



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Acting Secretary
Allan Fisher, Deputy Secretary

March 2, 2023

BILL NUMBER: Senate Bill 586 – First Reader

SHORT TITLE: Natural Resources - Licensed Tree Experts - Alterations

DEPARTMENT'S POSITION: LETTER OF INFORMATION

EXPLANATION OF DEPARTMENT'S POSITION

The Department provides this letter of information on SB 586. The bill includes penalty provisions for certain violations of licensed tree expert law. Proposed language that removes the ability to supervise more than one company while including language that requires that the licensed tree expert only supervise employees implies that the owner is the licensed tree expert, which is a discernible shift to the industry. The Department will also work to clarify what is required of a licensed tree expert with regard to workers' compensation insurance.

BACKGROUND INFORMATION

The Department is charged with implementation and enforcement of the Tree Expert statute which is considered a consumer protection law. The law licenses only individuals and not companies. A license is required by any person who performs tree care work, including removals, on trees over 20 feet tall for compensation. In order to obtain a license, the person must have three year's work experience under a licensed tree expert, pass the exam and show proof of liability and property damage insurance prior to being issued a license. The Maryland Forest Service posts the licensees' contact information on the MD Licensed Tree Expert website which can be queried by license number, company name and their work area by county(ies). This website is to assist the public with hiring licensed companies as well as verifying licenses.

The statute had been previously amended during the 2014 Session (CH 101) to enable licensed tree experts to supervise more than one company. Currently of the approximately 1,300 licensed tree experts, 40 supervise 99 companies in addition to the initial one. Of this, 29 work for one company and then also have their own tree care company. The remaining 11 supervise more than two companies. These companies may be family members trying to obtain the mandatory three years of experience, or other companies also trying to reach that goal.

BILL EXPLANATION

This bill would increase the fines paid by those individuals found guilty of noncompliance with the statute. The bill also removes the ability for a licensee to supervise more than one company by requiring the employer to be licensed and requires the license to carry workers compensation insurance on their person while engaged in tree care work.

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