Government News

Montgomery County bans gas-powered leaf blowers

Legislation will be effective on sales in 2024, with full restriction rollout set for 2025

by **Ginny Bixby** September 27, 2023 12:29 pm

Credit: Getty Images

The Montgomery County Council passed a bill Tuesday that will ban the sale and use of gas-powered leaf blowers within the county. A ban on sales will take effect July 1, 2024, followed by a ban on use effective July 1, 2025. The legislation is considered a noise ordinance and an environmental protection measure.

Councilmembers spent multiple hours on Tuesday debating the specifics of the legislation, which has been working through the council for over a year. It passed 10-1, with councilmember Gabe Albornoz (D-At-large) voting against the ban.

In June 2022, then-Council President Albornoz i**ntroduced a bill** on behalf of County Executive Marc Elrich's administration that would ban the sale and use of gas-powered leaf blowers or leaf vacuums countywide. The legislation also directs the head of the Department of Environmental Protection to create a program that would partially reimburse owners of the gas-powered equipment as long as they switch to electric leaf blowers and vacuums.

Fines will be $500 for a first offense, and $750 for repeat offenses. Councilmembers said the first several months of enforcement will focus mostly on education about the ban, and that fines would not be issued right away.

The ban will primarily be enforced by Department of Environmental Protection officials, who could receive complaints by residents via photographic evidence or hear from at least two witnesses who see the violation. Councilmembers voiced support for a memorandum of understanding between the DEP, and the Montgomery County Police Department, to prevent police involvement in enforcement.

"[My concern is that] the first time [a landscaper] knows that there's a ban when one of the neighbors comes out and starts taking a video of them and calling the cops," said councilmember Marilyn Balcombe (D-Dist. 2). "Now we've all heard that we're not supposed to call the police when this happens, but that's what's going to happen."

Some local municipalities have already banned gas-powered leaf blowers in some form. Somerset, Chevy Chase Village and the town of Chevy Chase all issued bans in 2022. Washington, D.C., also banned gas-powered leaf blowers on Jan. 1, 2023.

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The county will still have to work through how to issue rebates. A proposed rebate would have provided $100 upon trade-in of a gas-powered leaf blower, which can cost between $100 and $400 at many major retailers. Under the legislation, this rebate would only be

provided to individuals and businesses, not municipal departments and schools.

However, an amendment brought forward by Councilmember Will Jawando (D-At-large) and approved by the council will not require trade-in of a gas-powered leaf blower to receive the rebate. Christine Wellons, the council's senior legislative attorney, said the council will have to decide how it wants to award rebates and how leaf blower owners will qualify before the regulation goes into effect.

The idea of the rebate is to off-set the cost of switching for small business owners and contractors who use leaf blowers for landscaping and other work.

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"The community that actually works in this industry is my immigrant community," said councilmember Natali Fani-González (D-Dist. 6). "And we need time to get them educated, to get them to know the tools and educate about the rebate program."

Fani-González requested that the Department of Environmental Protection particularly target the Latino community in public service announcements and advertising on Spanish-language television news stations and radio stations. Balcombe voiced similar support for widespread community outreach regarding the issue.

"My overarching concern is that people in the know are going to get the money, and

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the people who are out there doing the work day in and day out won't even know that [the rebate] exists," Balcombe said.

An amendment introduced by councilmember Sidney Katz (D-Dist. 3) will require local

retailers that sell gas-powered leaf blowers to display signage notifying customers of the upcoming ban on sales until it takes effect.

The introduction and, in some cases, withdrawal of amendments and amendments to amendments, led to tense debate between councilmembers. Albornoz voiced his frustration with the time it had taken to get to a vote on the bill, which was introduced more than a year ago to a different council.

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"There has been little to no engagement of the landscaping community on this issue," Albornoz said. "I take great issue with there being a concern in expediting the fashion in the manner in which we discuss legislation, which I think has been a general problem of this body for quite some time."

Balcombe argued that the legislation has taken so long because it's so detailed.

"There were many, many questions about how the rebate program is going to work, how the communication is going to work, many people expressed concern about whether the communication outreach is going to reach the very people that we need to reach," Balcombe said. "I think that this is a situation where the devil is in the details and we're passing legislation, we're making decisions without really understanding how the program's going to work."

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At a public hearing a year ago, community members expressed mixed views on the legislation, with some supporting the environmental protection goals of the ban, and some farmers voicing concern that it will make their work more difficult.