

2023 -- S 0471

LC001649

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO HEALTH AND SAFETY -- AIR POLLUTION

Introduced By: Senators Zurier, and Lauria

Date Introduced: March 07, 2023

Referred To: Senate Commerce

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 23-23 of the General Laws entitled "Air Pollution" is hereby
2 amended by adding thereto the following section:

3 **23-23-32. Gasoline powered lawn equipment - Rebate program.**

4 (a) For purposes of this section, the following terms shall have the following meanings:

5 (1) "Lawn care device" means any device powered mechanically, which is intended to be
6 used or is actually used for mowing grass, cutting or chipping trees, tree roots or tree branches, or
7 clearing leaves or other vegetation from lawns, sidewalks, public streets or public highways and
8 shall include, but not be limited to, such devices as lawn mowers and lawn mower attachments,
9 lawn edgers, leaf blowers, leaf vacuums, mulchers and chippers.

10 (2) "Emissions" means exhaust from the combustion of hydrocarbon fuels.

11 (b) The director of the department of environmental management (DEM) shall promulgate
12 rules and regulations which shall require that all lawn care devices used in the state by January 1,
13 2027, shall have zero-emissions. These rules and regulations shall take into account issues of
14 affordability, accessibility and environmental equity, and shall include a plan to collect data from
15 retail businesses and lawn care businesses in order that the department may report to the general
16 assembly on the status of lawn care device use and the transition to one hundred percent (100%)
17 zero-emission lawn care devices in Rhode Island.

18 (c)(1) There is hereby established a restricted receipt fund within the office of energy
19 resources in the amount of two million five hundred thousand dollars (\$2,500,000).

1 (2) Said funds are subject to the enactment of an ordinance banning the use of gasoline
2 powered lawn equipment within any city or town by January 1, 2027. These funds shall be used to
3 reimburse cities and towns for an incentive or rebate program.

4 (3) The fund will provide an initial advance up to a maximum of one hundred thousand
5 dollars (\$100,000) to any city or town upon the enactment of a qualifying ordinance based on the
6 expenditure records justifying any expenses of the city or town incurred after enactment of the
7 qualifying ordinance.

8 (4) Additional reimbursement of rebates or incentives in excess of the initial advance shall
9 be available within sixty (60) days of the approval of expenditure records up to a maximum of five
10 hundred thousand dollars (\$500,000) per city or town.

11 (5) The funds awarded will be subject to refund from any city or town enacting an
12 ordinance which materially amends the ban set forth in this section or the prohibited equipment.

13 (d) The office of energy resources shall promulgate the applicable rules and regulations to
14 implement the incentive and rebate program by January 1, 2024.

15 (e) The general assembly shall annually appropriate sufficient funds to support this
16 program.

17 (f) Effective January 1, 2027, no person shall use a lawn care device with emissions in
18 Rhode Island. A civil fine shall be imposed as a sanction for any infraction of this section, based
19 upon a graduated schedule of fifty dollars (\$50.00) for the first offense, one hundred dollars (\$100)
20 for the second offense, and five hundred dollars (\$500) for the third and subsequent offenses. The
21 department of environmental management shall accept location and date stamped videos from a
22 cellphone or other camera of prohibited lawn care device use as legal evidence of a violation.

23 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY -- AIR POLLUTION

1 This act would mandate the enactment of a city or town ordinance banning the use of
2 gasoline powered lawn equipment by January 1, 2027. There would be a rebate program established
3 through a fund in the office of energy resources to reimburse cities and towns for incentive or rebate
4 programs to replace gas powered equipment.

5 This act would take effect upon passage.

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