

JOSH GREEN, M.D.  
GOVERNOR



KEITH T. HAYASHI  
SUPERINTENDENT

STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
KA 'OIHANA HO'ONA'AUAO  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 02/23/2024

**Time:** 02:00 PM

**Location:** 325 VIA VIDEOCONFERENCE

**Committee:** House Judiciary & Hawaiian  
Affairs

**Department:** Education

**Person Testifying:** Keith T. Hayashi, Superintendent of Education

**Title of Bill:** HB 2804 RELATING TO NOISE.

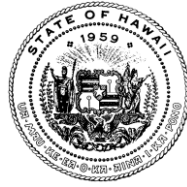
**Purpose of Bill:** Increases penalty fines for violations of leaf blower restrictions. Removes the exemption for government entities and their agents from leaf blower restrictions. Beginning July 1, 2027, prohibits the sale of any leaf blower or string trimmer that is rated by its manufacturer at greater than 70 decibels when measured at a distance of 50 feet.

**Department's Position:**

The Hawaii State Department of Education (Department) respectfully provides comments on HB 2804.

While the Department acknowledges the issues surrounding sound emissions from leaf blowers and string trimmers, the Department is concerned about the cost of replacing the existing inventory of leaf blowers and string trimmers for schools throughout the state. With large campuses such as the 38 acre campus at James Campbell High School and the 45 acre campus at Kapolei High School, the Department relies on tools such as leaf blowers and string trimmers for the maintenance and upkeep of our various fields and open spaces.

Thank you for the opportunity to provide testimony on HB 2804.



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
P. O. BOX 3378  
HONOLULU, HI 96801-3378  
[doh.testimony@doh.hawaii.gov](mailto:doh.testimony@doh.hawaii.gov)

In reply, please refer to:  
File:

**Testimony COMMENTING on HB2804  
RELATING TO NOISE**

REPRESENTATIVE DAVID A. TARNAS, CHAIR  
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Hearing Date: 2/23/2023

Room Number: 325

1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's  
2 Executive Budget Request for the Department of Health's (Department) appropriations and  
3 personnel priorities. Proposed requirements may require additional staff time and effort.

4 **Department Testimony:**

5 The Department respectfully comments on this measure that proposes to increase penalties,  
6 repeal the exemption of government agencies, and prohibits the sale of leaf blowers and string  
7 trimmers that are rated by their manufacturers at greater than seventy decibels when measured at  
8 a distance of fifty feet.

9 We appreciate the intent of the bill in addressing the sound emissions from leaf blowers  
10 and string trimmers, and favor a quieter environment. Any new mandate, depending on  
11 implementation, may require additional resources for effective enforcement. The intent of 342F,  
12 Hawaii Revised Statutes was to regulate noise sources that are either fairly constant in nature,  
13 stationary, or restricted to a certain location, and can feasibly be enforced. Enforcement against  
14 leaf blowers and string trimmers by the Department continues to be extremely difficult due to  
15 their mobility and duration of use, and documenting a violation is improbable due to our lack of  
16 immediate response capability.

17 Several municipalities throughout the Nation reference ANSI B-175.2, which has a  
18 maximum noise level of 65 dBA (Class 1) and 70 dBA (Class 2) as measured at 50 feet, to  
19 regulate noise emissions from hand-held and backpack gasoline engine powered leaf blowers.  
20 Enforcement is performed by their local police departments in most cases. Prohibiting the sale

1 of leaf blowers which do not meet the ANSI B-175.2 rating will lead to a gradual decline of  
2 current equipment as they fail. Restricting usage to ANSI rated equipment would have an  
3 immediate impact, but also would require the regulating entity to develop an  
4 inspection/certification program where users may have their equipment tested and certified to  
5 meet the ANSI standard. Implementation of such a program will most likely require personnel  
6 and equipment appropriation.

7 Thank you for the opportunity to testify on this measure.

8

9 **Offered Amendments:** None



WAIKIKI NEIGHBORHOOD BOARD NO. 9

/o NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BLVD. SUITE 160 • HONOLULU, HAWAII, 96817  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

February 21, 2024

House Bill 2804

Support

House Committee on Judicial and Hawaiian Affairs

Aloha Chair Tarnas and Committee

Thank you for the opportunity to provide testimony on Bill 2804, a noise bill. At the February 13<sup>th</sup> meeting of the Waikiki Neighborhood Board the board voted in favor of support for this bill.

Following the rather eerie quiet of the Pandemic with very little noise generated in Waikiki we are back with the noise from everything from trash trucks to loud mufflers to the loud leaf blowers that seem to be used early in the morning.

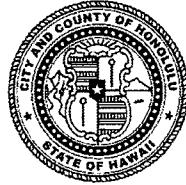
Board members and other residents would like to support this bill.

Robert Finley  
Chair

**DEPARTMENT OF PARKS AND RECREATION  
KA 'OIHANA MĀLAMA PĀKA A ME NĀ HANA HO'ONANEA  
CITY AND COUNTY OF HONOLULU**

1000 ULU'ŌHI'A STREET, SUITE 309 • KAPOLEI, HAWAII 96707  
PHONE: (808) 768-3003 • FAX: (808) 768-3053 • WEBSITE: honolulu.gov

RICK BLANGIARDI  
MAYOR  
MEIA



LAURA H. THIELEN  
DIRECTOR  
PO'O

KĒHAULANI PU'U  
DEPUTY DIRECTOR  
HOPE PO'O

February 22, 2024

THE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS  
February 23, 2024, 2:00 PM, Conference Room 325

The Honorable David A. Tarnas, Chair  
The Honorable Gregg Takayama, Vice Chair  
and Members of the Committee on Judiciary & Hawaiian Affairs

Dear Chair Tarna, Vice Chair Takayama, and Members of the Committee:

The Department of Parks and Recreation (DPR) of the City and County of Honolulu (City), offers the following comments on House Bill (HB) 2804 relating to noise.

Thank you for the opportunity to testify in **OPPOSITION** of HB 2804. We are **OPPOSED** to HB 2804 in its entirety.

As an operational City department, we own and operate numerous gas-powered leaf blowers and string trimmers which are critical for proper maintenance of City-owned properties throughout the island of O'ahu (i.e. streams, parks, road medians, etc.). Passage of HB 2804 would have significant detrimental impacts to the maintenance activities and services we provide for O'ahu's communities.

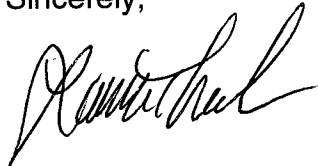
Battery-powered leaf blowers currently offered on the market do not perform equally to gas-powered leaf blowers, and are found to be insufficient in meeting our operational requirements. Battery-powered leaf blower operability usually lasts 20-40 minutes on a full charge, which would drastically hamper our operations, and impede our ability to effectively and efficiently provide services and perform maintenance actions.

We humbly request for deference of HB 2804, to allow for technologies in maintenance equipment to advance further in meeting our operational needs.

The Honorable David A. Tarnas  
Committee on Judiciary & Hawaiian Affairs  
February 22, 2024  
Page 2

Mahalo nui for your commitment to environmental protection and consideration  
of our testimony in OPPOSITION of HB 2804.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura H. Thielen". The signature is fluid and cursive, with a large initial "L" and "H".

Laura H. Thielen  
Director  
Department of Parks and Recreation

To: The Honorable Chair David Tarnas, the Honorable Vice Chair Gregg Takayama, and Members of the Committee Judiciary and Hawaiian Affairs.

From: Ted Bohlen

Re: Hearing **HB2804 RELATING TO NOISE**

Hearing: Friday February 23, 2024 2:00 p.m., CR325

Aloha Chair Tarnas, Vice Chair Takayama, and Members of the Committee Judiciary and Hawaiian Affairs:

**I STRONGLY SUPPORT HB2804 and propose an amendment!**

For 15 years, I represented the Department of Health on water pollution and other matters. Another less-recognized form of pollution is excessive noise, which can impair public health and well-being in various ways. Excessive noise can cause hearing loss, interfere with human activities at home, work, and in schools, and annoy, awaken, anger, and frustrate individuals. Excessive noise detracts from the quality of life for residents of the state and its environment.

**The sound emissions from noisy leaf blowers and string trimmers are a nuisance and are impairing the State's public health and welfare in many communities.** Some leaf blowers and string trimmers operate at approximately ninety decibels, which can cause hearing damage after two hours of exposure. According to the United States Centers for Disease Control and Prevention, noise intensity is a particularly troubling issue for landscaping workers.

**There are viable, quieter alternatives to loud leaf blowers and string trimmers,** some gasoline-powered as well as many electric, among makers such as Echo, Black

and Decker, Stihl, Greenworks, Ryobi, DK2, Craftsman, Litheli, and Ego. The technology for quieter models is improving. Additional quiet and effective options will likely be available before this bill's restrictions on sales for louder models becomes effective in 2027. Three years is sufficient time for retailers to adjust their inventory of sales models. The bill does not restrict usage of existing equipment, only sales three years in the future.

The purpose of this Act is to:

- (1) Increase penalties for violations of leaf blower restrictions;
- (2) Repeal the exemption of government agencies from leaf blower restrictions; and
- (3) Beginning July 1, 2027, prohibit the sale of leaf blowers and string trimmers that are rated by their manufacturers at greater than seventy decibels when measured at a distance of fifty feet.

I recommend that the bill be **amended to use, instead of seventy decibels, the American National Standards Institute (ANSI) standard B175.2 class one of 65 weighted decibels at 50 feet (dBA rather than dB). DBA is preferable because it considers the varying sensitivity of the human ear to different frequencies of sound, with lower weighting for low and high frequencies.**

On page 2, line 20, it should read "at greater than ~~seventy~~ **sixty-five weighted decibels (dBA)** when measured at a distance of fifty feet."

Unlike other bills that attempt to ban gas-powered leafblowers because of air emissions, this bill would only regulate noise and is not preempted by the Clean Air Act.

Please pass the bill with this amendment!



Mahalo!

Ted Bohlen

**HB-2804**

Submitted on: 2/21/2024 10:30:46 AM

Testimony for JHA on 2/23/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cathy Goeggel	Individual	Support	Written Testimony Only

Comments:

The noises to which our residents are subjected daily are bad for both mental and physical health. PLEASE pass HB2804. Mahalo!

**HB-2804**

Submitted on: 2/21/2024 8:17:20 PM

Testimony for JHA on 2/23/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terry Welch	Individual	Support	Written Testimony Only

Comments:

I support HB2804.

The noise from leaf blowers and string trimmers is a concern for Hawaii’s public health and welfare. Some leaf blowers and string trimmers operate at approximately **ninety decibels**, which can cause hearing damage after two hours of exposure. The proposed bill would make it unlawful for any person to **sell** a leaf blower or string trimmer **rated by its manufacturer** at greater than **seventy decibels** when measured at a distance of fifty feet **beginning July 1, 2027**. That is a reasonable first step, and a reasonable start date. It requires no noise measuring devices and no actions or response by law enforcement officers.

**HB-2804**

Submitted on: 2/22/2024 5:21:48 AM

Testimony for JHA on 2/23/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please do something about the awful noise especially in the Ala Moana area. Please support this important bill. Mahalo.