

JAN 20 2023

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 dozens of cities and
2 towns in the United States, the District of Columbia, and the
3 State of California have banned gasoline-powered leaf blowers
4 due to their adverse environmental and health impacts. The
5 exhaust and sound emissions from gasoline-powered leaf blowers
6 are of great public health concern for the State. According to
7 the California Air Resources Board, use of a commercial
8 gasoline-powered leaf blower for one hour will emit as much
9 smog-forming pollution as a 2016 Toyota Camry being driven 1,100
10 miles and more than three times as much as a commercial
11 gasoline-powered lawn mower. According to the United States
12 Centers for Disease Control and Prevention, gasoline-powered
13 leaf blowers operate at ninety decibels, which can cause hearing
14 damage after two hours of exposure, a particularly troubling
15 fact for landscape workers.



1 The legislature further finds that there are viable
2 alternatives to gasoline-powered leaf blowers such as battery-
3 powered leaf blowers.

4 Accordingly, the purpose of this Act is to ban the sale and
5 use of gasoline-powered leaf blowers.

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

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

17 (b) It shall be unlawful for any person to sell, offer for
18 sale, or operate a gasoline-powered leaf blower at any time.

19 ~~[-b]~~ (c) Violators shall be fined ~~[\$50]~~ \$100 for the
20 first violation, ~~[\$100]~~ \$250 for the second violation, ~~[\$200 for~~
21 ~~the third violation,]~~ and \$500 for each subsequent violation~~[r]~~;



1 provided that a third violation of use of a gasoline-powered
2 leaf blower shall also be subject to the forfeiture of the leaf
3 blower.

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

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

12 (e) For the purposes of this section:

13 "Gasoline-powered leaf blower" means any leaf blower that
14 is powered by a two-stroke internal combustion engine.

15 "Leaf blower" means any machine used to blow leaves, dirt,
16 or other debris off sidewalks, driveways, lawns, and other
17 surfaces.

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

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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S.B. NO. 723

Report Title:

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

Description:

Prohibits the sale, offer for sale, or operation of gasoline-powered leaf blowers. Increases the amounts of fines for offenses against leaf blower restrictions and provides for the forfeiture of gasoline-powered leaf blowers on a third violation. Removes the exemption on leaf blower restrictions for government agencies.

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