
By: **Washington County Delegation**
Introduced and read first time: March 6, 2000
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Trees - Permission to Remove Without a Permit**

3 FOR the purpose of authorizing a person to remove a tree from a roadside under
4 certain conditions without a permit from the Department of Natural Resources.

5 BY repealing and reenacting, with amendments,
6 Article - Natural Resources
7 Section 5-406
8 Annotated Code of Maryland
9 (1997 Replacement Volume and 1999 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article - Natural Resources**

13 5-406.

14 (a) Any person who desires to cut down or trim any roadside tree shall apply
15 to the Department for a permit, except that:

16 (1) [if] IF a tree is unrooted or its branches broken so as to contact
17 telephone, telegraph, electric power, or other wires carrying electric current, or if the
18 tree or its branches endanger persons or property, the tree or its branches may be
19 removed without first obtaining a permit from the Department; [and]

20 (2) IF THE TREE OR ITS ROOTS ARE CAUSING ANY CURBING, STREET
21 SURFACE, OR SIDEWALK SURFACE TO BE UNEVEN, THE TREE MAY BE REMOVED
22 WITHOUT FIRST OBTAINING A PERMIT FROM THE DEPARTMENT; AND

23 (3) [a] A tree standing within the right-of-way of a public road which
24 has not been surfaced with either stone, shell, gravel, concrete, brick, asphalt, or
25 other improved surface may be cut down and removed by the abutting landowner for
26 his own use without first obtaining a permit.

1 (b) A person may not cut down, trim, mutilate, or in any manner injure any
2 roadside tree, except as authorized by this section, without a permit from the
3 Department.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2000.