

**HB 1114\_FAV\_MML IN SENATE.pdf**

Uploaded by: Bailey, Angelica

Position: FAV



Maryland Municipal League  
*The Association of Maryland's Cities and Towns*

T E S T I M O N Y

April 1, 2021

**Committee:** Senate Judicial Proceedings

**Bill:** \_\_\_\_\_ HB 1114 – Illegal Dumping and Litter Control Law – Yard Waste

**Position:** Support

**Reason for Position:**

The Maryland Municipal League supports House Bill 1114. This legislation expands the definition of “litter” in the Illegal Dumping and Litter Control Law to include “yard waste.” “Yard waste” is organic plant waste derived from gardening, landscaping, and tree trimming activities, including leaves, garden waste, lawn cuttings, weeds, and pruning. A person who illegally disposes of yard waste is guilty of a misdemeanor, punishable by a mandatory minimum fine of \$50 and a maximum fine of \$300 (first violation) or \$1,000 (second or subsequent violation). A court must order a violator to (1) remove or render harmless the illegally disposed yard waste or (2) reimburse the State, county, municipal corporation, or bi-county unit for its removal costs.

The expansion of the definition of litter is helpful as it allows a municipality to better control the illegal dumping of various types of yard waste in areas where such an activity is prohibited. There have been situations where a person or a commercial landscaping company simply dumps their yard waste in a municipal right-of-way rather than disposing of it legally. It also allowed a city or town to recoup the costs of disposing of the yard waste themselves if such activity is warranted.

The League also appreciates that this measure ensures that if a person is ordered to “remove or render harmless the yard waste disposed or in violation of this section” that the yard waste is disposed of in accordance with a local ordinance, if such an ordinance exists. MML thanks the Sponsor’s attention to this matter, and respectfully requests a favorable report.

**FOR MORE INFORMATION CONTACT:**

Scott A. Hancock

Angelica Bailey

Bill Jorch

Justin Fiore

Executive Director

Director, Government Relations

Director, Research and Policy Analysis

Manager, Government Relations

**Ken-HB1114\_JPRTestimony\_29March2021.pdf**

Uploaded by: Eaton, Ken

Position: FAV

2020 / 2021 Director

Ken Eaton

2020 / 2021 County Representatives

Caroline: Jeff Kinnamon  
Dorchester: John Knox  
Queen Anne's: Ken Eaton  
Talbot: Jimmy Mountzalia



*Dedicated to Freedom of the Road*

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To: The Honorable William C. Smith, Jr., Chairman and Members of the Judicial Proceedings Committee

From: Ken Eaton, Director  
Mid-Shore Chapter  
ABATE of Maryland, Inc.

Date: March 29, 2021

Re: HB 1114 Illegal Dumping and Litter Control Law – Yard Waste – Disposal on Highways

Position: Favorable

ABATE of Maryland, Inc. supports HB1114 as it pertains to safety of all highway users. Yard waste disposed of or blown onto the roadways creates safety and environmental hazards. This bill will clarify the definition of yard waste and provide reasonable penalties for violations.

The safety hazards are created by yard debris in the form of grass clippings and leaves being deposited or disposed of on the roadway. The accumulation of this debris can cause a loss of traction, as grass clippings and leaves have over 70% moisture content. The debris can become very slippery, and the operator of an automobile, motorcycle or bicycle can lose control of the vehicle, causing an accident or injury. In addition, the debris can contain other trash and miscellaneous items such as broken glass, shredded cans, small tree branches, etc.

The environmental hazards can be created by excess debris accumulating in roadside ditches, storm drain inlets / pipes, curb and gutters and other drainage ways. This can cause clogging and poor drainage conditions. In addition, allowing this practice is counterproductive to the efforts of many municipalities and counties that are constantly trying to meet the NPDES MS4 permitting to address the Chesapeake Bay TDML requirements. Excess nutrients from the debris can runoff into our waterways and end up in tributaries that lead to the Chesapeake Bay.

Kenneth B. Eaton, Director  
Mid-Shore Chapter  
ABATE of Maryland, Inc.

# **2021 HB1114 illegal dumping - Director Abate 3 30**

Uploaded by: Sawyer, Kenneth

Position: FAV



# ABATE OF MARYLAND, INC.

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*Dedicated to the Freedom of the Road and Responsible Motorcycle Legislation*

## MEMORANDUM

TO: The Honorable William C. Smith, Jr. Chairman and Members of the  
Judicial Proceedings Committee

FROM: Executive Director, Kenneth V. Sawyer, Abate of Maryland, Inc.

DATE: March 30, 2021

RE: **HB1114- Illegal Dumping and Litter Control Law – Yard  
Waste – Disposal on Highways**

POSITION: **FAVORABLE**

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Abate of Maryland, Inc. is for keeping our public roads safer and, as the voice of motorcyclists throughout the state of Maryland, we are in favor of the proposed amendments to HB1114. The proposed amendments to this bill provide a clear and concise definition of what constitutes yard waste and reasonable penalties for violations.

Our members are concerned about the potential hazards occurring on our Maryland roadways due to grass and debris carelessly or improperly scattered by citizens who are unaware of the dangers this presents to motorcyclists and the environment.

Passage of this bill is in the best interests of all Marylanders for several reasons:

1. it would reduce environmental damage from pesticide runoff into our waterways,
2. it would reduce roadway accidents and injuries from debris in the roadway (including accidents caused from ponding of water due to blocked storm drains),
3. it would preserve the beauty of our neighborhoods and roadways, and
4. it would reduce county and state costs for removal of debris from the roadway or to unblock storm drains.

Kenneth V. Sawyer, Executive Director  
Abate of Maryland, Inc.

# **HB1114 – Illegal Dumping & Litter Control Law–Yard**

Uploaded by: Tulkin, Josh

Position: FAV





7338 Baltimore Ave  
Suite 102  
College Park, MD 20740

**Committee: Judicial Proceedings**

**Testimony on: HB1114 – “Illegal Dumping and Litter Control Law – Yard Waste – Disposal on Highways”**

**Hearing Date: April 1, 2021**

**Position: Favorable**

The Maryland Sierra Club requests a favorable report on HB1114. This bill expands the Illegal Dumping and Litter Control Law by prohibiting a person from disposing of “yard waste” on a highway. A person who illegally disposes of yard waste is subject to a maximum civil penalty of \$300 for a first violation or \$1,000 for a second or subsequent violation. In addition to these penalties, a court may order a violator to (1) remove or render harmless the illegally disposed yard waste, in accordance with applicable local laws and regulations, or (2) reimburse the State, county, municipal corporation, or bi-county unit for its removal costs.

Unsightly dumping of green waste such as leaf litter and yard waste is problematic for many reasons. Improper disposal along highways and public lands is a wildfire risk, is dangerous to small vehicles and boats, and can block drains resulting in flooding.<sup>1</sup> Leaf litter also is a leading cause of phosphorus in stormwater.<sup>2</sup>

Piles of yard waste can become epicenters for invasive species<sup>3</sup> that can act as agricultural pests. These plant invaders can spread and destroy the biodiversity that protects against stormwater loss and promotes resilience to climate change (see Figure 1). The seeds and other growing parts inside the yard waste can fan out and destroy trees and harm farm management.

Leaf “litter” is actually an important ecosystem. For example, when leaves are left where they fall, many immature and adult butterflies live there during the winter. Additionally, leaves left in yards provide a habitat for caterpillars who in turn are an important source of food for birds. Research indicates one of the reasons for the decreased number of birds is the lack of caterpillars.<sup>4</sup> Public education about the

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<sup>1</sup> Five Dangerous Effects of Green Waste Dumping (May 8, 2017) <https://ecoparts.com/5-dangerous-effects-green-waste-dumping/#:~:text=Altered%20Biodiversity%20When%20green%20waste,they%20lose%20access%20to%20sunlight.&text=Depending%20on%20the%20plants%20present,the%20biodiversity%20of%20the%20area> .

<sup>2</sup> Selbig, W. R. (November 2016). Evaluation of leaf removal as a means to reduce nutrient concentrations and loads in urban stormwater. *Science of the Total Environment*, 571, 124-133. <https://www.usgs.gov/news/removal-fallen-leaves-can-improve-urban-water-quality#:~:text=The%20USGS%20led%20study%20found,prior%20to%20a%20rain%20event> .

<sup>3</sup> Plaza, P. I., Speziale, K. L., & Lambertucci, S. A. (2018). Rubbish dumps as invasive plant epicentres. *Biological Invasions*, 20, 2277-2283. <https://link.springer.com/article/10.1007/s10530-018-1708-1#:~:text=Rubish%20dumps%20can%20act%20as,distant%20sites%20through%20different%20pathways.&text=Dumps%20may%20favour%20the%20spread,but%20also%20to%20distant%20sites>.

<sup>4</sup> Rosenberg, K. V., et al. (04 October, 2019). Decline of North American avifauna. *Science*, 366(6461), 120-124. DOI: 10.1126/science.aaw1313 <https://science.sciencemag.org/content/366/6461/120>

benefits of keeping leaf litter onsite, and information on available resources in jurisdictions to properly dispose of yard waste and invasive plants, provide alternatives to highway dumping.

For these reasons, we urge you to support HB1114.

Lily Fountain  
Chair, Natural Places Committee  
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Josh Tulkin  
Chapter Director  
josh.tulkin@mdsierra.org



*Invasive plants growing out of yard waste dumped in Maryland park .*  
Photo Credit: Janet Gingold

Founded in 1892, the Sierra Club is America's oldest and largest grassroots environmental organization. The Maryland Chapter has over 75,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters

# **MNCPPC Position Statement HB 1114 Litter Control -**

Uploaded by: Rose, Sheronda

Position: FWA



## **POSITION STATEMENT**

**Bill:** HB 1114 – Illegal Dumping and Litter Control Law – Yard Waste – Disposal on Highways

**Position:** SUPPORT W/ AMENDMENTS      **Date:** March 30, 2021

**Contact:** Adrian R. Gardner, General Counsel

**What The Bill Does:** This bill would add “yard waste” to the list of materials prohibited from being dumped in public parks and on highways, and also authorize civil fines and mandatory removal for violations established at trial.

**Why We Support:** As the steward of more than 52,000 acres of parkland situated within our bi-county region, the Maryland-National Capital Park and Planning Commission (“Commission”) favors employing a wide array of public policies intended to protect the quality and character of the properties we hold in trust for Maryland communities.

Dumping in Commission parks is an ongoing battle. Yard waste dumped on and near park property is problematic because of the variety of neighboring properties, including highways, that allow for easy access and opportunity for undetected illegal dumping. Even though yard waste consists mostly of natural material, it has the potential to destroy natural ecosystems and creates eyesores nevertheless.

The bill would provide an additional tool to prohibit dumping and allow the Commission to remediate yard waste dumped on park property by holding the violator responsible for removal or reimbursement to the Commission for costs incurred to remove.

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# **2021 PHI Testimony HB 1114 Illegal Dumping and Lit**

Uploaded by: Lanzarotto, Kathryn

Position: INFO



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An Exelon Company



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An Exelon Company

April 1, 2021

112 West Street  
Annapolis, MD 21401  
410-269-7115

**Informational- House Bill 1114 – Illegal Dumping and Litter Control Law – Yard Waste – Disposal on Highways**

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) appreciate the opportunity to comment on **House Bill 1114 – Illegal Dumping and Litter Control Law – Yard Waste – Disposal on Highways**. House Bill 1114 would prohibit a person from disposing of yard waste on a highway or private property. The bill defines yard waste as organic plant waste from gardening, landscaping and tree trimming as well as leaves, garden waste, lawn cuttings, weeds and pruning's. The bill also establishes a penalty for the disposal of yard waste on a highway or private property starting at \$300 for the first infraction and increasing to up to \$1000 for any second or subsequent offense.

As originally drafted, House Bill 1114 would significantly slow down storm response activities and impact a utilities routine tree trimming and vegetation management program. Pepco and Delmarva Power's first priority in any storm is to restore electric service to customers as quickly and as safely as possible, and to keep electrical facilities safe. To achieve these goals, Pepco and Delmarva Power crews are responsible for cutting, trimming or removing trees or branches from our equipment in an effort to restore service and ensure future reliability. Under this bill, utilities would be required to remove storm debris, which would severely hinder timely restoration efforts and increase costs to customers.

In addition, Pepco and Delmarva Power's Vegetation Management program is designed to minimize service interruptions by clearing limbs, trees, vines, and other vegetation away from power lines. By doing this before the vegetation has a chance to cause power supply interruptions, we can increase reliability of our electric service. In rural and wooded areas, it is a common practice, and allowed under the Maryland Roadside Tree law, to disperse wood chips from active tree trimming operations into the adjacent wooded area. To impose a penalty for common practices that are allowed under the Maryland Roadside Tree law would add cumbersome restrictions to Pepco and Delmarva Power's vegetation management program.

As such, Pepco and Delmarva Power agree with the amended version of the bill before you which clarifies that an electric utilities tree trimming activity would not be included in the definition of yard waste as it is currently defined.

Contact:

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