BILL052(26)
Testimony

MISC. COMM. 350

*INTERNATIONAL & LEGAL AFFAIRS (ILA)

***INTERNATIONAL & LEGAL AFFAIRS (ILA) Meeting**

Meeting Date: Aug 26, 2026 @ 01:00 PM

Support: 3

Oppose: 1

I wish to comment: 0

Name:	Email:	Zip:
John Mark Mageo	jmageo@abcstores.com	96813
Representing:	Position:	Submitted:
ABC Stores	Support	Aug 20, 2026 @ 01:17 PM

Name:	Email:	Zip:
Jonathan Huynh	jhweather123@yahoo.com	96792
Representing:	Position:	Submitted:
Self	Oppose	Aug 22, 2026 @ 07:40 PM

Testimony:

Aloha,

Mahalo for the opportunity to testify on this bill. I oppose this bill.

Raising fines sounds tough, but it won't solve the problem it's aimed at. Someone trying to survive by selling lei or plate lunches to isn't going to stop because the fine went from $100 to $500. They'll either keep going and rack up debt they can't pay, or end up in jail for trying to earn money. Meanwhile, organized commercial peddlers who already treat fines as a business expense will absorb the increase and keep operating. The bill hits the wrong people.

It also strips out judicial discretion. Right now a judge can set a third-offense fine anywhere between $500 and $1,000. Bill 52 locks it at $1,000 flat. That flexibility mattered because it allowed judges to distinguish between someone running a kiosk hustle and someone just trying to eat.

The businesses testifying in support raise a legitimate fairness concern. But they're asking for a level playing field in a market with no legal way to participate. That's not fairness because the door is closed. If the Council actually wanted to fix this, it would create a vending permit program with designated zones and modest fees. Give people a legal path and most would take it. Then, the enforcement would target the ones who refuse, not the ones who have no other option.

I ask the Council to reject this bill and take up a real solution instead.

Mahalo for your consideration,

Jonathan Huynh

Name:	Email:	Zip:
Jacob Wiencek	jacob.m.wiencek@pm.me	96815
Representing:	Position:	Submitted:
Self	Support	Aug 23, 2026 @ 11:56 AM

Testimony:

Aloha Councilmembers,

I am glad to see this bill continue to advance through our legislative process. Peddling is a public nuisance that degrades community safety and quality. Our public spaces and sidewalks should NOT be overrun by peddlers hawking their unwanted "goods" and "services" at us. I strongly urge the committee to SUPPORT this bill!

Name:	Email:	Zip:
David Erdman	derdman@rmhawaii.org	96816
Representing:	Position:	Submitted:
Retail Merchants of Hawaii	Support	Aug 25, 2026 @ 07:07 AM

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August 20, 2026

Honorable Tommy Waters, Chair
Honolulu City Council
City and County of Honolulu
Honolulu Hale
530 South King Street
Honolulu, Hawai‘i 96813

Re: Testimony in Support of Bill 52 (2026), Relating to Streets, Sidewalks, Malls, and Other Public Places

Aloha Chair Waters and Members of the Honolulu City Council,

On behalf of ABC Stores, I am submitting our testimony in **strong support of Bill 52 (2026)**, relating to streets, sidewalks, malls, and other public places. We thank the International & Legal Affairs Committee for passing the measure on first reading and appreciate the Committee's action in moving this measure forward to better help our community, protect law-abiding businesses, and safeguard our customers and community. This measure would increase fines for violations of peddling regulations under ROH Chapter 13, Article 6, and is a necessary step to discourage unlawful peddling and protect public access in areas heavily used by residents, visitors, and businesses.

For businesses that operate in compliance with City and County requirements, the ongoing presence of illegal kiosks and unlawful peddling creates a real hardship. These operations can obstruct sidewalks, affect pedestrian flow, and create an unfair environment for businesses that follow the rules, maintain proper permits, pay rent, employ local workers, and contribute taxes back into the community.

It is frustrating to see some violators appear comfortable treating the current fines as a cost of doing business. When penalties are too low, they may not be enough to change behavior or deter repeat violations. Increasing the fines from $100 to $500 for a first violation, from $250 to $750 for a second violation, and to $1,000 for two or more prior violations sends a stronger message that unlawful peddling will not be tolerated.

Another concern is fairness. Compliant businesses pay taxes, follow regulations, and absorb the significant costs of operating legally in Honolulu. It is difficult to understand how illegal operators can continue to benefit from public spaces without being held to the same responsibilities. Bill 52 is an important step toward restoring accountability and creating a more level playing field.

We respectfully urge the Council to pass Bill 52 (2026). Strengthening enforcement through meaningful penalties will help deter illegal kiosks, preserve safe and accessible sidewalks, protect law-abiding businesses, and safeguard our customers and the broader community.

Mahalo,

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John Mark Mageo
Employee Relations and Government Affairs Manager

RETAIL MERCHANTS OF HAWAIʻI
TESTIMONY IN SUPPORT OF BILL 52 (2026)
RELATING TO STREETS, SIDEWALKS, MALLS, AND OTHER PUBLIC PLACES

August 26, 2026, 1:00 PM

International & Legal Affairs (ILA)

Testimony Submitted August 25, 2026

Aloha Chair, Vice Chair, and Members of the Committee:

Aloha. My name is David B. Erdman, Interim President & CEO of the Retail Merchants of Hawaiʻi (RMH). I am a Honolulu resident living in Council District V, 96814, and the RMH office is located at 3610 Waialae Avenue in Kaimuki, Council District IV, 96816.

Thank you for passing the first reading of Bill 52.

I am submitting this testimony on behalf of Retail Merchants of Hawaiʻi and our members in strong support of Bill 52 (2026), which increases penalties for violations of the City's regulations relating to unlawful peddling on streets, sidewalks, malls, and other public places.

RMH represents retailers and businesses throughout Hawaiʻi, including many businesses on Oʻahu and in Waikiki that are directly affected by activities occurring on public sidewalks and other public areas adjacent to their establishments.

A continuing concern for our retailers is unlawful peddling activity that occurs on public sidewalks, sometimes directly outside established businesses. These activities can obstruct or disrupt pedestrian traffic, create congestion, and interfere with access to businesses for customers, employees, residents and visitors.

Of particular concern are repeat violations. When an individual can be cited, pay a relatively small fine and then return to the same location and resume the same unlawful activity, the existing penalty is not providing an effective deterrent. A fine that is too low can simply become a cost of continuing to operate illegally.

Bill 52 appropriately addresses this problem by establishing more meaningful penalties, particularly for repeat violations. Increasing the fines to $500 for a first violation, $750 for a subsequent violation within two years, and $1,000 for multiple repeat violations provides a stronger deterrent and reinforces the importance of complying with the law.

Sidewalks are public infrastructure. They should remain safe and reasonably accessible for residents, employees, customers and visitors. This is particularly important for seniors, persons with disabilities, families with children, and others who may have difficulty navigating around obstructions and congested pedestrian areas.

There is also an important issue of fairness to legitimate businesses. Hawai‘i's retailers face significant and increasing costs of doing business. They pay rent and property-related expenses, taxes, wages, insurance, utilities, licensing and permitting costs, and must comply with numerous City, State and federal requirements.

Businesses and individuals conducting unlawful commercial activity in public spaces should not be allowed to create an unfair competitive environment for retailers that make these investments, provide jobs, contribute taxes to our community, and meet their legal and financial obligations. The situation is especially frustrating when unlawful peddling takes place immediately outside a retailer that is paying substantial costs to legally operate at that location.

Our concern is not with legitimate businesses operating legally and in appropriate locations. It is with commercial activity that violates existing City regulations and the repeated violations that occur when the consequences are insufficient to change that behavior.

RMH believes that laws governing our public spaces must be clear and consistently enforced. Bill 52 provides the city with a more meaningful enforcement tool while sending a clear message that repeated violations will have consequences.

At the same time, RMH supports fair, reasonable and consistent enforcement. We are prepared to work with the Council, the city, law enforcement, appropriate agencies and community partners on approaches that maintain pedestrian access, support legitimate businesses, and help keep Honolulu's public spaces safe, accessible and welcoming.

For these reasons, Retail Merchants of Hawai‘i respectfully supports Bill 52 (2026) and the proposed increase in penalties for violations of the City's peddling regulations.

Mahalo for the opportunity to provide testimony.

David B. Erdman
Interim President & CEO
Retail Merchants of Hawai‘i
3610 Waialae Avenue
Honolulu, Hawai‘i 96816