

SENATE, No. 4273

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED DECEMBER 13, 2021

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

SYNOPSIS

Prohibits sale and use of gas-powered leaf blowers in NJ.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT prohibiting the sale and use of gas-powered leaf blowers
2 and supplementing Title 26 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. a. Beginning one year after the effective date of this section,
8 no person shall sell, offer for sale, or distribute within the State a
9 gas-powered leaf blower for use or operation in the State.

10 b. Beginning four years after the effective date of this section,
11 no person shall use or operate a gas-powered leaf blower in the
12 State.

13 c. Any person who violates the provisions of this section shall
14 be subject to a civil penalty of not less than \$500 nor more than
15 \$1,000 for each offense. State and local law enforcement shall have
16 exclusive authority to enforce this section and the penalty imposed
17 shall be collected and enforced by summary proceedings under the
18 "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-
19 10 et seq.). If the violation is of a continuing nature, each day
20 during which the violation continues shall constitute an additional,
21 separate, and distinct offense. The Superior Court and the
22 municipal court shall have jurisdiction of proceedings for the
23 enforcement of the penalty provided by this section. Any penalty
24 recovered under this section shall be retained by the enforcing
25 government entity.

26 d. As used in this section:

27 "Gas-powered leaf blower" means a leaf blower that has a two-
28 stroke or four-stroke engine and uses gasoline or a gasoline and oil
29 blend as fuel.

30

31 2. This act shall take effect immediately.

32

33

34

STATEMENT

35

36 This bill would prohibit, beginning one year after the bill's
37 effective date, the sale or distribution of gas-powered leaf blowers
38 within the State for use or operation in New Jersey. The bill would
39 also prohibit, beginning four years after the bill's effective date, the
40 use of gas-powered leaf blowers within the State. As defined in the
41 bill, "gas-powered leaf blower" means a leaf blower that has a two-
42 stroke or four-stroke engine and uses gasoline or a gasoline and oil
43 blend as fuel.

44 Any person who violates the bill's provisions would be subject
45 to a civil penalty of not less than \$500 nor more than \$1,000 for
46 each offense. In the case of a continuing violation, each day during
47 which the violation continues would constitute an additional,
48 separate, and distinct offense. The bill authorizes State and local

1 law enforcement agencies to have the exclusive authority of
2 enforcing the bill's provisions. The bill also incentivizes the
3 enforcement of the bill's provisions by permitting any penalty
4 recovered to be retained by the enforcing government entity.

5 Gas-powered leaf blowers emit high rates of pollutants,
6 including, but not limited to, carbon monoxide, nitrous oxides,
7 hydrocarbons, unburnt gasoline, and fine particulate matter. For
8 example, the amount of carbon monoxide emitted from a typical
9 backpack gas-powered leaf blower for just one hour is equal to the
10 amount of carbon monoxide emitted from the tailpipe of an
11 automobile operating for over eight hours, and, for the other
12 pollutants, the amounts are even greater. The chemical pollutants
13 that gas-powered leaf blowers emit may contribute to smog
14 formation and acid rain.

15 In addition to environmental consequences, gas-powered leaf
16 blowers are also associated with occupational health concerns.
17 Gas-powered leaf blowers generate noise at a decibel level capable
18 of causing hearing loss in a short amount of time, and gas-powered
19 leaf blowers send dust and other small particles into the air for
20 considerable distances, including, but not limited to, animal feces,
21 trace quantities of heavy metals such as lead, and allergens such as
22 pollen and mold.

23 There are affordable alternatives to gas-powered leaf blowers,
24 including electric leaf blowers, which are quieter and safer to
25 operate and less harmful to the environment.