



February 23, 2022

Chair C.T. Wilson
Maryland General Assembly
Economic Matters Committee
Room 231
House Office Building
Annapolis, Maryland 21401

Landscape Industry Opposition to HB 943 Gasoline Powered Leaf Blowers

Dear Chairman Wilson,

The National Association of Landscape Professionals (NALP) is the national trade organization representing the \$98 billion landscape industry employing over 1.4 million employees in the United States. Member companies specialize in lawn care, landscape maintenance, tree care, irrigation and water management. Landscape professionals throughout the nation work daily performing essential services to homes and businesses to maintain their landscapes, sustain the environment and enhance and maintain healthy and safe green spaces.

We share Delegates Foley, Fraser-Hidalgo, and Ruth and other policymakers' intent to reduce carbon emissions from gas-powered leaf blowers as quickly as possible. Still, we must do so in a responsible manner that mitigates the negative financial impact on the landscape industry that relies significantly on the ability to use high performing leaf blowers. The landscape industry in Maryland has more than 5,000 companies, 99% of these businesses are considered small businesses and a vital industry for entrepreneurs throughout the state of Maryland.

Leaf blowers are essential for landscape industry professionals. This is because these machines are efficient tools for cleaning up leaves, grass, fertilizer granules, and other small debris from lawn and landscape sites. Since their development in the 1970s, to a large extent, leaf blowers have supplanted brooms, hoses, and rakes. Leaf blowers even perform functions that no other tool can handle effectively, such as cleaning areas covered by rock, gravel, bark, or mulch. Leaf blowers save enormous amounts of time. Most estimates suggest that it takes at least five times as long to lean a typical landscape site with a broom and rake than it does with a power leaf blower.

Landscape professionals work every day to take care of Maryland's green spaces. The landscape industry cares deeply about the environment, and we do support a responsible transition to zero-emission leaf blowers. However, the 2025 timeline proposed in HB 934 is too fast of a transition

for commercial users. In addition, the commercial-grade battery-powered equipment currently on the market has significant performance issues and cost issues.

Performance

Equipment performance and run-time are common concerns for landscape professionals and present technological challenges that must be overcome for widespread use of electric leaf blowers. Unlike a homeowner that uses an electric powered leaf blower for less than an hour, maybe in a given week, the landscape industry is operating commercially using this equipment daily, under rigorous conditions and during long durations. Also, many landscape professionals operate on commercial properties like corporate campuses, parks, resorts and other large green spaces which demand stronger performance and power capabilities. Unfortunately, the available electric leaf blowers is not capable of this sort of use pattern currently.

Data provided by one major equipment manufacturer that produces both gas and electric equipment illustrates the challenge. In a side-by-side comparison the performance of the electric leaf blower immediately begins to decline the moment it begins until the battery dies only 18 minutes later, while the gas-powered blower maintains a strong performance the entire hour and without unnecessary downtime to change batteries.

Cost

The entire cost for transitioning away from gas powered leaf blowers must be completely understood and realized. First, there is the immediate cost of purchasing the actual equipment, which by itself is not that different. Where the price starts to jump is when you factor in the cost of batteries, the cost to change and retrofit your shop and how you handle inferior products in the midst of a labor crisis.

From a battery perspective they are expensive and you need multiple per each piece of equipment. One major equipment manufacturer's most advanced electric commercial/professional grade *backpack blower* has \$379 manufacturer's suggested retail price (MSRP), this is without a charger. The battery cost for this unit ranges from \$870 to \$1,100 MSRP, more than double the price for the actual equipment. For a *handheld leaf blower* the professional batteries range from \$120 - \$240 and based on only 18 – 22 minutes run time we estimate that a typical leaf blower would need nearly 10 batteries to complete routine daily tasks escalating prices of batteries per unit to approach \$2,400.

Compatibility is also an issue for batteries. Battery technology for leaf blowers is proprietary information and therefore the batteries are not compatible between different manufacturers. This presents a problem because it would require landscape companies to move to a single manufacturer approach rather than using different equipment from different manufacturers. This could lead to companies being locked into one manufacturer, reduce competition, and strengthening manufacturer influence over the company based on their specific needs.

The infrastructure on both the micro and the macro level is not currently in place to fully support this transition. On the micro level landscape companies will need to fully retrofit their shops to

support the amount of voltage that will need to be used each day to safely charge all of the electric leaf blowers. Vehicles used to transport crews and equipment will also need to be redesigned to support charging stations to ensure complete operational capabilities once out in the field, this will raise the overall “cost” factor detailed above significantly. From a macro level there is currently not enough electric equipment in the stream of commerce due to supply chain issues and even if the equipment were available the dealerships that play a critical role in assisting in maintaining this equipment is not yet in place.

The last issue with cost that we want to address is labor. Electric leaf blowers lack the same performance capabilities detailed above and require frequent battery changes both of which reduce the productivity and efficiency of a landscape crew in the field. This reduction in productivity puts landscape companies in a tough spot since they are already faced with a historic work force crisis. This proposal pushes an industry that cannot find enough willing and capable employees to now rely on less efficient equipment that takes more time and requires additional labor to perform the same task in the same amount of time to remain competitive and profitable.

All of this considered together (equipment cost, battery cost, increased labor) represents significant cost impediments to make a complete transition to electric leaf blowers by 2025.

Unenforceable & Federal Preemption

Aside from the barriers from the perspective of the landscape industry there are also practical and legal matters to consider. First, this legislation will be very difficult to enforce and will likely lead to additional problems and conflicts. Where is the funding coming from to enforce this? Who will enforce this? Should police be brought into handle disputes? We have seen in California those that don’t understand that in California the “use” of gas powered equipment has not been banned yet we have seen social media posts of angry neighbors getting into altercations with landscape professionals and their crews. We also believe this will lead to neighbor versus neighbor disputes. All of these are unintended consequences of passing a policy to ban the use of equipment when there is not yet a viable alternative.

The Clean Air Act (CAA) is the federal statute that outlines the statutory and regulatory paradigm that emissions are regulated in the United States. Under the CAA, Congress delegated to California the exclusive authority to also regulate emissions but only after being granted a waiver that must be approved by the U.S. Environmental Protection Agency (EPA). The other 49 states are federally preempted to act in this manner until California has been granted this waiver. As currently drafted this legislation is attempting to regulate the sale and use of leaf blowers based on emissions and therefore this legislation is federally preempted. If passed the state of Maryland would be subject to legal action from homeowners and businesses that are adversely impacted by this legislation.

The Solution

The professional landscape industry would ask that the Maryland legislature take a different approach. Rather than forcing companies to operate with electric leaf blowers that do not meet their need we would suggest incentivizing via rebate programs to subsidize the purchase of new equipment to lessen the expense and burden. This will reward early adopters rather than penalize small companies that will have a more difficult time making this transition. For example, the state of Washington is pushing forward legislation that would eliminate sales tax for gas powered landscape equipment which has received strong support from a diverse group of stakeholders. California has already pledged \$30 million last year to ease the transition and are asking for even more in 2022 as part of annual process to support a transition.

As the technology advances the gas-powered equipment can be phased out and we also believe customer demands (especially in the commercial sector of the landscape industry) will increase to require the use of electric powered leaf blowers.

In Conclusion

For the reasons stated herein, NALP supports a responsible transition to electric leaf blowers. Unfortunately, we believe that due to the performance, cost and infrastructure issues that this transition cannot occur by the year 2025 but we would welcome the idea of working on proactive legislation that begins to encourage this transition rather than setting a premature mandate and penalizing the thousands of small businesses that rely on this equipment.

Sincerely

A handwritten signature in blue ink, appearing to read 'A. Bray', with a stylized flourish at the end.

Andrew Bray
Vice President of Government Relations
National Association of Landscape Professionals