

HOUSE BILL 1311

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0lr3081
CF SB 867

By: **Delegates Beitzel, Buckel, and McKay**

Introduced and read first time: February 7, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Allegany County and Garrett County – Definition of “Tree Expert” – Alteration**

3 FOR the purpose of altering the definition of “tree expert” to exclude, in Allegany County
4 and Garrett County, a person who has participated in a certain program and has
5 been engaged continuously in the practice of timber harvesting for a certain number
6 of years, carries certain liability and property damage insurance, and is compensated
7 for cutting, trimming, or removing certain trees on private property; and generally
8 relating to tree experts.

9 BY repealing and reenacting, with amendments,
10 Article – Natural Resources
11 Section 5–415
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2019 Supplement)

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

16 **Article – Natural Resources**
17 5–415.

18 (a) In this part the following words have the meanings indicated.

19 (b) “Licensed tree expert” means a person who has received from the Department
20 a license displaying the person’s qualifications to practice as a tree expert.

21 (c) (1) “Tree expert” means a person who represents to the public that the
22 person is skilled in the science of tree care or removal and who, whether in the business of
23 the person or as the employee of another person and whether under the title of arborist,
24 tree specialist, tree surgeon, tree expert, or otherwise, engages in the business or work of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the treatment, care, or removal of trees for compensation by:

2 (i) Making diagnoses, prescribing, and supervising the treatment
3 for trees; or

4 (ii) Trimming, pruning, thinning, cabling, shaping, removing, or
5 reducing the crown of trees.

6 (2) "Tree expert" does not include:

7 (i) A person engaged in commercial logging or timber harvesting
8 operations as defined in § 5-1601 of this title;

9 (ii) A person engaged in the installation of underground facilities or
10 any associated site construction; [or]

11 (iii) A person who treats, cares for, or removes a tree, as described in
12 paragraph (1) of this subsection, that is 20 feet tall or less; **OR**

13 **(IV) IN ALLEGANY COUNTY AND GARRETT COUNTY, A PERSON**
14 **WHO:**

15 **1. FOR THE IMMEDIATELY PRECEDING 3 YEARS, HAS:**

16 **A. PARTICIPATED IN THE DEPARTMENT'S MARYLAND**
17 **MASTER LOGGING PROGRAM; AND**

18 **B. BEEN ENGAGED CONTINUOUSLY IN THE PRACTICE OF**
19 **TIMBER HARVESTING;**

20 **2. CARRIES LIABILITY AND PROPERTY DAMAGE**
21 **INSURANCE IN THE SAME FORM AND AMOUNT AS IS REQUIRED FOR A LICENSED TREE**
22 **EXPERT UNDER § 5-418(B) OF THIS SUBTITLE; AND**

23 **3. IS COMPENSATED FOR CUTTING, TRIMMING, OR**
24 **REMOVING TREES ON PRIVATE PROPERTY THAT ARE:**

25 **A. DEAD;**

26 **B. DISEASED; OR**

27 **C. A SAFETY HAZARD TO PROPERTY, BUILDINGS, OR**
28 **OTHER STRUCTURES ON THE PRIVATE PROPERTY.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

1 October 1, 2020.