### 2023-24 Board of Directors
- Jesse Aguinaldo
- Keoni Ahlo
- Lee Anderson
- Noa Aoki
- Javier Barberi
- Tim Januszewski
- Tom Jones
- Felix Koeppenkastrop
- Victor Lim
- Keith Mallini
- Don Murphy
- Conan Paik-Rosa
- Mike Palmer
- Tyler Roukema
- Michael Skedelski
- Alison "Bo" Tanaka
- Katy Tanaka
- Tina Wang
- Nicolas Ware
- Anthony Wong
- Nicholas Wong
- Paul Yokota

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- Louis Chun
- Robert Gutierrez
- James Idemoto
- Christopher Lee
- Raymond Orozco
- Bryan Pearl
- Randy Sagon
- David Yoshioka

### Advisory Board
- Jerry Agrusa
- Jamie Brown
- Richard Rand
- John Richards
- Richard Turbin

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**Date:** February 9, 2024

**To:** Sen. Jarrett Keohokalole, Chair
- Sen. Carol Fukunaga, Vice Chair
  - Committee on Commerce and Consumer Protection

**From:** Victor Lim, Legislative Lead

**Subj:** SB 2020 Relating to Deceptive Trade Practices

The Hawaii Restaurant Association representing 4,000 Eating and Drinking Place locations in Hawaii, stand opposed to SB2020 as it is currently written. This bill seeks to eliminate all fees or surcharges, forcing restaurant operators to change menus to reflect a single Total Price other than taxes and fees charges by the state or county on the transactions.

While we appreciate the bill's intent to provide increased transparency for consumers, this proposed rule fails to achieve this for the restaurant industry. Restaurant operators make significant efforts to ensure that fees and surcharges are evident and identifiable before consumers receive their check, they also typically provide customers with the option to remove a surcharge from their final bill. These practices differentiate the restaurant industry from the others.

By forcing restaurant operators to include service fees, credit card surcharges, or even delivery fees in menu pricing, this bill in fact forces operators to hide from consumers the costs of the services they value in the restaurant experience. Restaurant customers understand that they will pay extra if they are having their food delivered or are dining with a large party. The consumer understands that these are higher costs a restaurant is taking on to make the customer experience even more convenient.

Restaurant fees that are value adding including service fees and tips that go directly to tipped workers, credit card surcharges, and delivery fees should be preserved.

Thank you very much for allowing us to share our industry’s view on this.