
A BILL FOR AN ACT

RELATING TO SHOPPING CARTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 711, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§711- Prohibited use of shopping cart in or on a
5 public roadway, sidewalk, or park. (1) A person commits the
6 offense of prohibited use of shopping cart in or on a public
7 roadway, sidewalk, or park if the person uses, or has in the
8 person's possession, a shopping cart not owned by the person
9 when:

10 (a) Traversing a public roadway, sidewalk, or park that is
11 under State or county jurisdiction; or

12 (b) Being present in or on a public roadway, sidewalk, or
13 park that is under State or county jurisdiction.

14 (2) This section shall not apply unless:

15 (a) The shopping cart has securely affixed to it a
16 conspicuous sign identifying it as belonging to a
17 business establishment; and



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1 (b) There is posted, at the place or places where the
2 shopping carts are stored for customer use, a sign or
3 signs conspicuously positioned in order to be seen by
4 an ordinarily observant person to notify customers and
5 the general public that the carts shall not be removed
6 from the premises, parking areas, sidewalks, or
7 passageways adjacent thereto.

8 (3) The following persons shall not be subject to this
9 section:

10 (a) The owner of the shopping cart;

11 (b) Any agent of the owner;

12 (c) Any employee of the business establishment to which
13 the shopping cart belongs;

14 (d) Any customer of the business establishment to which
15 the shopping cart belongs, provided that the customer
16 is actively using the shopping cart to transport
17 within a reasonable time and distance a purchase made
18 by the customer from the business establishment, or to
19 transport a purchase made by the customer back to the
20 business establishment; and



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1 (e) Any person possessing the written consent of the owner
2 or manager of the business establishment.

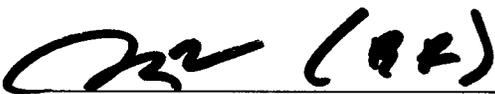
3 (4) Prohibited use of shopping cart in or on a public
4 roadway, sidewalk, or park is a petty misdemeanor."

5 SECTION 2. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect upon its approval.

10

INTRODUCED BY:  (SR)

JAN 25 2021



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Report Title:

Penal Code; Public Order; Shopping Carts

Description:

Establishes the petty misdemeanor offense of prohibited use of shopping cart in or on a public roadway, sidewalk, or park.

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