

JAN 22 2021

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 Hawaii. In dense areas with high rises, noise is
4 trapped between buildings and reverberates to a greater degree
5 because of the density and height of the buildings. With the
6 COVID-19 pandemic causing more people to work from home in these
7 highly dense areas, additional outside noise can affect their
8 ability to do their work. In special improvement districts,
9 like Waikiki, many of the residents are also retirees who are
10 more likely to have their hearing affected from loud noises.

11 The legislature further finds that leaf blowers contribute
12 an excessive and unusual amount of noise, which is not only
13 severely annoying and distracting, but also has the potential to
14 cause permanent hearing damage. The continuous use of leaf
15 blowers at a high decibel level can be deafening to people
16 within earshot. This is especially problematic during the



1 COVID-19 pandemic as more people are in their homes during the
2 day when leaf blower activity usually occurs.

3 The purpose of this Act is to restrict the use of leaf
4 blowers in special improvement districts within a residential
5 zone or near a residence to certain hours of a day, subject to
6 certain exceptions.

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

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

17 (b) In special improvement districts, as designated
18 pursuant to section 46-80.5, it shall be unlawful for any person
19 to operate a leaf blower within a residential zone or within one
20 hundred feet of a residence except between the hours of 9:00
21 a.m. and 4:00 p.m. on any day except Sunday or a state or



1 federal holiday, and between the hours of 10:00 a.m. and
2 4:00 p.m. on Sunday or any state or federal holiday; provided
3 that commercial and hotel operators shall be permitted to
4 operate a leaf blower on their premises at least one hundred
5 feet away from a residential zone or residence between the hours
6 of 8:00 a.m. and 6:00 p.m. on any day except Sunday or a state
7 or federal holiday, and between the hours of 9:00 a.m. and
8 6:00 p.m. on Sunday or any state or federal holiday; provided
9 further that any leaf blower used within the permitted times
10 shall not emit more than sixty decibels of noise.

11 ~~(b)~~ (c) Violators shall be fined \$50 for the first
12 violation, \$100 for the second violation, \$200 for the third
13 violation, and \$500 for each subsequent violation.

14 ~~(e)~~ (d) Government entities, and agents acting on behalf
15 of government entities, shall not be subject to this section.

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



S.B. NO. 327

1 [~~e~~] (f) For the purposes of this section:

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

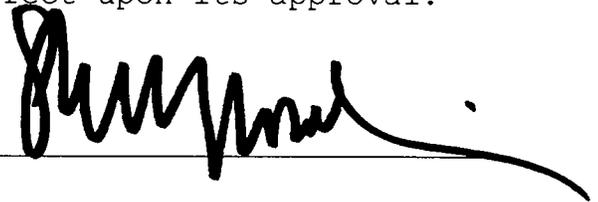
5 "State holiday" means any day established as a state
6 holiday in section 8-1."

7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: _____

A handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be 'J. P. ...'.

S.B. NO. 327

Report Title:

Leaf Blowers; Noise; Restrictions; Special Improvement Districts

Description:

Restricts the use of leaf blowers in special improvement districts within a residential zone or near a residence to between the hours of 9:00 a.m. and 4:00 p.m. on any day except Sunday or a state or federal holiday and between the hours of 10:00 a.m. and 4:00 p.m. on Sunday or any state or federal holiday. Allows commercial and hotel operators to operate leaf blowers on their premises at least one hundred feet away from a residential zone or residence between the hours of 8:00 a.m. and 6:00 p.m. on any day except Sunday or a state or federal holiday, and between the hours of 9:00 a.m. and 6:00 p.m. on Sunday or any state or federal holiday. Provides that leaf blowers used in special improvement districts during the permitted hours shall not emit more than sixty decibels of noise.

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