



Maryland
Department of
the Environment

Larry Hogan
Governor

Boyd Rutherford
Lieutenant Governor

Ben Crumbles
Secretary

February 19, 2020

The Honorable Dereck E. Davis, Chair
House Economic Matters Committee
House Office Building, Room 231
Annapolis, MD 21401

Re: House Bill 296 – Environment - Single-Use Plastic Straws - Use in a Food Service Business

Dear Chair Davis and Members of the Committee:

The Maryland Department of the Environment (“the Department”) has reviewed House Bill 296 entitled *Environment - Single-Use Plastic Straws - Use in a Food Business*. We support the concept of reducing plastic waste and litter and would like to provide additional information regarding the bill.

Beginning January 1, 2021, House Bill 296 would prohibit, a food service business from providing a single-use plastic straw to a dining customer, unless the customer requests a straw. Beverages provided through a drive-through window would be exempt from this prohibition. Prepackaged beverage products available at a food service business and beverages that customers serve themselves at food service businesses are exempt as well. Although not included in the bill’s text, existing § 9-2105 of the Environment Article lays out penalties for violations of Subtitle 21, where this prohibition on single-use plastic straws would be codified. The statute provides for a civil penalty of \$500 for a first violation, \$1,000 for a second violation, and \$2,000 for a third and subsequent violation. Any penalties collected would be paid to the county, municipality, or other local government that brought the enforcement action. Since primary enforcement authority for the bill would rest with local governments, the bill would not have a fiscal or operational impact on the Department.

While single-use plastic straws make up a small portion of the overall waste stream, they can pose litter and water quality problems. Plastic straws, like other food service products typically used away from home, are susceptible to littering. Because they are lightweight, they can make their way into storm drains and waterways and pose a risk of ingestion by marine and other wildlife. Maryland has established Total Maximum Daily Loads (TMDLs) for trash in certain State waters.

Thank you for your consideration. We will continue to monitor House Bill 296 during the Committee’s deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or by e-mail at tyler.abbott@maryland.gov.

Sincerely,

Tyler Abbott

cc: The Honorable Sarah Love
Ms. Kaley Laleker, Director, Land and Materials Administration