
A BILL FOR AN ACT

RELATING TO GASOLINE-POWERED LEAF BLOWERS.

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

1 SECTION 1. The legislature finds that dozens of cities and
2 towns in the United States and the District of Columbia and
3 State of California have banned gasoline-powered leaf blowers
4 due to their harmful impacts on health and the environment.

5 The legislature also finds that noise can be a pollutant
6 that affects the public health. Noise causes hearing loss;
7 interferes with human activities at home, work, and in schools;
8 and is injurious to people's health and well-being in various
9 ways. Noise annoys, awakens, angers, and frustrates people.
10 The numerous effects of noise combine to detract from the
11 quality of life for people and the environment.

12 The sound emissions from gasoline-powered leaf blowers are
13 a public nuisance and a great concern for the State's public
14 health and welfare. Gasoline-powered leaf blowers operate at
15 approximately ninety decibels, which can cause hearing damage
16 after two hours of exposure. According to the United States



1 Centers for Disease Control and Prevention, noise intensity is a
2 particularly troubling issue for landscaping workers.

3 The legislature further finds that there are viable,
4 quieter alternatives to gasoline-powered leaf blowers such as
5 battery-powered leaf blowers.

6 Accordingly, the purpose of this Act is to ban the use of
7 gasoline-powered leaf blowers in any urban land use district.

8 SECTION 2. Section 342F-30.8, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "[+]§342F-30.8[+] Leaf blowers; restrictions[-] on non-
11 gasoline-powered leaf blowers; prohibition of gasoline-powered

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



1 (b) In any urban land use district, as designated pursuant
2 to section 205-2, it shall be unlawful for any person to operate
3 a gasoline-powered leaf blower at any time.

4 [~~(b)~~] (c) Violators shall be fined [~~\$50~~] \$100 for the
5 first violation, [~~\$100~~] \$250 for the second violation, [~~\$200 for~~
6 ~~the third violation,~~] and \$500 for each subsequent violation[~~;~~];
7 provided that upon the third violation of subsection (b), the
8 gasoline-powered leaf blower used to commit that violation shall
9 be subject to forfeiture.

10 [~~(c) Government entities, and agents acting on behalf of~~
11 ~~government entities, shall not be subject to this section.~~]

12 (d) Any county may adopt a rule or ordinance that places
13 stricter limitations on the use of leaf blowers than are in this
14 section. In case of a conflict between the requirements or
15 limitations of this section and any county rule or ordinance
16 regarding the use of leaf blowers, the more restrictive
17 requirements shall apply.

18 (e) For the purposes of this section:

19 "Gasoline-powered leaf blower" means any leaf blower that
20 is powered by a two-stroke internal combustion engine that is



1 rated for noise emissions of greater than sixty-five decibels at
2 a distance of fifty feet.

3 "Leaf blower" means any machine used to blow leaves, dirt,
4 or other debris off sidewalks, driveways, lawns, and other
5 surfaces.

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

8 SECTION 3. This Act does not affect rights and duties that
9 matured, penalties that were incurred, and proceedings that were
10 begun before its effective date.

11 SECTION 4. If any provision of this Act, or the
12 application thereof to any person or circumstance, is held
13 invalid, the invalidity does not affect other provisions or
14 applications of the Act that can be given effect without the
15 invalid provision or application, and to this end the provisions
16 of this Act are severable.

17 SECTION 5. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 6. This Act shall take effect on June 30, 3000.



Report Title:

Gasoline-Powered Leaf Blowers; Prohibition; Fines; Government Agency Exemption; Repeal

Description:

Prohibits the operation of gasoline-powered leaf blowers in any urban land use districts. Increases the amounts of fines for violations of leaf blower restrictions and provides for the forfeiture of gasoline-powered leaf blowers upon a third violation. Removes the exemption on leaf blower restrictions for government agencies and their agents. Effective 6/30/3000.
(HD1)

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