

BILL052(26)

Testimony

MISC. COMM. 395

*INTERNATIONAL & LEGAL AFFAIRS (ILA)

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

Meeting Date: Sep 24, 2026 @ 02:30 PM

Support: 7

Oppose: 1

I wish to comment: 1

Name: Jonathan Huynh	Email: jhweather123@yahoo.com	Zip: 96792
Representing: Self	Position: Oppose	Submitted: Sep 21, 2026 @ 01:27 PM

Testimony:

I oppose Bill 52.

I've testified on this bill twice before the International & Legal Affairs Committee. The committee passed it out with one member voting with reservations. I'm writing again because I think that hesitation was warranted, and I want to explain why.

The businesses supporting this bill have a legitimate concern. Unlawful peddling outside their stores is unfair to retailers who pay rent, follow rules, and employ local workers. I don't dispute that.

But this bill won't fix what they're describing.

Someone selling lei or plate lunches to feed their family 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 the system for trying to earn money. Meanwhile, organized commercial operators who already treat fines as a business expense will absorb the increase and keep operating. The bill hits the wrong people. It treats a subsistence vendor and an organized kiosk operator the same. They're not the same problem, and they won't respond to the same solution.

It also removes 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. It let judges distinguish between someone running a kiosk hustle and someone just trying to eat. The Council should be giving judges more tools, not fewer.

At the committee hearing, Councilmember Tupola asked whether this bill applies to peddlers on state highways in her district. No one could give her a clear answer. If the Council is passing a bill that increases penalties on people and can't clearly say where those penalties apply, that's a problem worth pausing over.

The deeper issue is that the City has no legal pathway for vending in public spaces. No permit program. No designated zones. No low-barrier way for someone to participate legally in the economy. Bill 52 increases penalties for entering a market the City has made impossible to enter legally.

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 enforcement would target the ones who refuse to use it, not the ones who have no other option. Hawaii County passed a \$50 roadside vending permit program last year. It's imperfect, requiring a business license and insurance, and enforcement is underfunded. But it's a starting point, and

Honolulu hasn't even attempted that.

I ask the Council to reject Bill 52 and take up a real solution instead.

Mahalo,

Jonathan Huynh

Name:

Dave Erdman

Email:

derdman@rmhawaii.org

Zip:

96816

Representing:

Retail Merchants of Hawaii

Position:

Support

Submitted:

Sep 22, 2026 @ 11:00 PM

Name:

Steven Walther

Email:

walthers111@gmail.com

Zip:

96815

Representing:

Hawaii Tour Experts

Position:

I wish to comment

Submitted:

Sep 23, 2026 @ 04:15 PM

Testimony:

I will be there to provide oral testimony on this matter. I have 40 years of experience in the tourism industry and I can shed some light on this subject. Not only is illegal to solicit on the public streets of the Waikiki Special District but also allowing this activity to continue is financially damaging to legitimate businesses. I appreciate Mr Waters addressing this problem. Mahalo Steven Walther

Name:

Michael Swam

Email:

swam_michael@yahoo.com

Zip:

96816

Representing:

Self

Position:

Support

Submitted:

Sep 23, 2026 @ 08:44 PM

Testimony:

Aloha Board members,

My name is Michael Swam. I have been a resident of Hawaii since 1989. I am currently partners in a few locally owned and operated businesses in Waikiki. Hawaii Tour Experts, KaMoana Luau and Aloha Hawaii Tours and Travel. We started these companies starting in 2006. I have watched the loss of many of the beautiful attractions that Waikiki used to offer.

Kings Village and The original Internation Market are still memories visitors search out and regret not having that one last chance to visit.

Having been invested in Waikiki's ever growing tourism growth over the past 20 years I have witnessed many companies come and go. The new style of peddling has crossed lines that never would have been tolerated in the past.

In days of old (and I hope you remember) there were the old booze cruise and bird/parrot guys running around town.

They are long gone now and have been replaced with a lot of guys using rolling booths that are as big as shopping carts.

They park themselves in the middle of sidewalks directly in front of stores paying the hefty rents that are demanded. They are self serving and have dealt with the police before. It is just a cost of doing business to them.

We have contacted HPD more then any business should have to but nothing happens.

In my stores we offer a real and reputable tours bookings. If the customer has a question or concern they walk back through the door and our team can add the friends on to a booking or cancel and refund when plans change. We often are left to deal with the street paddlers customers looking for the guy who took their money but they are no where to be found. It makes everyone working look bad and those guys pay nothing for rent and even more importantly taxes. They are just doing untraceable cash transactions. Since many of these guys have vices even when the people do find them they are often left hanging. When they remember the experience in Hawaii as a bad dream it's not going to bring them back and with this economy we need them!

We support the new bill. It will motivate the people who actually are trying to give customers a real service. More sales equal more revenue for our partners and in the end the state benifits.

It clean the streets of the

derelicts that have only themselfe and their habits to feed. I personally believe that the bill may actually benefit Waikiki in the sense that there are many commercial properties available that would be filled by the actual tour providers these guys are representing.

Please carefully consider the benifits for the community. There are some workers who are actually working hard to feed their families. We see their sales skills and would happily hire them and turn them into contributors to the state. Passing this would help everyone involved.

Thank you for your consideration.

Name:	Email:	Zip:
Anonymous Anonymous	delmonteny@gmail.com	96815
Representing:	Position:	Submitted:
Travel Agency in Waikiki	Support	Sep 24, 2026 @ 11:43 AM

Testimony:

I own and operate a travel agency business in Hawaii, and like many legitimate local businesses, I work extremely hard to comply with the law and meet the significant costs of doing business in our state.

We pay substantial monthly rent, taxes, insurance, licensing fees, and other operating expenses. Most importantly, we make every effort to pay our employees fairly and provide them with the wages and benefits they deserve. Hawaii is one of the most expensive places in the country to operate a business, and the cost of maintaining a legitimate, compliant operation is substantial.

What makes this particularly frustrating is seeing vendors selling the same products and services illegally, sometimes directly outside legitimate businesses, at prices that we simply cannot compete with. These operators may not be paying rent, payroll taxes, FICA, insurance, licensing fees, GET, or other costs that law-abiding businesses are required to shoulder.

This creates an unfair competitive environment. A business that follows the rules should not be forced to compete against

operators who ignore those same rules and can therefore sell for substantially less.

If the current penalties amount to little more than a slap on the wrist, then there is very little deterrent for people who choose to operate illegally. Enforcement needs to be meaningful enough that violating the law is no longer viewed as a profitable business strategy.

Hawaii needs stronger enforcement, substantially more meaningful penalties for repeat violations, and better coordination among the agencies responsible for licensing, taxation, and regulation. Businesses that repeatedly operate illegally should face escalating fines and, where appropriate, immediate orders to cease operations.

This is not about preventing competition. Legitimate businesses welcome fair competition. It is about ensuring that everyone competing in Hawaii’s marketplace is required to play by the same rules.

Small businesses already face enormous costs and challenges. We should not also have to compete against businesses whose competitive advantage comes from avoiding the laws, taxes, and expenses that legitimate businesses are required to follow.

Hawaii needs to protect legitimate businesses by enforcing the laws that are already on the books and implementing stronger penalties where the existing system fails to deter illegal activity.

Name:	Email:	Zip:
Edward Keliinohomoku	e.moku@gotourshawaii.com	96815
Representing:	Position:	Submitted:
Hawaii tours.com	Support	Sep 24, 2026 @ 11:47 AM

Testimony:

Aloha Chair and Members of the Honolulu City Council,

My name is Edward Keliinohomoku, and I am submitting testimony on behalf of HawaiiTours.com in strong support of Bill 52.

We operate in Hawai'i's visitor industry and have a significant presence in Waikīkī. One issue that has become increasingly difficult for legitimate businesses like ours is the number of street peddlers approaching visitors and selling tours, activities, and other products along Waikīkī's public sidewalks.

This isn't just an inconvenience. It directly affects our business and our employees.

Companies like ours invest heavily to operate the right way. We pay substantial rent for commercial locations and activity desks, employ local people, pay taxes, maintain insurance, obtain the appropriate licenses, and invest in training and

guest service. We also work closely with hotels, activity providers, transportation companies, and other local businesses.

Meanwhile, street peddlers can stand outside these businesses, approach the same visitors, and compete for the same sales without carrying many of those same costs and responsibilities.

We've seen firsthand how this affects legitimate businesses in Waikīkī. Our team can spend significant resources creating a professional operation and providing knowledgeable service, only to have an unpermitted seller outside approaching visitors before they ever reach us.

There is also a larger issue here than lost sales.

Waikīkī is one of the most important visitor destinations in Hawai'i, and the experience people have walking Kalākaua and Kūhiō becomes part of their impression of our entire destination. Visitors should be able to walk through Waikīkī without repeatedly being approached or pressured to purchase tours, activities, or other products on a public sidewalk.

At the same time, legitimate businesses that invest in Waikīkī should be able to compete on a fair playing field.

We support Bill 52 and stronger enforcement of Honolulu's existing restrictions on illegal peddling. If the current penalties are simply being treated as a cost of doing business, then they are not accomplishing their intended purpose.

We also encourage the City to pair these increased penalties with consistent enforcement, particularly in the areas of Waikīkī where this activity is most prevalent. Increasing the fine will only make a meaningful difference if businesses and individuals understand that the ordinance will actually be enforced.

This is not about preventing legitimate businesses from selling tours and activities. Tourism supports thousands of local families, including many of our own employees. It is about making sure those businesses operate through appropriate and lawful channels rather than turning our public sidewalks into unregulated sales floors.

Bill 52 is an important step toward protecting our visitors, maintaining the quality of Waikīkī, and creating a fairer environment for businesses that invest in our community and operate responsibly.

On behalf of HawaiiTours.com, I respectfully ask the Council to support Bill 52.

Mahalo for the opportunity to submit testimony.

Name:	Email:	Zip:
Aaron Paulk	aaron@hawaiiitc.com	96761
Representing:	Position:	Submitted:

Hawaii TC	Support	Sep 24, 2026 @ 11:52 AM
Testimony: This should've stopped immediately. It is uncomfortable and e ds up with trash on the streets. It also keeps un permitted businesses breaking the law and penalizes businesses who do itblegsly		
Name:	Email:	Zip:
Anonymous Anonymous	kailiawaboy808@gmail.com	96815
Representing:	Position:	Submitted:
Travel Agency in Waikiki	Support	Sep 24, 2026 @ 11:56 AM
Testimony: Dear Chair and Members of the Honolulu City Council, I am writing in support of Bill 52 and the proposed increase in fines for unlawful peddling in Waikiki. I work in the tourism industry in Waikiki and see firsthand the problems caused by unauthorized tour vendors operating on the sidewalks. I have had numerous guests come to us after purchasing tours from street vendors who misled them about what they were purchasing, leaving them frustrated and disappointed with their experience. This is not only a visitor-protection issue, but also a fairness issue for the legitimate businesses operating in Waikiki. Tourism and hospitality businesses go through the proper permitting and licensing processes, pay taxes, employ local workers, and pay extremely high rents to legally operate in Waikiki. Businesses and individuals operating illegally on the sidewalks are able to avoid many of these costs while competing for the same visitors and undercutting legitimate businesses. This ultimately affects the entire tourism and hospitality industry. It also creates a poor impression of Waikiki when visitors are approached by unauthorized vendors and end up feeling misled or taken advantage of. Stronger fines are necessary to create a meaningful deterrent and ensure that businesses operating illegally do not simply view the penalties as a cost of doing business. I respectfully ask the Honolulu City Council to support Bill 52 and strengthen enforcement against unlawful peddling in Waikiki. Mahalo for your consideration.		
Name:	Email:	Zip:
Steven Chaddock	Stevechaddock@yahoo.com	96815
Representing:	Position:	Submitted:

Self	Support	Sep 24, 2026 @ 12:05 PM
Testimony: I am in support of the bill. Illegal street vending has exploded in recent years and has created an unpleasant environment on the streets of waikiki and put a strain on local businesses paying rent and taxes while competing with sellers on the street.		



September 24, 2026
2:30 p.m.

Honolulu City Council
Committee on International & Legal Affairs

RE: Bill 52 (2026) — Relating to Streets, Sidewalks, Malls, and Other Public Places

Position: SUPPORT

Aloha Chair Nishimoto, Vice Chair Tupola, and Members of the Committee on International & Legal Affairs:

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

On behalf of Retail Merchants of Hawai'i and our members, I am submitting testimony 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.

We appreciate the Council's continued consideration of Bill 52 following its passage on second reading and public hearing on September 9.

For our retailers, this is a practical and recurring issue. Unlawful peddling can take place on public sidewalks, sometimes directly outside established businesses. These activities can obstruct or disrupt pedestrian traffic, create congestion, and interfere with access 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. The proposed fines of \$500 for a first violation, \$750 for a subsequent violation within two years, and \$1,000 for multiple repeat violations provide a stronger deterrent and reinforce the importance of complying with the law.

Sidewalks are public infrastructure. They should remain safe and reasonably accessible for residents, employees, customers and visitors, particularly 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 costs of doing business. They pay rent and property-related expenses, taxes, wages, insurance, utilities, licensing and permitting costs, and comply with numerous City, State and federal requirements.

Those 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. This is particularly frustrating when unlawful peddling occurs 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 with repeat violations that continue when the consequences are insufficient to deter the activity.

RMH believes that laws governing our public spaces must be clear, meaningful and consistently enforced. Bill 52 provides the city and law enforcement with a stronger enforcement tool while helping maintain safe and accessible public spaces.

RMH supports fair and consistent enforcement and appreciates the Committee's continued attention to this issue.

For these reasons, Retail Merchants of Hawai'i respectfully supports Bill 52 (2026).

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