
A BILL FOR AN ACT

RELATING TO PESTICIDES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 149A-31, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§149A-31 Prohibited acts.** No person shall:

4 (1) Use any pesticide in a manner inconsistent with its
5 label, except that it shall not be unlawful to:

6 (A) Apply a pesticide at any dosage, concentration,
7 or frequency less than that specified on the
8 label or labeling; provided that the efficacy of
9 the pesticide is maintained; provided further
10 that when a pesticide is applied by a commercial
11 applicator, the deviation from the label
12 recommendations shall be with the consent of the
13 purchaser of the pesticide application services;

14 (B) Apply a pesticide against any target pest not
15 specified in the labeling if the application is
16 to a crop, animal, or site specified on the label
17 or labeling; provided that the label or labeling



- 1 does not specifically prohibit the use on pests
2 other than those listed on the label or labeling;
- 3 (C) Employ any method of application not prohibited
4 by the labeling;
- 5 (D) Mix a pesticide or pesticides with a fertilizer
6 when the mixture is not prohibited by the label
7 or labeling; or
- 8 (E) Use in a manner determined by rule not to be an
9 unlawful act;
- 10 (2) Use, store, transport, or discard any pesticide or
11 pesticide container in any manner that would have
12 unreasonable adverse effects on the environment;
- 13 (3) Use or apply restricted use pesticides unless the
14 person is a certified pesticide applicator or under
15 the direct supervision of a certified pesticide
16 applicator with a valid certificate issued pursuant to
17 rules adopted under section 149A-33(1); provided that
18 it shall be prohibited to use or apply a restricted
19 use pesticide for structural pest control uses for a
20 fee or trading of services, unless the user or
21 applicator is a pest control operator or is employed



- 1 by a pest control operator licensed under chapter
2 460J;
- 3 (4) Use or apply pesticides in any manner that has been
4 suspended, canceled, or restricted pursuant to section
5 149A-32.5;
- 6 (5) Falsify any record or report required to be made or
7 maintained by rules adopted pursuant to this chapter;
- 8 (6) Fill with water, through a hose, pipe, or other
9 similar transmission system, any tank, implement,
10 apparatus, or equipment used to disperse pesticides,
11 unless the tank, implement, apparatus, equipment,
12 hose, pipe, or other similar transmission system is
13 equipped with an air gap or a reduced-pressure
14 principle backflow device meeting the requirements
15 under section 340E-2 and the rules adopted thereunder;
16 [~~or~~]
- 17 (7) Beginning January 1, 2019, use or apply any pesticide
18 containing chlorpyrifos as an active ingredient;
19 provided that:
- 20 (A) The department shall grant to any person, upon
21 request, a temporary permit authorizing the



1 person, until December 31, 2022, to use or apply
2 a pesticide containing chlorpyrifos as an active
3 ingredient; and

4 (B) Any person who violates this paragraph shall be
5 subject to a penalty pursuant to section 149A-
6 41[-]; or

7 (8) Beginning January 1, 2030, use or apply any pesticide
8 containing 1,3-dichloropropene as an active
9 ingredient."

10 SECTION 2. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 3. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect on July 1, 3001.



Report Title:

Pesticides; Telone; 1,3-Dichloropropene; Prohibited Use or Application

Description:

Beginning 1/1/2030, prohibits the use or application of a pesticide containing 1,3-dichloropropene as an active ingredient, such as Telone. Effective 7/1/3001. (HD3)

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