

REQUESTED AMENDMENTS (in red and blue)

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Roadside Tree Removal Permit Notification Act**

3 FOR the purpose of requiring an applicant for a roadside tree removal permit to provide
4 certain notice to certain persons in a certain manner; and generally relating to
5 roadside tree removal permits.

6 BY repealing and reenacting, without amendments,

7 Article – Natural Resources

8 Section 5–401

9 Annotated Code of Maryland

10 (2023 Replacement Volume and 2024 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – Natural Resources

13 Section 5–406

14 Annotated Code of Maryland

15 (2023 Replacement Volume and 2024 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Natural Resources**

1 5-401.

2 In this subtitle, "roadside tree" means any tree or shrub growing within the
3 right-of-way of any public road.

4 5-406.

5 (a) Except as provided in subsection (b) of this section, any person who desires to
6 cut down or trim any roadside tree shall apply to the Department for a permit.

7 (b) (1) A person may remove a tree or its branches without first obtaining a
8 permit from the Department if the tree is unrooted or its branches broken so as to contact
9 telephone, telegraph, electric power, or other wires carrying electric current, or if the tree
10 or its branches endanger persons or property.

11 (2) A tree may be cut down and removed by an abutting landowner for the
12 landowner's own use without first obtaining a permit if the tree is standing within the
13 right-of-way of a public road which has not been surfaced with either stone, shell, gravel,
14 concrete, brick, asphalt, or other improved surface.

15 (c) (1) AT THE TIME OF APPLICATION, AN AN APPLICANT FOR A AN INDIVIDUAL
16 PERMIT FOR ROADSIDE TREE REMOVAL
16 SHALL PROVIDE NOTICE OF THE APPLICATION TO:

17 (i) ALL OWNERS OF PROPERTY ABUTTING AND ADJACENT TO
18 THE PROPERTY SUBJECT TO THE APPLICATION; AND

19 (ii) THE GOVERNING BODY OF ANY COMMON OWNERSHIP
20 COMMUNITY THAT HAS CONTROL OVER THE LAND ON WHICH THE TREE SUBJECT TO THE
21 THE APPLICATION IS LOCATED.

22 (2) THE APPLICANT SHALL PROVIDE NOTICE BY CERTIFIED MAIL,
23 RETURN RECEIPT REQUESTED, IN THE FORM OF:

24 (i) A COPY OF THE APPLICATION; OR

25 (ii) INFORMATION DESCRIBING HOW THE APPLICATION MAY BE
26 ACCESSED ELECTRONICALLY.

(3) PROPERTY SEPARATED FROM THE PROPERTY SUBJECT TO THE APPLICATION BY A HIGHWAY OR OTHER PUBLIC RIGHT-OF-WAY SHALL BE CONSIDERED ABUTTING AND ADJACENT.

(D) THE NOTICE REQUIREMENT IN SUBSECTION (C) OF THIS SECTION DOES NOT APPLY TO:

(1) STATE OR LOCAL GOVERNMENTS, TO INCLUDE SANITARY COMMISSIONS, WATER AND SEWER AUTHORITIES, AND M-NCPPC;

(2) PUBLIC UTILITIES—SERVICE COMPANIES; OR

(3) APPLICANTS REQUESTING TO RENEW BLANKET PERMITS.

~~(DE)~~ A person may not cut down, trim, mutilate, or in any manner injure any roadside tree, except as authorized by this section, without a permit from the Department.

[(d)] ~~(EF)~~ A county or municipality may not issue a building permit to an applicant for any clearing, construction, or development that will result in the trimming, cutting, removal, or injury of a roadside tree until the applicant first obtains a permit from the Department in accordance with this section.

[(e)] ~~(FG)~~ A person who trims, cuts, removes, or injures a roadside tree in violation of a regulation adopted under § 5–402 of this subtitle or a permit issued under this section or who fails to obtain a permit as required by this section is liable for the imposition of a penalty:

(1) Not exceeding \$2,000 for a first offense; and

(2) Not exceeding \$5,000 for a second or subsequent offense.

16 SECTION 2. On or before July 1, 2025, the Department of Natural Resources shall update its roadside tree permit database and publish on its website a dashboard for tracking the status of roadside tree permit applications.

1617 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2025.