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# A BILL FOR AN ACT

RELATING TO OUTDOOR ADVERTISING.

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

1           SECTION 1. Section 445-112, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§445-112 Where and when permitted.** No person shall  
4 erect, maintain, or use a billboard or display any outdoor  
5 advertising device, except as provided in this section:

6           (1) The display of official notices and signs, posted by  
7 order of any court or public office, or posted by any  
8 public officer in the performance of a public duty, or  
9 posted by any person required to do so by any law or  
10 rule having the force of law;

11           (2) Any outdoor advertising device announcing a meeting or  
12 series of meetings is not prohibited by this section  
13 if displayed on the premises where the meeting or  
14 series of meetings will be or is being held. Meeting,  
15 as used in this section, includes all meetings  
16 regardless of whether open to the public or conducted  
17 for profit and includes but is not limited to sports  
18 events, conventions, fairs, rallies, plays, lectures,



- 1           concerts, motion pictures, dances, and religious  
2           services;
- 3           (3) Any outdoor advertising device indicating that the  
4           building or premises on which it is displayed is the  
5           residence, office, or place of business, commercial or  
6           otherwise, of any individual, partnership, joint  
7           venture, association, club, or corporation, and  
8           stating the nature of the business;
- 9           (4) Any outdoor advertising device that advertises  
10          property or services that may be bought, rented, sold,  
11          or otherwise traded in on the premises or in the  
12          building on which the outdoor advertising device is  
13          displayed;
- 14          (5) The offering for sale of merchandise bearing  
15          incidental advertising, including books, magazines,  
16          and newspapers, in any store, newsstand, vending  
17          machine, rack, or other place where such merchandise  
18          is regularly sold;
- 19          (6) Any outdoor advertising device offering any land,  
20          building, or part of a building for sale or rent, if  
21          displayed on the property so offered or on the  
22          building of which part is so offered;



- 1           (7) Any outdoor advertising device carried by persons or  
2           placed upon vehicles used for the transportation of  
3           persons or goods; provided that no persons shall  
4           operate or park, or cause to be operated or parked, on  
5           any street, roadway, or other public place, or on any  
6           private property that can be seen from any street,  
7           roadway, or other public place, any vehicle or trailer  
8           designed or used for the purpose of advertising for  
9           consideration or any other economic benefit any  
10           product or service, except that any vehicle or trailer  
11           may display advertising or business notices related to  
12           the business for which the vehicle is used, when the  
13           vehicle is:
- 14           (A) Engaged in its usual business; and
- 15           (B) Is not being used merely, mainly, or primarily to  
16           display advertisements or business notices;
- 17           (8) Any outdoor advertising device warning the public of  
18           dangerous conditions that they may encounter in nearby  
19           sections of streets, roads, paths, public places,  
20           power lines, gas and water mains, or other public  
21           utilities;



- 1       (9) Signs serving no commercial purpose that indicate  
2           places of natural beauty, or of historical or cultural  
3           interest and that are made according to designs  
4           approved by the department of business, economic  
5           development, and tourism;
- 6       (10) Any outdoor advertising device or billboard erected,  
7           placed, or maintained upon a state office building, if  
8           erected, placed, or maintained by authority of a state  
9           agency, department, or officer for the sole purpose of  
10          announcing cultural or educational events within the  
11          State, and if the design and location thereof [~~has~~]  
12          have been approved by the department of business,  
13          economic development, and tourism;
- 14       (11) Signs urging voters to vote for or against any person  
15          or issue, may be erected, maintained, and used, except  
16          where contrary to or prohibited by law;
- 17       (12) Signs stating that a residence that is offered for  
18          sale, lease, or rent is open for inspection at the  
19          actual time the sign is displayed and showing the  
20          route to the residence; provided that the sign  
21          contains no words or designs other than the words  
22          "Open House", the address of the residence, the name



1 of the person or agency responsible for the sale, and  
2 an arrow or other directional symbol and is removed  
3 during such time as the residence is not open for  
4 inspection;

5 (13) The erection, maintenance, and use of billboards if  
6 the billboard is used solely for outdoor advertising  
7 devices not prohibited by this section;

8 (14) The continued display and maintenance of outdoor  
9 advertising devices actually displayed on July 8,  
10 1965, in accordance with all laws and ordinances  
11 immediately theretofore in effect;

12 (15) The continued maintenance of any billboard actually  
13 maintained on July 8, 1965, and the display thereon of  
14 the same or new advertising devices, all in accordance  
15 with all laws and ordinances in effect immediately  
16 prior to July 9, 1965;

17 (16) Any outdoor advertising device displayed with the  
18 authorization of the University of Hawaii on any  
19 scoreboard of any stadium owned by the university. An  
20 outdoor advertising device displayed under this  
21 paragraph shall be on the front of the scoreboard and  
22 face the interior of the stadium;



**Report Title:**

County Licenses; Outdoor Advertising

**Description:**

Prohibits advertising on a vehicle engaged in business when the vehicle is operated or parked in a public place, or private place if viewed from a public place, if the primary purpose is advertising.

