

JAN 21 2022

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# A BILL FOR AN ACT

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RELATING TO TWO-STROKE ENGINES.

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

1       SECTION 1. The legislature finds that noise and air  
2 pollution from two-stroke engines can be extremely detrimental  
3 to residents' quality of life and overall health. According to  
4 the United States Centers for Disease Control and Prevention,  
5 gas-powered lawn mowers and leaf blowers operate at  
6 approximately eighty to eighty-five decibels and can cause  
7 hearing damage after just two hours of exposure. According to a  
8 2015 study on data from the United States Environmental  
9 Protection Agency, two-stroke engines are a major source of  
10 volatile organic compounds and criteria pollutants, such as  
11 carbon monoxide, nitrogen oxides, and carbon dioxide. Other  
12 drawbacks to using two-stroke engines include the risk of fire  
13 and gasoline spills, which can cause harmful environmental  
14 impacts.

15       The legislature further finds that other jurisdictions have  
16 restricted using certain types of machines powered by two-stroke  
17 engines. For example, in 2020, Larchmont village in Westchester



1 county, New York, became the first place in the northeastern  
2 United States to ban gas-powered leaf blowers. In 2021,  
3 California passed a state law banning small off-road, gas-  
4 powered engines.

5 The legislature additionally finds that typical machines  
6 powered by a two-stroke engine that are used in Hawaii on a  
7 daily basis include weed whackers, leaf blowers, chainsaws,  
8 motor scooters, mopeds, and jet skis. After the initial cost of  
9 switching from two-stroke to electric engines, electric engines  
10 can actually be less costly to use, because they typically cost  
11 less to operate and maintain than their gasoline counterparts.

12 Therefore, the purpose of this Act is to reduce noise and  
13 air pollution in Hawaii by:

14 (1) Prohibiting the sale of new two-stroke engines or new  
15 machines or vehicles operated by a two-stroke engine  
16 in 2024; and

17 (2) Creating a loan program to facilitate the transition  
18 from two-stroke engines to electric engines.

19 SECTION 2. Chapter 342B, Hawaii Revised Statutes, is  
20 amended by adding a new part to be appropriately designated and  
21 to read as follows:



"PART

**TWO-STROKE ENGINES; ELECTRIC ENGINE LOAN PROGRAM**

**§342B-A Two-stroke engines; prohibition.** (a) As used in this part:

"Department" means the department of health.

"Director" means the director of health.

"Moped" has the same meaning as in section 286-2.

"Motor scooter" has the same meaning as in section 286-2.

"Two-stroke engine" means a type of internal combustion engine that completes a power cycle with two strokes of the piston during one power cycle.

"Vehicle" means a moped, motor scooter, or motor-powered boat.

(b) Beginning on January 1, 2024, no person shall sell or offer for sale in the State:

(1) A new two-stroke engine; or

(2) A new machine or vehicle operated by a two-stroke engine.

**§342B-B Electric engine loan program.** (a) There is established the electric engine loan program, which shall be



1 administered by the director in accordance with the spirit and  
2 intent of this part.

3 (b) The department may make loans to individuals or  
4 businesses that:

5 (1) Surrender to the State, or a designated representative  
6 of the State:

7 (A) An existing two-stroke engine; or

8 (B) An existing machine or vehicle operated by a two-  
9 stroke engine; and

10 (2) Purchase:

11 (A) A new electric engine; or

12 (B) A new, similar machine or vehicle operated by an  
13 electric engine.

14 (c) In carrying out this part, the director shall:

15 (1) Prescribe the qualifications for eligibility of  
16 applicants for loans;

17 (2) Establish preferences and priorities in determining  
18 eligibility for loans;

19 (3) Establish the conditions, consistent with the purposes  
20 of this part, for the granting of loans;



(4) Provide for inspection, at reasonable hours, of the machine or vehicle and records and books of an individual or business that has applied for or has been granted a loan and to require the submission of periodic reports; and

(5) Adopt rules pursuant to chapter 91 to implement this part.

(d) The loans may be made in conjunction with loans made by other financial institutions, including private entities and federal agencies. Where the loans made by the department are secured, such security may be subordinated to the loans made by other financial institutions, when subordination is required in order to obtain loans from the financial institutions. The necessity for and the extent of security required in any loan shall be determined by the director; provided that:

- (1) No loan shall exceed \$ ;
- (2) No loan shall be made for a term exceeding ten years;
- (3) Each loan shall bear simple interest at the rate of per cent per year;
- (4) The commencement date for the repayment of the first installment on the principal of each loan may be



1 deferred by the director, but in no event shall such  
2 initial payment be deferred in excess of two years;  
3 and

4 (5) In the event the State repossesses any machine or  
5 vehicle operated by an electric engine financed under  
6 this program, the machine or vehicle operated by an  
7 electric engine shall not be resold to the individual  
8 to whom the loan has been made, or to anyone with a  
9 financial interest in the machine or vehicle operated  
10 by an electric engine.

11 (e) No later than twenty days prior to the convening of  
12 each regular session, the department shall submit to the  
13 legislature a report concerning the loan program, including any  
14 findings, recommendations, and proposed legislation.

15 **§342B-C Electric engine loan program revolving fund. (a)**

16 There is established within the state treasury the electric  
17 engine loan program revolving fund, which shall consist of all  
18 moneys appropriated to the fund by the legislature, received as  
19 repayments of loans, payments of interest or fees, and all other  
20 moneys received by the fund from any other source.



1 (b) Moneys from the fund shall be expended by the  
2 department to make loans through the electric engine loan  
3 program. The department may use all appropriations and other  
4 moneys in the revolving fund not appropriated for a designated  
5 purpose to make loans through the electric engine loan program."

6 SECTION 3. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$ or so much  
8 thereof as may be necessary for fiscal year 2022-2023 to be  
9 deposited into the electric engine loan program revolving fund  
10 established by section 342B-C, Hawaii Revised Statutes.

11 The sum appropriated shall be expended by the department of  
12 health for the purposes of this Act.

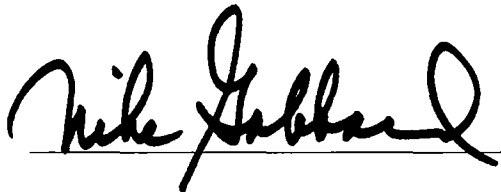
13 SECTION 4. In codifying the new sections added by section  
14 2 of this Act, the revisor of statutes shall substitute  
15 appropriate section numbers for the letters used in designating  
16 the new sections in this Act.

17 SECTION 5. This Act does not affect rights and duties that  
18 matured, penalties that were incurred, and proceedings that were  
19 begun before its effective date.



1       SECTION 6. This Act shall take effect upon its approval;  
2 provided that section 3 of this Act shall take effect on July 1,  
3 2022.

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INTRODUCED BY: 



# S.B. NO. 3009

**Report Title:**

Two-stroke Engines; Prohibition; Electric Engine Loan Program;  
Revolving Fund; Appropriation

**Description:**

Bans the sale of two-stroke engines and new machines and vehicles operated by a two-stroke engine, effective January 1, 2024. Establishes the electric engine loan program and revolving fund. Makes an appropriation.

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

