

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

EXPEDITED BILL 19-25: NOISE CONTROL – LEAF REMOVAL EQUIPMENT – SEASONAL EXEMPTION

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 19-25 will have a negative impact on racial equity and social justice (RESJ) in the County. Latinx-owned businesses may disproportionately benefit from a seasonal exemption to the ban on gas-powered leaf blowers by avoiding costs to transition to electric leaf-blowers. This could help prevent widening the profit gap between Latinx and White-owned businesses. This could also help avoid job instability for landscaping employees who are disproportionately Latinx. However, these benefits would likely be outweighed by the health risks to landscaping employees of continuing to operate gas-powered leaf blowers.

PURPOSE OF RESJ IMPACT STATEMENTS

RESJ impact statements (RESJIS) evaluate the anticipated impact of legislation on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other People of Color (BIPOC) and communities with low incomes. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is important to achieve RESJ.¹ This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.²

PURPOSE OF EXPEDITED BILL 19-25

In September 2023, the County Council passed Bill 18-22.³ This Bill established a ban on the sale of gas-powered leaf blowers beginning on June 1, 2024. It also completely banned the use of gas-powered leaf blowers beginning on July 1, 2025.⁴ This Bill aimed to reduce noise pollution and greenhouse gas emissions associated with the use of gas-powered leaf blowers.⁵

The purpose of Expedited Bill 19-25 is to create a seasonal exemption to the ban on gas-powered leaf blowers. The exemption would apply for landscaping companies that own or operate a business in the County. If enacted, Bill 19-25 would:⁶

- Establish an exemption for professional landscaping companies to use gas-powered leaf blowers between October 1 and December 31 only between 8 AM and 8 PM on weekdays; and
- Sunset this exemption three years after the Bill becomes law.

The Council introduced Expedited Bill 19-25 on June 17, 2025.

This RESJIS builds on the one for Bill 18-22, Noise Control – Leaf Removal Equipment – Amendments, which OLO published in August 2022.⁷ Please refer to this RESJIS for background on entrepreneurship, landscape contracting, leaf blowers, and racial equity.

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ANTICIPATED RESJ IMPACTS

Bill 19-25 would exempt landscaping companies from the County's ban on gas-powered leaf blowers between October 1 and December 31. While leaf blowers can be used year-round, they are most frequently used during the fall to gather leaves. Thus, the exemption period proposed in this Bill aligns with the peak usage period of leaf blowers.

To consider the anticipated impact of Bill 19-25 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

OLO identified the following groups who would be impacted by Bill 19-25:

- **Landscaping business owners** would benefit from avoiding costs to transition to electric leaf blowers. By allowing them to continue the status quo of their operations during the peak usage period for leaf blowers, the Bill would likely help landscaping business owners avoid a considerable amount of transition costs for at least three years.

A 2011 study commissioned by the U.S. Hispanic Chamber of Commerce found that, nationally, compared to their share of business ownership across all sectors, Latinx-owned businesses were overrepresented in the landscaping industry.⁸ More recent local data suggests Latinx-owned businesses may also be overrepresented in the County's landscaping industry. As shown in Table A (Appendix) Latinx-owned employer businesses in the County are overrepresented in the Administrative and Support and Waste Management and Remediation Services industry that includes landscaping businesses. Notably, White-owned businesses are also overrepresented in this industry.

As noted in the RESJIS for Bill 18-22, there is a wide revenue gap between White-owned and BIPOC-owned businesses,⁹ which also leads to a wide profit gap after accounting for costs. Table B (Appendix) shows that in the local Administrative and Support and Waste Management and Remediation Services industry, Latinx-owned businesses only account for 12 percent of revenue. Conversely, White-owned businesses account for 87 percent of revenue in the industry. If Latinx-owned businesses are overrepresented in the local landscaping industry, reducing costs to transition to electric leaf blowers could prevent widening the profit gap between Latinx and White-owned businesses.

- **Landscaping employees** could benefit from avoiding job instability if leaf blower transition costs otherwise cause landscaping business owners to lay off workers. However, this would likely be more than offset by the burden of their continued exposure to health hazards associated with operating gas-powered leaf blowers.¹⁰ Landscaping employees would continue to be exposed to these hazards during the peak usage period for leaf blowers for at least three years.

Similar to business ownership, the U.S. Hispanic Chamber of Commerce's 2011 study found that Latinx people were also overrepresented among landscaping employees in the U.S.¹¹ More recent local data suggests Latinx community members may also be overrepresented among landscaping employees in the County. While 6 percent of all community members work in natural resources, construction, and maintenance occupations that include landscaping, 20 percent of Latinx community members work in these occupations. Of note, only 3 percent of Black, Asian, and White community members respectively work in these occupations.¹²

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As noted in the RESJIS for Bill 18-22, direct exposure to noise and air pollution from gas-powered leaf blowers puts landscaping employees at increased risk of serious health conditions.¹³ A 2000 study by the California Air Resources Board observed landscaping employees who are “in the immediate vicinity of a [gas-powered] leaf blower during and shortly after operation are exposed to potentially high exhaust, fugitive dust, and noise emissions from leaf blowers on a routine basis.”¹⁴ This puts them at increased risk of a range of health concerns, including respiratory issues and hearing loss.¹⁵

- **Community members at large** would be burdened by continued exposure to health hazards associated with gas-powered leaf blowers, though to a lesser extent than landscaping employees. Community members would continue to be exposed to these hazards during the peak usage period for leaf blowers for at least three years. Community members would also be burdened by the negative environmental impacts of gas-powered leaf blowers.¹⁶

OLO does not have sufficient data to determine if there are usage patterns for leaf blowers that differentially impact community members by race and ethnicity. Assuming the use of leaf blowers is consistent throughout the County, OLO anticipates all community members would proportionately be burdened by the continued use of gas-powered leaf blowers by race and ethnicity.

OLO anticipates Bill 19-25 will have a negative impact on RESJ in the County. Latinx-owned businesses may disproportionately benefit from a seasonal exemption to the ban on gas-powered leaf blowers by avoiding costs to transition to electric leaf-blowers. This could help prevent widening the profit gap between Latinx and White-owned businesses. This could also help avoid job instability for landscaping employees who are disproportionately Latinx. However, these benefits would likely be outweighed by the health risks to landscaping employees of continuing to operate gas-powered leaf blowers.

RECOMMENDED AMENDMENTS

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.¹⁷ OLO anticipates Expedited Bill 19-25 will have a negative impact on RESJ in the County. Should the Council seek to improve the RESJ impact of this Bill, OLO offers one policy option for Council consideration:

- **Engage with BIPOC landscaping employees to determine appropriate workplace protections to include in Bill 19-25.** Bill 19-25 will cause landscaping employees, community members who are disproportionately Latinx, to continue to be exposed to the health risks of gas-powered leaf blowers during their peak usage period. The Council could engage with local landscaping employees – with a particular focus on Latinx and other BIPOC workers – to understand what workplace protections could be included in the Bill to help protect against the health hazards of operating gas-powered leaf blowers. For instance, this could include a requirement for employers to provide additional protective equipment to employees or mandatory paid breaks during the workday to reduce employee exposure to noise and air pollution from gas-powered leaf blowers.

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CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

APPENDIX

Table A. Administrative and Support and Waste Management and Remediation Services (NAICS 56) Employer Firms by Race and Ethnicity, Montgomery County

Race or ethnicity ¹⁸	% Business Owners (NAICS 56)	% All Business Owners (NAICS 00)	% Adult Population
Asian	5.7	21.8	16.0
Black	8.3	7.6	18.3
Native American	-	1.4	0.5
Pacific Islander	-	0.1	0.0
White	80.9	69.1	46.6
Latinx	26.6	10.0	18.7

Source: OLO Analysis of [AB2200CSA01, 2022 American Business Survey](#) and [Table S2101, 2023 American Community Survey 5-Year Estimates](#), Census Bureau.

Table B. Sales, Value of Shipments, or Revenue of Administrative and Support and Waste Management and Remediation Services (NAICS 56) Employer Firms by Race and Ethnicity, Montgomery County

Race or ethnicity	% Sales, Value of Shipments, or Revenue (NAICS 56)
Asian	5.6
Black	4.9
Native American	-
Pacific Islander	-
White	86.6
Latinx	11.7

Source: OLO Analysis of [AB2200CSA01, 2022 American Business Survey](#), Census Bureau.

¹ Definition of racial equity and social justice adopted from [Marlysa Gamblin et al., "Applying Racial Equity to U.S. Federal Nutrition Programs," Bread for the World](#) and [Racial Equity Tools](#).

² Ibid.

³ [Bill 18-22, Legislative Information System, Montgomery County Council](#).

⁴ ["Leaf Blowers", Department of Environmental Protection](#).

⁵ [Introduction Staff Report for Expedited Bill 19-25, Montgomery County Council, Introduced June 17, 2025](#).

⁶ Ibid.

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⁷ [RESJIS for Bill 18-22, Office of Legislative Oversight, August 11, 2022.](#)

⁸ RESJIS for Bill 18-22, pg. 3 citing [“The Economic Impact of the Landscape and Lawn Care Services Industry on U.S. Latinos,” Inter-University Program for Latino Research, University of Notre Dame, November 2011, pg. 5.](#)

⁹ RESJIS for Bill 18-22, pg. 2.

¹⁰ RESJIS for Bill 18-22, pgs. 3-4.

¹¹ Ibid, pg. 3.

¹² [Table S0201, 2023 American Community Survey 1-Year Estimates, Census Bureau.](#)

¹³ RESJIS for Bill 18-22, pg. 3.

¹⁴ [“A Report to the California Legislature on the Potential Health and Environmental Impacts of Leaf Blowers,” Air Resources Board, California Environmental Protection Agency, February 2000, pg. 49.](#)

¹⁵ [“Gas Leaf Blowers are Health Hazards,” Icahn School of Medicine at Mount Sinai, July 22, 2024.](#)

¹⁶ [“Electric of Gas Leaf Blowers...Neither?,” Sustainability, Washington University in St. Louis, November 17, 2020.](#)

¹⁷ [Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council.](#)

¹⁸ For Tables A and B, race is inclusive of Latinx origin. Estimates for Native American and Pacific Islander community members are not available for all data points. Margins of error for these data points may be large.