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Kit Okimoto, Okimoto Corp., *Chair*
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TO: Committee on Economic Development and Technology

FROM: HAWAII FOOD INDUSTRY ASSOCIATION

Lauren Zirbel, Executive Director

DATE: January 30, 2026

TIME: 10am

RE: HB1636 Relating to Shopping Carts

Position: Oppose

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, manufacturers and distributors of food and beverage related products in the State of Hawaii.

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

While we understand the intent of this measure, we are opposed to several of the provisions outlined in it.

The measure mentions “shopping carts being removed from the premises of local businesses.” Another way to describe this is “shopping carts being stolen from local businesses.” Local businesses are not the ones leaving carts in places they should not be, and these businesses should not be penalized, or subject to additional expense and regulations because they are the victims of theft.

These carts usually cost several hundred dollars each and are items that businesses invest in for the convenience of their customers. Large chain retailers often use smart carts with locking wheel mechanisms that prevent them from being removed from the premises, which can cost over \$1000 each.



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This measure would primarily negatively impact small locally owned retailers, especially those serving economically challenged communities in the urban core. These businesses cannot afford smart carts, or custom carts with identifying info on them, and certainly cannot afford impound fees and fines. By making running a grocery store more expensive, this measure would force businesses to recoup these expenses by raising prices, or simply choose to not serve these communities at all.

Rather than punishing businesses trying to feed their communities, we encourage the Committee to work with businesses to find solutions to this issue, and continue to work to address the root causes of the problems that lead to theft.

We thank you for the opportunity to testify.



DATE: January 30, 2026

TO: Committee on Economic Development and Technology

RE: HB1636 Relating to Shopping Carts

POSITION: Opposed

Aloha Chair Ilagan, Vice Chair Hussey and Members of the Committee,

Thank you for the opportunity to submit written testimony. My name is Toby Taniguchi and I have the honor of serving as President and CEO of KTA Super Stores, a multi-generational family-owned grocery chain serving Hawai'i Island since 1916. KTA began as a 500-square-foot grocery and dry goods store founded by my great-grandparents, Koichi and Taniyo Taniguchi. Today, we are fortunate to have over 800 associates across eight store locations, and work closely with dozens of Hawaii farmers and vendors through programs like Mountain Apple Brand. Our mission has always been simple: serve our community with care, fairness and humility.

We respectfully oppose HB 1636

Abandoned shopping carts are a real concern, but this bill places the burden and punishment on retailers who are already victims of theft. Shopping carts are stolen (not discarded by stores), and yet HB 1636 would require businesses to invest in costly anti-theft systems and then impose fines of up to \$500 per cart when theft occurs.

For local grocers operating on thin margins, especially on neighbor islands, these costs add up quickly. The result will not be cleaner communities, it will be higher food prices, reduced hours, and fewer dollars available to support local vendors and nonprofits.

We believe there are better solutions: focusing enforcement on theft, investing in community-based prevention, and working collaboratively with retailers rather than penalizing them. Local businesses want to be part of the solution, but HB 1636 moves us in the wrong direction.

For these reasons, we respectfully ask that the committee defer HB 1636 or substantially amend it to avoid unintended harm to local businesses and the communities they collectively serve.

Mahalo for your time and consideration.

A handwritten signature in black ink, appearing to read 'Toby B. Taniguchi', with a long horizontal flourish extending to the right.

Toby B. Taniguchi
President & CEO



TESTIMONY OF DAVE ERDMAN, PRESIDENT & CEO
RETAIL MERCHANTS OF HAWAII
JANUARY 29, 2026
HB 1636 - Relating to Shopping Carts – In Opposition

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

My name is Dave Erdman, and I am the Interim President and CEO of Retail Merchants of Hawai'i, a statewide trade association representing retailers, shopping centers, restaurants, and allied businesses across the islands.

Retail Merchants of Hawai'i respectfully submits testimony in opposition to HB 1636.

Retailers have raised serious concerns that this bill would re-victimize businesses that are already victims of theft. Shopping carts taken off store property are not abandoned; they are stolen. Once a cart leaves a retailer's premises without authorization, the business no longer has control over what happens to that property.

Even retailers that invest in cart retrieval services or anti-theft measures cannot realistically recover all stolen carts, particularly when they are taken into inaccessible areas or when retrieval could place employees at risk.

Under this bill, a business could suffer the loss of a cart due to theft and then face additional fines or fees when that stolen cart is found elsewhere. This results in businesses being penalized twice for the same criminal act, despite having done nothing wrong.

Shopping carts represent a meaningful capital expense for retailers in Hawai'i, with costs often exceeding one hundred and fifty dollars per cart, and some up to five hundred dollars, depending on sourcing and tariff issues. Replacing stolen carts is already an ongoing cost of doing business. Adding fines or impoundment fees on top of that loss places an unreasonable burden on retailers, especially small and local businesses operating on thin margins.

Retailers are also concerned that this bill could lead to unintended consequences, including reduced cart availability for customers, particularly seniors and families, and increased prices as businesses attempt to offset additional costs.

Retailers also note some practical limitations related to the proposed identification and tracking requirements raise logistical and operational challenges. Carts are often ordered in bulk before the final store placement is determined and may be reallocated

between locations to meet customer demand. Mandated permanent identifiers or tracking systems would add cost and complexity without preventing theft.

If the intent of this bill is to address public nuisance or improper disposal, enforcement should focus on the individuals who steal or misuse shopping carts, not the businesses that have already been harmed by the theft. Alternative approaches, such as incentives to support voluntary anti-theft measures or targeted enforcement strategies, would be more constructive and equitable.

For these reasons, Retail Merchants of Hawai'i respectfully urges the Committee to hold HB 1636.

Mahalo for the opportunity to submit testimony.

Respectfully submitted,

Dave Erdman
Interim President and CEO
Retail Merchants of Hawai'i