

JAN 21 2022

A BILL FOR AN ACT

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



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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:



1 "PART

2 TWO-STROKE ENGINES; ELECTRIC ENGINE LOAN PROGRAM

3 §342B-A Two-stroke engines; prohibition. (a) As used in
4 this part:

5 "Department" means the department of health.

6 "Director" means the director of health.

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

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

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

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

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

16 (1) A new two-stroke engine; or

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

19 §342B-B Electric engine loan program. (a) There is
20 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;



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

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

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

- 16 (1) No loan shall exceed \$;
17 (2) No loan shall be made for a term exceeding ten years;
18 (3) Each loan shall bear simple interest at the rate of
19 per cent per year;
20 (4) The commencement date for the repayment of the first
21 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.

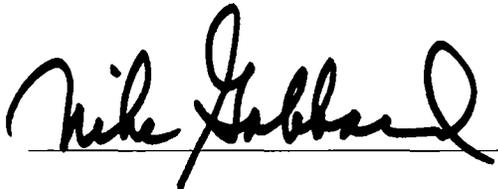
17 SECTION 5. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.



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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.

4

INTRODUCED BY: 



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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.

