

April 3, 2024

BILL NUMBER: Senate Bill 683 - Third Reader

SHORT TITLE: Tree Expert Licenses - Workers' Compensation Insurance Requirements and Application and Renewal Fee Alterations

DEPARTMENT'S POSITION: SUPPORT

EXPLANATION OF DEPARTMENT'S POSITION

The Department supports this legislation. This legislation will codify the program's intent and strengthen the unit's authority to operate the program through a more comprehensive fee structure.

BACKGROUND INFORMATION

The Licensed Tree Expert program is one of the reasons that make Maryland unique in the field of urban forestry. Like our Forest Conservation Act and Roadside Tree Law, the LTE program has served as a model to other states of how sound regulatory practices can promote and support industry best practices. At its core, the LTE program has three pillars (which were developed through a stakeholder engagement process, and which are codified in COMAR 08.07.07):

- Responsibility to the Public
- Responsibility to the Client
- Responsibility to Other Licensed Tree Experts and the Profession

Requiring any business that practices tree care in the state to employ at least one LTE who meets certain professional and/or academic criteria and passes a rigorous exam administered by DNR-MD Forest Service has helped ensure that quality tree care is available to the customer and is a normalized business practice.

The LTE program is multifaceted, requiring coordinated efforts by numerous staff and other departmental liaisons. The LTE program generally involves the following features:

- Triaging and reviewing applications
- Background checking and establishing eligibility for exam
- Proctoring monthly exams and issuing licenses
- Collecting license origination (\$30) and biennial renewal (\$20) fees

Contact: Dylan Behler, Director, Legislative and Constituent Services
dylan.behler@maryland.gov ♦ 410-260-8113 (office) ♦ 443-924-0891 (cell)

- Triaging and reviewing complaints against LTEs and unlicensed tree care workers
- Conducting investigations into complaints against LTEs and unlicensed tree care workers
- Collaborating with Natural Resources Police and Attorney General's Office to determine proper response to complaints, including suspension or revocation of licenses
- Addressing appeals and coordinating with Office of Administrative Hearings
- Approving and issuing continuing education units (CEUs)
- Performing outreach and stakeholder engagement
- Managing a database of all LTE profiles and support documentation

Program enrollment continues to expand by approximately 100 licensees per year and is expected to grow even faster over the coming years since the licensing exam was translated into Spanish in Fall 2023. Less than 2 FTEs are currently available to administer the program statewide, constraining program effectiveness.

BILL EXPLANATION

This bill would enable the unit to raise fees from their current rate to an amount sufficient to hire or allocate additional staff support that would administer the program and enforce law. Additionally, this legislation provides direction for the overall LTE program.