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# 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 can cause hearing loss;  
7 can interfere with human activities at home, work, and in  
8 schools; and can in various ways be injurious to people's health  
9 and well-being. Noise also annoys, awakens, angers, and  
10 frustrates many people. The numerous effects of noise combine  
11 to detract from the quality of life for people and the  
12 environment.

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



1 Control and Prevention, noise intensity is a particularly  
2 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.

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

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

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

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

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 June 30, 3000.

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**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 district. Applies the existing time-of-use restrictions on leaf blowers to non-gasoline-powered leaf blowers. Increases the fines for offenses 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. Effective 6/30/3000. (HD1)

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

