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

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

1. a. Beginning one year after the effective date of this section, no person shall sell, offer for sale, or distribute within the State a gas-powered leaf blower for use or operation in the State.
   b. Beginning four years after the effective date of this section, no person shall use or operate a gas-powered leaf blower in the State.
   c. Any person who violates the provisions of this section shall be subject to a civil penalty of not less than $500 nor more than $1,000 for each offense. State and local law enforcement shall have exclusive authority to enforce this section and the penalty imposed shall be collected and enforced by summary proceedings under the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). If the violation is of a continuing nature, each day during which the violation continues shall constitute an additional, separate, and distinct offense. The Superior Court and the municipal court shall have jurisdiction of proceedings for the enforcement of the penalty provided by this section. Any penalty recovered under this section shall be retained by the enforcing government entity.
   d. As used in this section: “Gas-powered leaf blower” means a leaf blower that has a two-stroke or four-stroke engine and uses gasoline or a gasoline and oil blend as fuel.

2. This act shall take effect immediately.

STATEMENT

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

Any person who violates the bill’s provisions would be subject to a civil penalty of not less than $500 nor more than $1,000 for each offense. In the case of a continuing violation, each day during which the violation continues would constitute an additional, separate, and distinct offense. The bill authorizes State and local
law enforcement agencies to have the exclusive authority of
enforcing the bill’s provisions. The bill also incentivizes the
enforcement of the bill’s provisions by permitting any penalty
recovered to be retained by the enforcing government entity.

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

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

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