ~~urban land use district, as designated pursuant to section 205-~~
14 ~~2, it shall be unlawful for any person to operate a leaf blower~~
15 ~~within a residential zone or within one hundred feet of a~~
16 ~~residential zone in the State, except between the hours of 8:00~~
17 ~~a.m. and 6:00 p.m. on any day except Sunday or a state or~~
18 ~~federal holiday, and between the hours of 9:00 a.m. and 6:00~~
19 ~~p.m. on Sunday or any state or federal holiday.~~

20 ~~(b) Violators shall be fined \$50 for the first violation,~~
21 ~~\$100 for the second violation, \$200 for the third violation, and~~
22 ~~\$500 for each subsequent violation.~~



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

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

9 ~~(e) For the purposes of this section:~~

10 ~~"Leaf blower" means any machine used to blow leaves, dirt,~~
11 ~~or other debris off sidewalks, driveways, lawns, and other~~
12 ~~surfaces.~~

13 ~~"State holiday" means any day established as a state~~
14 ~~holiday in section 8-1."]~~

15 SECTION 4. Section 342H-36.5, Hawaii Revised Statutes, is
16 repealed.

17 [~~["§342H-36.5] Leaf blower debris. (a) It shall be~~
18 ~~unlawful for any person to use or operate a leaf blower in such~~
19 ~~a manner as to blow, dispel, or make airborne dust, leaves,~~
20 ~~grass cuttings, paper, trash, or any other type of unattached~~
21 ~~debris or material, beyond the boundaries of the parcel of~~
22 ~~property being cleaned, unless the consent of the adjoining~~



1 ~~owner or person in possession of the adjoining property is~~
2 ~~obtained.~~

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

9 ~~(c) For purposes of this section:~~

10 ~~"Leaf blower" shall have the same meaning as defined in~~
11 ~~section 342F-30.8.~~

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

15 SECTION 5. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 6. . This Act shall take effect on January 1, 2012.

18

INTRODUCED BY:



JAN 20 2011



Report Title:

Noise Pollution; Leaf Blowers; Ban

Description:

Bans the complete operation of leaf blowers in Hawaii.

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

