

Testimony on House Bill 0934
Gasoline-Powered Leaf Blowers - Sale, Offering for Sale, and Use – Prohibition

My name is Dr. Marea Hatzios Grant. I am a resident of Chevy Chase Village, where I chair the Village's Environment and Energy Committee, a position I have held for over a decade. Chevy Chase Village is an independently incorporated municipality within Montgomery County. We are a community of 650 Households with our own Police Force. Chevy Chase Village was the first community in Montgomery County to adopt a ban, similar to the one passed in the District of Columbia, on the sale and use of Gas Leaf Blowers (GLBs). The ban was adopted unanimously by our 7-member Village Board of Managers in December 2019 (one year after the ban in the District was enacted). But it became effective on the same date as the ban in the District, i.e., on January 1, 2022. Following a comprehensive education and outreach campaign and a survey of public sentiment, the Board responded to the overwhelming desire of residents to adopt and implement a ban on the use of GLBs with minimal delay. Given that many of the landscape contractors who operate in Northwest DC also operate in our community and in other parts of the County, our Board of Managers concluded that a three-year waiting period was not necessary. Most landscape contractors would have already begun to plan for the transition from gas to battery-powered leaf blowers with the adoption of the DC ban the year before. It would be cleaner and less confusing to landscape contractors and retailers in the area if the ban in GLBs in Chevy Chase Village mirrored the DC ban in both content and date of enforcement.

The ban on GLBs has now been in effect in Chevy Chase Village since January 1 of this year. In that 7 week period, only 4 violations have been reported—and only two of these in connection with landscape use. Villagers report that the neighborhood is blissfully quiet—that landscape contractors are using battery-packs and blowers and, for the first time, rakes! That is in sharp contrast to the number of noise complaints received about the illegal use of leaf blowers exceeding noise limits under County and Village Noise Ordinances governing leaf blower use. In 2019 there were 21 formal complaints; in 2020 there were 66 complaints; and in 2021 there were 23 complaints. These numbers were, in fact, underestimates of actual violations of the existing noise ordinance due to the way the law was written—stipulating a limit on decibel levels at a fixed distance from the source, which required a calibrated noise meter reading and verification of the violation through a photograph or witness, involving direct contact with the operator. Thus, not only was the law which dated from the last century difficult if not impossible to enforce as written, it was based on outmoded technology and on a standard that exceeded WHO thresholds for damaging noise levels.

The harmful health impacts of noise generated by gas powered leaf blowers have been well-documented in the scientific literature, and are included elsewhere in the testimony of others regarding this Bill. In brief, the health and environmental impacts from GLBs are significant. They are particularly noxious for operators of GLBs in that they accumulate over time. Repeated exposure to the noise and other emissions of GLBs can be extremely debilitating for those at close range, resulting in loss of hearing over time and reduced life-expectancy. Physiological stress to those within range of the penetrating noise of GLBs may result in cardiovascular disorders, and for those with respiratory problems, or in vulnerable age groups (e.g., children and the elderly), the added stress from black carbon and other particulate aerosols can lower immunity and aggravate existing conditions.

Taken together, these impacts constitute a public health hazard and a drag on society. The costs in terms of human health, quality of life and the environment from the use of GLBs are substantial. But they are not an inevitable cost of doing business. Clean technology has caught up with the multi-billion-dollar landscape industry. It is possible to have a well-groomed yard without jeopardizing public health

or violating one's neighbors' rights to enjoy peace and quiet in their own yards. Thanks to advances in the design and manufacture of battery powered equipment over the last several years there is a remedy that is accessible, affordable and effective. What is more, compliance with a law that would ban the use of harmful technology in favor of healthier alternatives is readily enforceable. Replacing gas powered leaf blowers with cleaner and quieter battery-powered (or electric) blowers has been documented in communities across the country.

The benefits to those communities that have made the switch are clear and convincing:

- **Quieter** neighborhoods no longer subject to the pervasive and year-round drone of GLBs
- **Healthier** communities in which residents, pets and wildlife can thrive
- **Safer** operating conditions for landscape crews
- **Affordable** lawncare that seeks to eliminate environmental externalities
- **Lower** maintenance and operating costs that accelerate return on investment
- **Enforceable** regulations based on easy identification and documentation of illegal GLBs
- **Creating** consumer demand and **driving** market transformation toward greener practices

While I strongly support a statewide ban on the sale and use of GLBs as outlined in HB 0934, there is a strong case to be made for accelerating adoption of the ban in Maryland. Industry already has access to alternatives. The shift away from gas-powered landscaping equipment is gaining momentum in communities across the country. Capital costs should not be perceived as a significant barrier to adoption of the new technology. Replacing equipment is part of any commercial operators' business plans and investing in green technology will enhance competitiveness in the near term. In both the District and communities in Montgomery County, rebates for trading in old equipment and financing of new, battery-powered equipment are available, along with other incentives, to small operators. Many homeowners are willing to pay a small premium on their landscape contracts to help cover the cost of switching to battery powered equipment. A three-year delay in banning the use of GLBs, as outlined in the current draft of HB 0934, places an unjustifiable burden on residents who are already bearing the cost of violations of existing noise ordinances and the failure of government to enforce the law. In light of the above and the extensive media and public education on the subject that has already gone on in Montgomery County and the District of Columbia, a one-year delay from the adoption of the ban to its enforcement in the State should be sufficient to allow for an equitable transition away from gas powered blowers. A longer delay will signal that MD is out of step with its own commitment to greener practices and will render the state vulnerable to future litigation for failure to enforce existing laws on noise and related public health standards.

Thus, I strongly urge the Committee on Economic Matters to consider an amended version of HB 0934 which would accelerate the timetable for banning the sale and use of GLBs in the State. Montgomery County is already proposing to shorten the time frame to 1.5 years in a similar bill before the County Council.

Thank you very much for your consideration of this testimony.

Sincerely,

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