

House Bill 1412

Business Regulation – Retail Stores – Carryout Bags

March 5, 2025



Position: **SUPPORT**

Mr. Chairman and Members of the Environment and Transportation Committee:

The Restaurant Association of Maryland supports House Bill 1412 because it is a step toward preventing a patchwork of new local carryout bag fee mandates that create confusion for business owners and customers.

Our organization has long opposed bag fees for a variety of reasons. While proponents argue that these fees encourage customers to bring reusable bags or decline unnecessary ones, that logic does not apply to restaurants. Unlike retail shoppers, restaurant customers cannot provide their own reusable bags due to food safety and sanitation concerns. As a result, bag fees do not change behavior but instead become an unavoidable, punitive charge on restaurant customers.

Additionally, bag fees are particularly problematic in the following scenarios:

- Quick-service restaurants typically bag food orders after payment and do not know in advance how many bags an order will require. Requiring customers to pay a separate bag fee after completing their purchase would disrupt service flow and slow transactions, directly undermining the concept of "quick-service."
- Online and third-party delivery orders are paid for before the restaurant even knows how many bags will be needed, making it difficult to pre-charge customers.
- Curbside pickup, drive-thru, and dine-in "doggie bag" situations do not allow for a practical way to charge bag fees without frustrating customers or making restaurants appear to be nickel-and-diming customers.
- Customers trying to avoid bag fees may refuse to take multiple bags, resulting in improperly packed orders that could compromise food quality.

HB 1412 helps protect businesses and customers from inconsistent bag fee mandates. By preventing new bag fee laws, this bill promotes regulatory uniformity moving forward.

For these reasons, we respectfully request a favorable report on House Bill 1412.

Sincerely,

A handwritten signature in black ink, reading "Melvin R. Thompson", followed by a long horizontal flourish.

Melvin R. Thompson
Senior Vice President
Government Affairs and Public Policy

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