
SUBJECT

Expedited Bill 30-25, Noise Control – Leaf Removal Equipment – Enforcement Procedures

Lead Sponsors: Councilmember Glass, Council President Stewart, Councilmembers Balcombe, Albornoz

Co-Sponsors: Councilmembers Luedtke, Katz, Sayles, Fani-Gonzalez, and Friedson

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- The Transportation and Environment Committee (TE) unanimously recommends approval of Expedited Bill 30-25, as introduced.
- Roll call vote expected to enact Expedited Bill 30-25.

DESCRIPTION/ISSUE

- Expedited Bill 30-25 would:
 - (1) modify enforcement procedures by repealing the requirement for photographic evidence in complaints of gas-powered leaf blower use;
 - (2) clarify that a single complaint may initiate enforcement of the gas-powered leaf blower ban; and
 - (3) generally amend the law regarding noise control.

SUMMARY OF KEY DISCUSSION POINTS

- At the Committee worksession held on November 3, the TE Committee unanimously recommended enactment of Expedited Bill 30-25.
- Expedited Bill 30-25 would allow a single witness to file a complaint for violating the County's ban on gas-powered leaf blowers. This single-complaint process aligns with those of nearby jurisdictions (D.C. and the City of Annapolis).
- The TE Committee noted that while the Bill eliminates the requirement to submit photographic evidence with a complaint, DEP's online complaint form still requires the complainant to attest to their willingness to testify in court and to affirm that the information provided—including the date, time, location, and identity of the violator—is accurate.

This report contains:

Staff Report

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*The Fiscal Impact Statement was not available from the Office of Management and Budget at publication of this staff report.

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MEMORANDUM

November 13, 2025

TO: County Council

FROM: Ludeen McCartney-Green, Legislative Attorney

SUBJECT: Expedited Bill 30-25, Noise Control – Leaf Removal Equipment – Enforcement Procedures

PURPOSE: Action – roll call vote expected

TE’s Committee Recommendation: The Committee voted unanimously (3-0) to enact Expedited Bill 30-25, as introduced.

Expedited Bill 30-25, Noise Control – Leaf Removal Equipment – Enforcement Procedures, sponsored by Lead Sponsors Councilmember Glass, Council President Stewart, and Councilmembers Balcombe and Albornoz, and Co-Sponsors Councilmembers Luedtke, Katz, Sayles, Fani-González, and Friedson, was introduced on September 30, 2025. A public hearing was held on October 21 at 1:30 p.m. A TE Committee worksession was held on November 3.

Expedited Bill 30-25 would:

- (1) modify enforcement procedures by repealing the requirement for photographic evidence in complaints of gas-powered leaf blower use;
- (2) clarify that a single complaint may initiate enforcement of the gas-powered leaf blower ban; and
- (3) generally, amend the law regarding noise control.

BACKGROUND

The ban on the use of gas-powered leaf blowers in the County took effect on July 1, 2025.¹ An individual who witnesses a violation of the ban and is disturbed by the leaf blower noise may

¹ The County Council enacted Bill 18-22, Noise Control – Leaf Removal Equipment – Amendments on September 26, 2023: [Montgomery County Council - Legislative Information Management System – bill details](#)

send a complaint to the Director of the Department of Environmental Protection, but the complaint must include photographic evidence of the person violating the noise law.² Under the law, the Director has the discretion on whether to proceed with a penalty or citation against the violator.

On July 24, the Transportation and Environment Committee discussed and deliberated Bill 19-25, Noise Control – Leaf Removal Equipment – Seasonal Exemption.³ During its deliberation of the bill, the Committee raised concerns about the unintended consequences of requiring a photo to accompany a leaf blower noise complaint. Particularly, residents taking photos of workers presented a chilling effect for many landscapers. The Committee’s discussion noted that the requirement of photographic evidence in this political climate was not ideal and suggested that the law should be amended.

The Office of Legislative Oversight (OLO) Racial Equity and Social Justice Statement for Bill 19-25 explained that:

“A 2011 study commissioned by the U.S. Hispanic Chamber of Commerce found that, nationally, compared to their share of business ownership across all sectors, Latinx-owned business were overrepresented in the landscaping industry. More recent local data suggests Latinx-owned businesses may also be overrepresented in the County’s landscaping industry. As shown in Table A (Appendix) Latinx-owned employer businesses in the County are overrepresented in the Administrative and Support and Waste Management and Remediation Services industry that includes landscaping businesses. Notably, White-owned businesses are also overrepresented in this industry.” *Worksession Staff Report, Page 10*.

Many landscapers who are Hispanic would be disproportionately impacted by the current enforcement requirement. The original intent of the enforcement process was to produce evidentiary proof that, if the County decided to pursue legal remedies in Court, it would not have to rely solely on witness testimony. Instead, the enforcement process has presented a chilling effect that has led to job instability for many landscaping employees. Expedited Bill 30-25 seeks to address the concerns and the unintended consequences raised by the Committee.

Jurisdictions with a single-complaint process

The District of Columbia, the City of Annapolis, and several jurisdictions in California do not require a photo to accompany a complaint, and a single witness may raise a complaint.

BILL SPECIFICS

Expedited Bill 30-25 would repeal the existing enforcement procedure under Section 31B-9(j), which would remove the photo requirement and allow a complaint by at least one witness. This differs from other noise complaints in the County that require at least two witnesses before a

² Section 31B-9(j) of the Montgomery County Code.

³ The TE Committee voted (2–1) against recommending enactment of Expedited Bill 19-25. See Committee Worksession staff report: [Montgomery County Council - Legislative Information Management System – bill details](#)

complaint may be filed under Section 31B-12 of the County Code. This bill is expedited, meaning it will become effective on the day the Council enacts it.

SUMMARY OF IMPACT STATEMENTS

Fiscal Impact. The Fiscal Impact Statement from the Office of Management and Budget (OMB) was not available at the time this staff report was published.

Economic Impact. The Office of Legislative Oversight (OLO) anticipates that Expedited Bill 30-25 would have an insignificant impact on economic conditions in the County, as measured by the Council's priority economic indicators. © 5.

Climate Assessment. OLO does not anticipate the Bill will have an impact on the County's contribution to addressing climate change. © 8.

Racial Equity and Social Justice Impact. OLO anticipates Expedited Bill 30-25 will have a positive impact on racial equity and social justice (RESJ in the County). Removing the photographic evidence requirement for complaints on the gas-powered leaf blower ban would increase privacy among landscapers who are disproportionately Latinx and prevent an activity that could exacerbate existing fears among Latinx community members." © 10.

SUMMARY OF PUBLIC HEARING

The County Council held a public hearing for Expedited Bill 30-25 on October 21, 2025. Seven speakers testified in person, and we also received an additional three submissions of written testimony. Testimony was received both in support and opposition to the Bill.

Supporters, including the County Executive's office, testified that removing the requirement for photographic evidence in complaints would make enforcement of the gas-powered leaf blower ban more effective and less intrusive. They emphasized that the previous requirement for photographic documentation could make immigrant workers feel unsafe or subject to surveillance, and that the new approach would allow the Department of Permitting Services to enforce the ban based on a single complaint, streamlining the process and protecting vulnerable workers.

Opposition testimony came from residents, business owners, and legal advocates. Several landscaping business owners and residents expressed concern that the bill would expose both workers and homeowners to arbitrary enforcement and fines, as enforcement could be triggered by a single unverified complaint without corroborating evidence. They argued this could lead to abuse, retaliation, or mistaken complaints, and that compliant businesses could be unfairly penalized. Some business owners who have already transitioned to electric equipment argued that removing photographic evidence requirements would disadvantage compliant businesses and incentivize non-compliance, undermining the county's sustainability goals. Legal concerns were also raised, with testimony highlighting potential violations of constitutional protections, including due process and equal protection under the law.

TE'S COMMITTEE'S WORKSESSION – NOVEMBER 3

The TE Committee held a committee worksession on November 3 to discuss Expedited Bill 30-25. Councilmember Balcombe requested clarification on whether photographic evidence would remain optional and expressed concern that residents may continue to take photos even if not required. Council staff confirmed that the legislation would remove the option to submit photographic evidence, and the Department of Environmental Protection's (DEP) complaint form does not allow photo uploads.

Councilmember Albornozy requested continued partnership with DEP and the Executive branch to support landscapers during the transition.

The Committee unanimously recommended the enactment of Expedited Bill 30-25, as introduced. A few issues discussed by the Committee included:

1. What is the existing enforcement process for a noise violation under County law?

Section 31B-12 of the County Code establishes DEP's authority to enforce any violation under Chapter 31B (Noise Control). Specifically, DEP may perform any of the following if there is a violation:

- issue a Class A violation (\$500 for the 1st offense; \$750 for repeated offenses).
- seek injunctive or any other appropriate judicial relief to prevent the continuous violation.
- issue a notice of violation and corrective order.

A person who is aggrieved by any action or order of the Director under Section 31B-9 (Leaf Removal Equipment) may seek reconsideration within 10 days after the date of the action or order. Further, if the Director believes the matter has merit, it may be referred to a hearing officer, or the request for reconsideration may be denied. The person may appeal the Director's final decision.

2. How does the existing enforcement process differ from Bill 30-25?

Expedited Bill 30-25 does not modify or diminish any due process as described above under #1; rather, it seeks to amend the number of witnesses to report a complaint. A general noise complaint requires at least two witnesses, while a complaint regarding leaf blower use would require at least one witness.

Further, the removal of the photographic evidence requirement is consistent with other jurisdictions that enforce gas-powered leaf blower bans, such as Washington, D.C., and the City of Annapolis, where photos are optional rather than required.

3. Filing a leaf blower noise complaint.

The online form to file a leaf blower complaint on DEP’s website requires detailed information, along with an attestation that must be checked by the person who submits the form.⁴ The attestation states:

“I am willing to state in a court of law that the information in this form accurately depict the situation and agree to testify as to the date, time, location, and identity of the user submitted as evidence in accordance with Section 31B-9(j). I request that the Department of Environmental Protection investigate this matter and take enforcement action if warranted for the above alleged violation.”

This attestation formally verifies the credibility and reliability of the information provided. It also discourages false or frivolous reports. Additionally, it states that the information submitted may be used as evidence in an investigation or legal proceedings. More importantly, since enforcement actions may result in penalties, the attestation reaffirms due process and fairness by protecting both the alleged violator and the integrity of the investigation.

Next Steps: Whether the TE Committee approves the enactment of Expedited Bill 30-25, as introduced? Unanimous vote in favor of recommending for enactment.

| <u>This packet contains:</u> | <u>Circle #</u> |
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*The Fiscal Impact Statement was not available from the Office of Management and Budget at publication of this staff report.

⁴ [Montgomery County Department of Environmental Protection – Resident’s Combustion Leaf Blower Complaint.](#)

Expedited Bill No. 30-25
Concerning: Noise Control – Leaf
Removal Equipment – Enforcement
Procedures
Revised: 9/22/2025 Draft No. 1
Introduced: 9/30/2025
Expires: _____
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. [#], Laws of Mont. Co. [year]

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmember Glass, Council President Stewart, and
Councilmembers Balcombe and Albornoz
Co-Sponsors: Councilmembers Luedtke, Katz, Sayles, Fani-González, and Friedson

AN EXPEDITED ACT to:

- (1) modify enforcement procedures by repealing the requirement for photographic evidence in complaints of gas-powered leaf blower use;
- (2) clarify that a single complaint may initiate enforcement of the gas-powered leaf blower ban; and
- (3) generally, amend the law regarding noise control.

By amending

Montgomery County Code
Chapter 31B, Noise Control
Sections 31B-2, 31B-9, and 31B-12

| | |
|------------------------------|--|
| Boldface | <i>Heading or defined term.</i> |
| <u>Underlining</u> | <i>Added to existing law by original bill.</i> |
| [Single boldface brackets] | <i>Deleted from existing law by original bill.</i> |
| <u>Double underlining</u> | <i>Added by amendment.</i> |
| [[Double boldface brackets]] | <i>Deleted from existing law or the bill by amendment.</i> |
| * * * | <i>Existing law unaffected by bill.</i> |

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Sections 31B-2, 31B-9, and 31B-12 are amended as follows:

31B-2. Definitions.

* * *

Leaf blower means any portable device designed or intended to blow, vacuum, or move leaves or any other type of unattached debris or material by generating a concentrated stream of air. [Leafblower] Leaf blower includes devices or machines that accept vacuum attachments.

* * *

31B-9. Leaf removal equipment.

- (a) Except as provided in this section, a person must not sell, buy, offer for sale, or use a [leafblower] leaf blower at any time that has an average sound level exceeding 70 dBA at a distance of 50 feet. This requirement is in addition to any other noise level or noise disturbance standard that applies under this Chapter.
- (b) An individual who owns or occupies a residence in a residential noise area may use at the individual's residence a [leafblower] leaf blower bought or manufactured before July 1, 1990, until July 1, 1998, even if it exceeds the standard in subsection (a). After July 1, 1998, a person must not use any [leafblower] leaf blower that violates the standard in subsection (a).
- (c) The Department must apply the standard in subsection (a) in accordance with the most current [leaf-blower] leaf blower testing standard of the American National Standards Institute (ANSI).
- (d) The Department may inspect, and [on] at its request a person must produce, any [leafblower] leaf blower that is sold, offered for sale, or used in the County, to determine whether the [leafblower] leaf blower complies with this section. A person who relies in good faith on a

manufacturer's written representation of the sound level of a [leafblower]
leaf blower that has not been modified is not subject to a penalty for
violating this section.

(e) *Sale of combustion leaf removal equipment – prohibited.* A person must
not sell or offer for sale a combustion engine-powered handheld,
backpack, or walk-behind leaf blower or leaf vacuum.

(f) *Use of combustion leaf removal equipment – prohibited.* A person must
not use a combustion engine-powered handheld, backpack, or walk-
behind leaf blower or leaf vacuum.

* * *

(j) Complaint and enforcement procedures. An enforcement officer may
issue a civil citation under this Section if: [the Director receives a
complaint of a noise disturbance supported by photographic evidence of
a violation of subsection (f).]

(1) the Director receives a complaint from at least one witness of a
noise disturbance in violation of subsection (f); and

(2) the complaint was received by the Director within 7 days of the
alleged violation.

31B-12. Enforcement and penalties.

* * *

(f) Except as provided in Section 31B-9(j), an enforcement officer may issue
a civil citation for any violation of this Chapter if the enforcement officer:

(1) witnesses the violation; or

(2) receives complaints from at least 2 witnesses of a noise
disturbance. Complaints by 2 witnesses are required to issue a
citation under paragraph (2), but are not required to prove that a
person violated this Chapter.

* * *

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Sec. 2. Expedited Effective Date. The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.

Economic Impact Statement

Montgomery County, Maryland

Expedited Bill 30-25: Noise Control – Leaf Removal Equipment – Enforcement Procedures

Summary

The Office of Legislative Oversight (OLO) anticipates that Expedited Bill 30-25 would have an insignificant impact on economic conditions in the County, as measured by the Council's priority economic indicators. The Bill would repeal the photographic evidence requirement for enforcing the ban on gas-powered leaf blowers in the County. While the repeal could reduce economic costs stemming from job instability among landscaping employees, OLO lacks data to conclude the Bill would achieve this beneficial outcome.

Background and Purpose of Expedited Bill 30-25

In September 2023, the Council passed Bill 18-22, banning the use of gas-powered leaf blowers in the County starting July 1 of this year.¹ The Bill intended to decrease noise pollution and greenhouse gas emissions associated with the use of gas-powered leaf blowers.²

Enforcement of the ban on gas-powered leaf blowers currently requires community members to submit a complaint that includes photographic evidence of the person violating the ban.³ The purpose of Expedited Bill 30-25 is to repeal the photographic evidence requirement and instead allow a complaint on a violation of the ban by at least one witness.⁴

Given their overrepresentation among business owners and employees in the landscaping industry, Latinx community members are disproportionately impacted by enforcement of the gas-powered leaf blower ban.⁵ In July of this year, the Transportation and Environment Committee raised concerns that amid the current political climate – where Latinx community members are being targeted by U.S. Immigration and Customs Enforcement (ICE) –⁶ the photo enforcement requirement could create a chilling effect on landscapers.^{7,8} As noted in the introduction staff report, "Bill 30-25 seeks to address the concerns and unintended consequences raised by the Committee."⁹

The Council introduced Expedited Bill 30-25 on September 30, 2025.

¹ [Action Staff Report for Bill 18-22, Montgomery County Council, Vote on September 26, 2023.](#)

² ["Leaf Blowers," Montgomery County Department of Environmental Protection.](#)

³ [Introduction Staff Report for Expedited Bill 30-25, Montgomery County Council, Introduced September 30, 2025, pg. 1.](#)

⁴ [Ibid, pg. 2.](#)

⁵ [RESJIS for Expedited Bill 19-25, Office of Legislative Oversight, July 14, 2025, pg. 2.](#)

⁶ [Antonio Planas, "It's about surviving": Hispanic businesses struggle with ICE and the economy," The Banner, October 13, 2025.](#)

⁷ [Introduction Staff Report for Expedited Bill 30-25, pg. 2.](#)

⁸ [Maryam Shahzad, "Elrich Supports Enforcing Leaf Blower Ban Without Photos," Montgomery County Media, October 9, 2025.](#)

⁹ [Introduction Staff Report for Expedited Bill 30-25, pg. 2.](#)

Information Sources, Methodologies, and Assumptions

As required by 2-81B of the Montgomery County Code, this Economic Impact Statement evaluates the impacts of Expedited Bill 30-25 on residents and private organizations, using the Council's priority economic indicators as the measure. In doing so, it examines whether the Bill would have a net positive or negative impact on overall economic conditions in the County.¹⁰

One of the current challenges the landscaping industry faces is the Trump administration's mass and indiscriminate arrests and deportations of undocumented immigrants, which is likely exacerbating labor shortages in the industry, especially among seasonal workers.¹¹ Against this backdrop, there may be an unintended "chilling effect" from requiring photographic evidence of violations of the County's gas-powered leaf blower ban, as discussed in the Bill's introduction staff report. Repealing the photographic evidence requirement may reduce economic costs stemming from job instability among landscaping employees. However, OLO lacks data to conclude the Bill would achieve this beneficial outcome.

Variables

Not applicable

Impacts

WORKFORCE ▪ TAXATION POLICY ▪ PROPERTY VALUES ▪ INCOMES ▪ OPERATING COSTS ▪ PRIVATE SECTOR CAPITAL INVESTMENT ▪ ECONOMIC DEVELOPMENT ▪ COMPETITIVENESS

Residents

Not applicable

Businesses, Non-Profits, Other Private Organizations

Not applicable

Net Impact

Not applicable

Discussion Items

Not applicable

¹⁰ Montgomery County Code, "[Sec. 2-81B, Economic Impact Statements](#)."

¹¹ For recent data on U.S. immigration enforcement, see Maanvi Singh et al., "[How Trump Has Supercharged the Immigration Crackdown - in Data](#)," US News, *The Guardian*, July 23, 2025.

Caveats

Two caveats to the economic impact analysis conducted here should be noted. First, predicting the economic impacts of legislation is a challenging analytical endeavor due to data limitations, the multitude of causes of economic outcomes, economic shocks, uncertainty, and other factors. Second, the analysis performed here is intended to *inform* the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the Bill under consideration.

Contributions

Stephen Roblin, PhD (OLO) prepared this report.

Climate Assessment

Office of Legislative Oversight

EXPEDITED BILL 30-25: NOISE CONTROL – LEAF REMOVAL EQUIPMENT – ENFORCEMENT PROCEDURES

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Expedited Bill 30-25 will have no impact on the County's contribution to addressing climate change as it is proposing changes to enforcement procedures of the ban on gas-powered leaf blowers.

BACKGROUND AND PURPOSE OF EXPEDITED BILL 30-25

In September 2023, the County Council passed Bill 18-22.¹ This Bill banned the use of gas-powered leaf blowers in the County as of July 1, 2025. Bill 18-22 intended to decrease noise pollution and greenhouse gas emissions associated with the use of gas-powered leaf blowers.²

Currently, to enforce Bill 18-22, community members must submit a complaint that includes photographic evidence of the person violating the ban.³ The purpose of Expedited Bill 30-25 is to repeal this photographic evidence requirement. Instead, Bill 30-25 would allow a complaint on a violation of the ban by at least one witness.⁴

Given their overrepresentation among business owners and employees in the landscaping industry, Latinx community members are disproportionately impacted by enforcement of the gas-powered leaf blower ban.⁵ In July of this year, the Transportation and Environment Committee raised concerns that amid the current political climate – where Latinx community members are being targeted by U.S. Immigration and Customs Enforcement (ICE) –⁶ the photo enforcement requirement could create a chilling effect on landscapers.^{7,8} As noted in the introduction staff report, "Bill 30-25 seeks to address the concerns and unintended consequences raised by the Committee."⁹

The Council introduced Expedited Bill 30-25 on September 30, 2025.

ANTICIPATED IMPACTS

As the Bill proposes changes to the enforcement procedures of the County's ban on gas-powered leaf blowers, OLO anticipates Expedited Bill 30-25 will have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptive capacity.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.¹⁰ OLO does not offer recommendations or amendments as Expedited Bill 30-25 is likely to have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptive capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptive capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ [Action Staff Report for Bill 18-22, Montgomery County Council, Vote on September 26, 2023.](#)

² ["Leaf Blowers," Montgomery County Department of Environmental Protection.](#)

³ [Introduction Staff Report for Expedited Bill 30-25, Montgomery County Council, Introduced September 30, 2025, pg. 1.](#)

⁴ Ibid, pg. 2.

⁵ [RESJIS for Expedited Bill 19-25, Office of Legislative Oversight, July 14, 2025, pg. 2.](#)

⁶ [Antonio Planas, "It's about surviving': Hispanic businesses struggle with ICE and the economy," The Banner, October 13, 2025.](#)

⁷ Introduction Staff Report for Expedited Bill 30-25, pg. 2.

⁸ [Maryam Shahzad, "Elrich Supports Enforcing Leaf Blower Ban Without Photos," Montgomery County Media, October 9, 2025.](#)

⁹ Introduction Staff Report for Expedited Bill 30-25, pg. 2.

¹⁰ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

EXPEDITED BILL 30-25: NOISE CONTROL – LEAF REMOVAL EQUIPMENT – ENFORCEMENT PROCEDURES

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Expedited Bill 30-25 will have a positive impact on racial equity and social justice (RESJ) in the County. Removing the photographic evidence requirement for complaints on the gas-powered leaf blower ban would increase privacy among landscapers who are disproportionately Latinx and prevent an activity that could exacerbate existing fears among Latinx community members.

PURPOSE OF RESJ IMPACT STATEMENTS

RESJ impact statements (RESJIS) evaluate the anticipated impact of legislation on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other People of Color (BIPOC) and communities with low incomes. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is essential to achieve RESJ.¹ This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.²

PURPOSE OF EXPEDITED BILL 30-25

In September 2023, the County Council passed Bill 18-22.³ This Bill banned the use of gas-powered leaf blowers in the County as of July 1, 2025. Bill 18-22 intended to decrease noise pollution and greenhouse gas emissions associated with the use of gas-powered leaf blowers.⁴

Currently, to enforce Bill 18-22, community members must submit a complaint that includes photographic evidence of the person violating the ban.⁵ The purpose of Expedited Bill 30-25 is to repeal this photographic evidence requirement. Instead, Bill 30-25 would allow a complaint on a violation of the ban by at least one witness.⁶

Given their overrepresentation among business owners and employees in the landscaping industry, Latinx community members are disproportionately impacted by enforcement of the gas-powered leaf blower ban.⁷ In July of this year, the Transportation and Environment Committee raised concerns that amid the current political climate – where Latinx community members are being targeted by U.S. Immigration and Customs Enforcement (ICE) –⁸ the photo enforcement requirement could create a chilling effect on landscapers.^{9,10} As noted in the introduction staff report, “Bill 30-25 seeks to address the concerns and unintended consequences raised by the Committee.”¹¹

The Council introduced Expedited Bill 30-25 on September 30, 2025.

This RESJIS builds on the ones for Bills 18-22 and 19-25, which OLO published in August 2022 and July 2025, respectively.^{12,13} Please refer to Bill 18-22 RESJIS for background on entrepreneurship, landscape contracting, leaf blowers, and racial equity.

RESJ Impact Statement

Expedited Bill 30-25

ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 30-25 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

Landscaping business owners and employees would benefit from increased privacy if the photographic evidence requirement for complaints on the gas-powered leaf blower ban is removed. Local data suggests that Latinx- and White-owned employer businesses in the County are overrepresented in the Administrative and Support and Waste Management and Remediation Services industry that includes landscaping businesses (Table A, Appendix). Local data also suggests that Latinx community members are overrepresented among landscaping employees given their high rate of employment in natural resources, construction, and maintenance occupations (Table B, Appendix).

Aggressive immigration enforcement fosters a heightened state of fear that harms the health and well-being of immigrant families.^{14,15} These fears have been particularly felt among Latinx people across citizenship status, as ICE has targeted Latinx individuals and communities with indiscriminate and increasingly violent enforcement tactics.¹⁶ Removing the photographic evidence requirement for complaints on the gas-powered leaf blower ban would increase privacy among landscapers who are disproportionately Latinx and prevent an activity that could exacerbate existing fears among Latinx community members.

Therefore, OLO anticipates Bill 30-25 will have a positive impact on RESJ in the County.

RECOMMENDED AMENDMENTS

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.¹⁷ OLO anticipates Expedited Bill 30-25 will have a positive impact on RESJ in the County. As such, OLO does not offer recommended amendments.

CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

RESJ Impact Statement

Expedited Bill 30-25

APPENDIX

Table A. Administrative and Support and Waste Management and Remediation Services (NAICS 56) Employer Firms by Race and Ethnicity, Montgomery County

| Race or ethnicity ¹⁸ | % Business Owners (NAICS 56) | % All Business Owners (NAICS 00) | % Adult Population |
|---------------------------------|------------------------------|----------------------------------|--------------------|
| Asian | 5.7 | 21.8 | 16.0 |
| Black | 8.3 | 7.6 | 18.3 |
| Native American | - | 1.4 | 0.5 |
| Pacific Islander | - | 0.1 | 0.0 |
| White | 80.9 | 69.1 | 46.6 |
| Latinx | 26.6 | 10.0 | 18.7 |

Source: OLO Analysis of [AB2200CSA01, 2022 American Business Survey](#) and [Table S2101, 2023 American Community Survey 5-Year Estimates](#), Census Bureau.

Table B. Rate of Employment in Natural Resources, Construction, and Maintenance Occupations, Montgomery County

| Race or ethnicity | Rate of Employment |
|-------------------|--------------------|
| Asian | 2.5 |
| Black | 3.0 |
| White | 3.4 |
| Latinx | 20.4 |
| County | 6.3 |

Source: [Table S0201, 2023 American Community Survey 1-Year Estimates](#), Census Bureau.

¹ Definition of racial equity and social justice adopted from [Marlysa Gamblin et al., “Applying Racial Equity to U.S. Federal Nutrition Programs,” Bread for the World and Racial Equity Tools.](#)

² Ibid.

³ [Action Staff Report for Bill 18-22, Montgomery County Council, Vote on September 26, 2023.](#)

⁴ [“Leaf Blowers,” Montgomery County Department of Environmental Protection.](#)

⁵ [Introduction Staff Report for Expedited Bill 30-25, Montgomery County Council, Introduced September 30, 2025, pg. 1.](#)

⁶ Ibid, pg. 2.

⁷ [RESJIS for Expedited Bill 19-25, Office of Legislative Oversight, July 14, 2025, pg. 2.](#)

⁸ [Antonio Planas, “‘It’s about surviving’: Hispanic businesses struggle with ICE and the economy,” The Banner, October 13, 2025.](#)

⁹ Introduction Staff Report for Expedited Bill 30-25, pg. 2.

¹⁰ [Maryam Shahzad, “Elrich Supports Enforcing Leaf Blower Ban Without Photos,” Montgomery County Media, October 9, 2025.](#)

¹¹ Introduction Staff Report for Expedited Bill 30-25, pg. 2.

¹² [RESJIS for Bill 18-22, Office of Legislative Oversight, August 11, 2022.](#)

¹³ RESJIS for Bill 19-25.

¹⁴ [Akash Pillai, et al., “Potential Impacts of Mass Detention and Deportation Efforts on the Health and Well-Being of Immigrant Families,” KFF, February 6, 2025.](#)

¹⁵ [Myriam Vidal Valero, “U.S. immigration policy: Mental health impacts of increased detentions and deportations,” American Psychological Association, September 1, 2025.](#)

¹⁶ [Nicole Foy, “We Found That More Than 170 U.S. Citizens Have Been Held by Immigration Agents. They’ve Been Kicked, Dragged and Detained for Days,” ProPublica, October 16, 2025.](#)

¹⁷ [Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council.](#)

¹⁸ For Tables A and B, race is inclusive of Latinx origin. Estimates for Native American and Pacific Islander community members are not available for all data points. Margins of error for some data points in Table A may be large.

County Council,

I am writing to you today regarding the leaf blower ban. In this ongoing conversation, some points have been raised that I need to respond to at length.

Point: Landscapers have only had two years to transition from gas-powered leaf blowers to electric models.

Response: This is an utter falsehood. Review the history of climate science: everything we know today about climate change, we knew in the 1970s. Among other facts we knew, a gas-powered leaf blower on idle for 8 minutes can create as much climate pollution as driving an SUV from Montgomery County to Miami. That is clearly unsustainable. The definition of "unsustainable" is "cannot continue forever." Our local landscaping businesses are not being disrupted by action of the County Council; they are being disrupted by the physics of our planet. They have known this for decades and they should have adapted to it 40 years ago. If landscaping businesses are just trying out electric equipment now, then they **are** making the transition at the last minute, and it is not our responsibility to accommodate their tardiness.

Point: Electric leaf blowers are just not powerful enough for autumn leaf removal.

Response: The entire history of lawns is the promotion of standards that weren't possible. As technology advanced, the image of the ideal lawn evolved to remain always just out of reach. Thus property owners continually spent money chasing a goal that wasn't achievable. If technology has now become **less** powerful, standards will change accordingly, and homeowners will adjust their expectations. It should also be noted that a completely leaf-free lawn was never really possible. Even with a gas-powered leaf blower, you blow the leaves off the lawn, and then the tree drops some more. Or you blow the leaves off the lawn, and the wind blows them back. The fact that an objective with no inherent benefit is now even less achievable than it was before is in no way a reason to allow an exemption to the leaf blower ban.

Point: Batteries for electric leaf blowers are too hard to recharge.

Response: For several years now, I've had a fancy device called a smartphone. Maybe you have one too. I try to carry it around and use it, but the battery runs out and the smartphone needs to be recharged several times a day. It's such a pain! Maybe ten years from now batteries will get better and smartphones will achieve widespread adoption. But for now, the technology just isn't ready.

Point: The landscaping industry creates jobs, and the leaf blower ban makes it hard for landscaping companies to do business.

Response: This is simply dangerous logic. The practice of hiring assassins to murder our enemies creates jobs, but we don't see that as a convincing reason why we should make it easier for the Mafia to do business in Montgomery County. As I showed in my previous testimony, the landscaping industry actively harms our community. We are under no obligation to allow this business model to continue just because it creates jobs.

I also want to respond to two points about enforcement of the leaf blower ban.

Point: Taking pictures of violations can endanger immigrants.

Response: This is true and important on its face, and yet it misses the mark. The problem is not that people are taking photographs of immigrants who are breaking the law. The problem is that immigrants are breaking the law. More to the point, the problem is that immigrants are being pressured to break the law. I understand it is already the case that penalties for violations of the leaf blower ban fall on companies, not on individual workers. We need to go beyond this and make it clear to company owners and team bosses that pressuring vulnerable people to break the law simply will not be tolerated. I also need to address the broader point here. It hardly needs to be stated that immigrants do not want to break the law. It's less obvious that immigrants don't want to work for landscaping companies. Why do so many Latino immigrants work for landscaping companies, when poll after poll shows that Latinos overwhelmingly care about the environment? The answer is that they have no better opportunities. Instead of protecting the lousy jobs that immigrants already have, let's create better jobs for our new neighbors. I would love to see a workforce development or job creation program aimed at helping those who have come to our community in search of a better life.

Point: Requiring complainants to come to court makes enforcement of the ban too difficult.

Response: I also agree with this on its face, but I need to offer a warning about the alternative. Where I used to live, the complaint process did not require complainants to appear as witnesses in court. The process did not require complainants to provide any evidence. The process did not even require complainants to give their names. This low-barrier process made it easy for people to submit frivolous complaints just to cause trouble for neighbors they didn't like. As you continue to refine the enforcement process for the leaf blower ban, please seek a balance that allows for meaningful enforcement while preventing people from using the complaint process as a mechanism to attack the least popular person on the block.

Thank you for considering these perspectives on points raised about the leaf blower ban.

Yours,

Janette Rosenbaum

MS, Environmental Science

I. Introduction

Good afternoon, Council Members.

My name is **Matt Fegan**. I'm a resident and small-business operator in Montgomery County. I submit this testimony to request that enforcement of the gas-powered leaf-blower ban be suspended until the County complies with its own procedural and evidentiary standards.

II. The Problem with the Current Law

This ordinance was passed in the name of progress, yet it rests on contradictions:

- It claims to protect the environment but increases emissions when trucks idle ten to twelve hours daily to charge batteries.
- It claims to promote equity but places the greatest burden on minority-owned landscaping crews.
- It claims to be data-driven, yet no sufficient fiscal, climate, or equity data were completed before enforcement.

III. Real-World Consequences

-A two-person crew must invest \$5,000+ in new electric equipment, truck chargers, and batteries.

-Because these batteries cannot last a full workday, trucks must idle to recharge — directly violating Montgomery County's own anti-idling law.

-The result: **more emissions, not fewer.**

IV. Procedural Deficiencies and Missing Impact Studies

While Montgomery County produced partial analyses for Bill 18-22 and its subsequent amendments (19-25 and 30-25), none met the full evidentiary standards required by County Code § 2-81B and § 11B-45.

Each gap leaves the legislative record incomplete and the enforcement process legally vulnerable.

1. Fiscal Impact Statement – Incomplete and Non-Analytical

The staff packet for Bill 18-22 included a short fiscal note: “According to the Office of Management and Budget (OMB), over a six-year period, Bill 18-22 could increase expenditures by up to \$1,489,546.”¹

This figure covered administrative and rebate costs but contained no cost-benefit analysis, revenue projections, or funding-source detail, falling short of § 2-81B's requirement for a “comprehensive estimate of expenditures, revenues, and long-term fiscal effects.”

2. Small-Business (Economic) Impact Statement – Indeterminate and Data Deficient

The Office of Legislative Oversight's *Economic Impact Statement for Bill 18-22 (March 7 2023)* concluded:

*“The Office of Legislative Oversight (OLO) anticipates that enacting Bill 18-22 will have an indeterminate impact on economic conditions in the County... OLO lacks data to determine whether these effects will be significant overall.”*²

That acknowledgment confirms the County enacted the ban without measurable evidence of small-business feasibility or transition costs, violating § 11B-45's intent to safeguard local enterprises from unassessed burdens.

3. Climate Assessment – Negative Finding, No Mitigation

The OLO *Climate Assessment for Expedited Bill 19-25 (2025)* found:

*“OLO anticipates that Expedited Bill 19-25 will have a small, negative impact on the County's contribution to addressing climate change because it would permit continued use of gas-powered leaf blowers during peak season.”*³

Despite acknowledging environmental harm, no emissions offset or updated climate analysis was produced for Bill 18-22 or 30-25, leaving the County without proof that the ban improves net emissions—especially since trucks now idle 10–12 hours daily to recharge batteries.

4. Racial Equity and Social Justice (RESJ) Statement – Adverse Findings Ignored

The RESJ *Impact Statement for Bill 19-25* warned:

*“Latinx-owned businesses may disproportionately benefit from a seasonal exemption ... preventing widening of the profit gap between Latinx and White-owned businesses.”*⁴

It also reported Latinx workers constitute 20 percent of landscaping employees vs 6 percent county-wide.

Yet the *Bill 30-25 Staff Report* stated:

*“The Racial Equity and Social Justice Impact Statement was not available at the time of publication.”*⁵

Proceeding without an updated RESJ review violates § 2-81C and demonstrates disregard for known inequities.

5. Legal Implications

Maryland administrative law requires full fiscal, economic, climate, and equity analyses before enforcement.

By relying on incomplete, indeterminate, or missing assessments, Montgomery County breaches its own procedural code—rendering Bills 18-22 and 30-25 susceptible to administrative and judicial challenge.

V. The Broader Issue

This law prioritizes perception over reality. It replaces fairness with complaint-based enforcement and burdens those least able to absorb new costs. If the Council can bypass required studies once, it sets precedent to do so again — for any tool, trade, or technology.

VI. Conclusion

Montgomery County cannot claim environmental leadership while ignoring its own fiscal, climate, and equity safeguards.

This is not progress; it is **government overreach disguised as virtue.**

Respectfully,
Matt Fegan

Footnotes

1 Montgomery County Council Staff Report, Feb 13 2023, p. 3.

2 Office of Legislative Oversight, Economic Impact Statement for Bill 18-22, Mar 7 2023, pp. 1–2.

3 OLO, Climate Assessment for Expedited Bill 19-25, Apr 2025, p. 2.

4 OLO, Racial Equity and Social Justice Impact Statement for Bill 19-25, Jul 14 2025, p. 2.

5 Montgomery County Council Staff Report for Bill 30-25, Oct 2025, p. 1.