

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 91 (Delegate Foley)
Health and Government Operations

**Fossil Fuel-Powered Lawn and Garden Care Equipment - State Purchase, Use,
and Contracts - Prohibition**

This bill, subject to specified exceptions, phases out the State’s use of fossil fuel-powered lawn and garden care equipment by January 1, 2030. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: State expenditures (all/multiple funds) for multiple agencies increase significantly, beginning in FY 2025. While the full, State governmentwide impact of the bill cannot be reliably estimated, costs that have been quantified by affected agencies for this fiscal and policy note total more than \$4.5 million annually from FY 2025 through 2029, as discussed below. Revenues are not affected.

Local Effect: None (assuming the bill’s use of the term “the State” is intended to mean State government agencies).

Small Business Effect: Potential meaningful.

Analysis

Bill Summary:

Prohibition – Purchase or Contracting – Beginning January 1, 2025

The bill prohibits the State – beginning January 1, 2025 – from purchasing fossil fuel-powered lawn and garden care equipment or entering into or renewing a contract under

which fossil fuel-powered lawn and garden care equipment is used, unless an electrically powered alternative is not available on the market.

“Fossil fuel-powered lawn and garden care equipment” means gasoline-powered or diesel-powered lawn and garden care equipment and includes leaf blowers, lawn mowers, hedge trimmers, and weed trimmers.

Use of Existing Equipment After January 1, 2025

The State may continue to use fossil-fuel powered lawn and garden care equipment purchased by the State before January 1, 2025, until the earlier of (1) the equipment needing to be replaced or (2) January 1, 2030.

Prohibition – Use – Beginning January 1, 2030

Beginning January 1, 2030, the State may not use fossil fuel-powered lawn and garden care equipment.

Exceptions

The bill’s prohibitions do not apply to wildland fire suppression activities or prescribed burn management activities.

Current Law:

Noise Control

The bill’s provisions are added to Title 3 (“Noise Control”) of the Environment Article, which requires the Maryland Department of the Environment (MDE) to adopt environmental noise standards, sound level limits, and noise control rules and regulations as necessary to protect the public health, the general welfare, and property. Chapter 360 of 2012 repealed a requirement under Title 3 that MDE enforce the sound level limits and noise control rules and regulations adopted under the title and authorized local governments to (1) adopt environmental noise standards, sound level limits, and noise control rules and regulations and (2) enforce sound level limits and noise control rules and regulations adopted under the title. MDE indicates that Chapter 360 (House Bill 190) [effectively transferred](#) noise enforcement authority to local governments.

MDE’s regulations that establish environmental noise standards are expressly not applicable to lawn care and snow removal equipment (daytime only) when used and maintained in accordance with the manufacturer’s specifications.

Reduction of Greenhouse Gas Emissions

The Climate Solutions Now Act of 2022 (CSNA) (Chapter 38), among other things, requires the State to reduce statewide greenhouse gas emissions by 60% from 2006 levels by 2031.

State Fiscal Effect: State expenditures (all/multiple funds) for multiple agencies increase significantly, beginning in fiscal 2025, due to (1) costs associated with various State agencies' migration of their fossil fuel-powered lawn and garden care equipment to electrically powered alternatives, including higher upfront costs for the electrically powered alternatives compared to fossil fuel-powered equipment and (2) increased costs for State agencies' landscaping contracts, due to the need for State contractors to migrate to electrically powered alternatives under the bill.

A number of State agencies have provided estimates of the bill's impact that quantify costs to the extent possible. Several of the estimates do not fully quantify the costs the agencies expect to incur; however, the quantified costs nonetheless collectively total more than \$4.5 million annually from fiscal 2025 through 2029. The Department of Natural Resources' and the Department of Public Safety and Correctional Services' estimates contain the largest amounts of quantified costs, each surpassing \$1.0 million annually, if it is assumed their costs associated with the bill are incurred over the course of fiscal 2025 through 2029, as fossil fuel-powered equipment is phased out over that period prior to January 1, 2030. The Department of Legislative Services notes the following about the estimates:

- The estimates do not quantify fuel cost savings resulting from migrating to electrically powered alternatives, which would offset, to at least some extent, the costs associated with the migration.
- As mentioned above, in several cases, the estimates are incomplete in that all expected increased costs were not able to be quantified (such as costs of electric infrastructure upgrades and charging facilities and the extent of increased landscaping contract costs).
- While several agencies attempted to quantify the extent of increased landscaping contract costs, a number of them noted the difficulty of estimating that impact and the uncertainty of those estimated increased costs.

It should be noted that the fiscal impact of the bill may be reduced to the extent State agencies begin to phase out fossil-fuel powered lawn and garden equipment to comply with the greenhouse gas emissions reduction requirement under CSNA even in the absence of the bill.

Small Business Effect: The bill has a meaningful impact on current or future small business landscaping contractors that will need to migrate to electrically powered lawn and garden care equipment in order to be awarded State contracts. Any small businesses that sell lawn and garden care equipment or accessories to the State or State contractors may also be meaningfully affected by the bill's phasing out of the use of fossil fuel-powered lawn and garden care equipment by State government.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 399 of 2023.

Designated Cross File: None.

Information Source(s): Maryland Association of Counties; Maryland Municipal League; Judiciary (Administrative Office of the Courts); Baltimore City Community College; University System of Maryland; Morgan State University; St. Mary's College of Maryland; Maryland Department of the Environment; Department of General Services; Department of Natural Resources; Department of Public Safety and Correctional Services; Maryland Department of Transportation; Department of Legislative Services

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