



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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**Testimony in SUPPORT of SCR171  
REQUESTING THE DEPRATMENT OF HEALTH TO ADOPT RULES OR OTHERWISE PERMIT  
RESTAURANTS TO ALLOW DOGS IN DESIGNATED AREAS OF THEIR ESTABLISHMENT WHILE  
ADHERING TO HEALTH AND SAFETY REGULATIONS**

SENATOR JOY A. SAN BUENAVENTURA, CHAIR  
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

March 24, 2025, 1:00 P.M. Room Number: CR 225 & Videoconference

- 1 **Fiscal Implications:** No fiscal implications.
- 2 **Department Position:** The Department supports this measure and offers comments.
- 3 **Department Testimony:** The Department of Health (Department), Environmental Health
- 4 Services Division (EHSD) provides the following testimony on behalf of the Department.
- 5 Senate Concurrent Resolution (SCR) 171 requires that the Department adopt rules or otherwise
- 6 permit restaurant owners to allow dogs in designated areas of their establishments while
- 7 adhering to health and safety regulations. The Department supports the intent of the
- 8 resolution and is already in the process of adopting rules consistent with the intent of SCR 171.
- 9 At present, the Department is in the process of adopting amendments to Hawaii Administrative
- 10 Rules (HAR), Chapter 11-50, Food Safety Code. Part of the proposed amendments to HAR,
- 11 Chapter 11-50, allows dogs in restaurants subject to certain health and safety limitations. This
- 12 includes allowing pet dogs under the control of a person in an outdoor dining area if all of the
- 13 following conditions are satisfied:

(1) A separate outdoor entrance is present where pet dogs enter without going through the food establishment to reach the outdoor dining area and pet dogs are not allowed on chairs, benches, seats, or other fixtures.

(2) The outdoor dining area is not used for food or drink preparation or the storage of utensils. A food employee may refill a beverage glass in the outdoor dining area from a pitcher or other container.

(3) Food and water provided to pet dogs shall only be in single-use disposable containers.

(4) Food employees are prohibited from having direct contact with pet dogs while on duty. A food employee who does have that prohibited direct contact shall wash his or her hands as required HAR 11-50.

(5) The outdoor dining area is maintained clean. Surfaces that have been contaminated by dog excrement or other bodily fluids shall be cleaned and sanitized.

(6) The pet dog is on a leash or confined in a pet carrier and is under the control of the pet dog owner.

(7) Signage informing the public that the facility allows pet dogs on premises.

(8) The owner or operator must ensure compliance related to sidewalks, public nuisances, and sanitation as required by law.

The Department's proposed amendments to the State's Food Safety Code is consistent with the US Food and Drug Administrations model 2022 Food Code. The Department anticipates adoption of the proposed rules by the end of 2025.

**Offered Amendments:** None

1           Thank you for the opportunity to testify on this measure.





Andy Huang, Chairman – L&L Hawaiian Barbecue    Ave Kwok, Past Chair – Jade Dynasty Seafood Restaurant  
Mike Palmer, Incoming Chair – Ho'okipa Partners    Tambara Garrick, Treasurer – Hawaii Farm Project  
Victor Lim, Government Relations Lead – McDonald's    |    Mail: 2909 Wai'ala'e Avenue #22, Honolulu, HI 96826

Sheryl Matsuoka, President & CEO    Ginny Wright, Operations Associate    Holly Kessler, Vice President of Operations

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Date:            March 20, 2025

To:              Sen. Joy A. San Buenaventura, Chair  
                  Sen. Henry J.C. Aquino, Vice Chair  
                  Committee on Health and Human Services

From:          Victor Lim, Legislative Lead

Subj:          SR 140 / SCR 171 DOH to Adopt Rules to Permit Restaurants to Allow Dogs

The Hawaii Restaurant Association, representing 4,000 plus eating and drinking places, supports the intent of SR 140 that request the Department of Health to adopt rules for restaurants to allow dogs in designated areas of their establishments while adhering to Health and Safety regulations.

We recommend that the following conditions are spelled out.

- 1.    It is the owner of the restaurant owner’s decision to allow dogs in the restaurant.
- 2.    Pet dogs are only allowed in outdoor dining areas.
- 3.    Pet dog must be on a leash or confined in a pet carrier under owner’s control at all times
- 4.    Pet dogs are not allowed on seats, benches or tables.

Thank you for this opportunity to share our concerns on this Resolution.



**SCR-171**

Submitted on: 3/19/2025 4:05:55 PM

Testimony for HHS on 3/24/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Oppose	Written Testimony Only

## Comments:

I strongly OPPOSE this. I'm disabled with MCS and have multiple allergies that can send me to the hospital when I'm exposed to different allergens. Because it is a disability this bill you are trying to pass is illegal because I would not have equal access as prescribed by the Americans with Disabilities Act. I know I'm not the only person in the state with this disability. It will open you up to multiple law suits. Please OPPOSE this flawed bill. Mahalo.