



FILED
SEP 22 2022

A BILL FOR AN ORDINANCE

PURSUANT TO RCH Sec. 124

RELATING TO GASOLINE-POWERED LEAF BLOWERS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Findings and Purpose. The Council finds:

(1) More than 100 cities across the country have banned gasoline-powered leaf blowers due to their adverse environmental impacts. It has been reported that running a gasoline-powered leaf blower for as little as 30 minutes creates more emissions than driving an F-150 pickup truck for 3,800 miles. Due to the two-stroke engine, where the intake and exhaust functions occur simultaneously, about one-third of the gasoline that goes into the engine is spewed out, unburned, in an aerosol mixed with oil in the exhaust.

(2) Emissions from two-stroke gasoline-powered leaf blowers, combined with the dust, mold, and other fine particulates spread by the high velocity wind (up to 200 mph) from the blowers, create public health problems for the community, particularly for vulnerable groups such as children, the elderly, and persons with pulmonary impairment. Studies have also linked the adverse effects of noise exposure to physiological stress reactions and coronary heart disease. The most direct health impacts are upon the work crews that operate the leaf blowers for many hours per day, and who are susceptible to the direct effects of lung and hearing problems.

(3) Alternative battery-powered leaf blowers are available and becoming more comparable to gasoline-powered leaf blowers in power output and cost, making this option feasible for use by private homeowners and commercial landscaping companies. Successful landscaping companies that have switched over to battery-powered blowers in other jurisdictions have testified that the new generation of battery-powered leaf blowers is as capable and effective, and more economical in the long run, than gasoline-powered leaf blowers, due to lower maintenance, operating, and ownership costs.

Accordingly, the purpose of this ordinance is to ban the sale and use of certain gasoline-powered leaf blowers in the City, while providing a reasonable period of time to transition to alternative battery-powered or human-powered equipment.



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SECTION 2. Chapter 41, Revised Ordinances of Honolulu 1990 ("Regulated Activities with the City"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

"Article __. Gasoline-Powered Leaf Blowers

Sec. 41-__.1 Definitions.

For purposes of this article:

"Gasoline-powered leaf blower" means a machine that is used to blow leaves, dirt, or other debris off sidewalks, driveways, lawns, and other surfaces, and is powered by a two-stroke internal combustion engine.

Sec. 41-__.2 Ban on sale or use of gasoline-powered leaf blowers.

- (a) Unless exempted under Section 41-__.5, from January 1, 2023, a person may not sell, offer for sale, or operate a gasoline-powered leaf blower in the city.
- (b) From January 1, 2023, possession by a person of a gasoline-powered leaf blower will be prima facie evidence that that person operates the gasoline-powered leaf blower.

Sec. 41-__.3 Violation—Penalty.

A person violating Section 41-__.2(a) is subject to the following:

- (1) A fine of \$100 for the first violation;
- (2) A fine of \$500 for the second violation within one year of the first violation; and
- (3) A fine of \$1,000, or forfeiture of the gasoline-powered leaf blower, or a combination of forfeiture and fine of up to \$1,000, for the third or subsequent violation within one year of the first violation.

Sec. 41-__.4 Enforcement.

- (a) There shall be provided for use by authorized police officers, a form of citation for use in citing violators of Section 41-__.2(a) which does not mandate physical arrest of such violators. The form and content of such citation must be as adopted or prescribed by the administrative judge of the district court and must be printed on a form commensurate with the form of other citations used in modern methods of arrest, so designed to include all necessary information to



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make the same valid within the laws and regulations of the State of Hawaii and the city.

- (b) In every case when a citation is issued, a copy of the same must be given to the violator.
- (c) Every citation must be numbered and each copy must bear the same number as its respective original.

Sec. 41-___.5 Exemptions.

The prohibition in this article does not apply to activities of the state and federal governments."



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SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

Tony Waters (BR)

DATE OF INTRODUCTION:

SEP 22 2020
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

KIRK CALDWELL, Mayor
City and County of Honolulu

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PURSUANT TO ROH Sec. 1-2.4