

Department of Legislative Services  
Maryland General Assembly  
2025 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 362 (Delegate Wolek, *et al.*)  
Environment and Transportation

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Natural Resources - Roadside Tree Removal Permit Notification Act

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This bill requires an applicant for a permit for roadside tree removal to provide notice of the application to (1) all owners of property abutting and adjacent to the property where the roadside tree will be removed and (2) the governing body of any common ownership community that has control over the land on which the tree is located. The applicant must provide the notice by certified mail, return receipt requested, in the form of a copy of the application or information describing how to access the application electronically. Property separated from the property subject to the application by a highway or other public right-of-way is considered abutting and adjacent.

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Fiscal Summary

**State Effect:** The bill is not expected to materially affect State finances, as discussed below.

**Local Effect:** The bill is not expected to materially affect local government finances, as discussed below.

**Small Business Effect:** Potential meaningful.

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Analysis

**Current Law:** “Roadside tree” means any tree or shrub growing within the right-of-way of any public road. To cut down or trim a roadside tree, an individual must submit an application to the Department of Natural Resources (DNR), except in specified cases. A person who trims, cuts, removes, or injures a roadside tree in violation of a permit or

specified DNR regulations, or who fails to obtain a permit, is subject to a penalty of up to \$2,000 for a first offense and up to \$5,000 for a second or subsequent offense.

DNR regulations ([COMAR 08.07.02.04](#)) establish two types of roadside tree care permits. The first type is issued for a specific tree or group of trees for specific tree care operations for up to one year from the date of issuance. The second type is issued for comprehensive and continuing programs of general tree care such as those administered by State agencies, counties, municipalities, corporations, and public utilities. Permits for these programs of general tree care are issued only for specific types of care, based on the skills of those supervising the program. A permittee must obtain a separate tree care permit for tree care not authorized in a permit for a program of general tree care.

**State and local fiscal effect:** Based on the bill's indications that it applies to applications for removal of a specific tree, this analysis assumes that the notice requirements do not apply to permits (described above) for comprehensive and continuing programs of general tree care administered by State agencies and local governments. Any certified mail and return receipt costs incurred by State agencies or local governments to provide notice under the bill of any applications for roadside tree care permits they must obtain for removal of specific trees (separate from any permit for general tree care) are not expected to materially affect State/local finances.

**Small Business Effect:** Small businesses that perform tree removal may be meaningfully affected to the extent the bill's notice requirement affects demand for their services.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** SB 290 (Senator Love) - Education, Energy, and the Environment.

**Information Source(s):** Harford, Montgomery, Talbot, and Wicomico counties; Maryland Association of Counties; City of Frostburg; Office of the Attorney General (Consumer Protection Division); Maryland-National Capital Park and Planning Commission; Department of Natural Resources; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - February 9, 2025  
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