

STAND. COM. REP. NO.

3316

Honolulu, Hawaii

APR - 5 2006

RE: H.B. No. 2708  
H.D. 2  
S.D. 2

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred H.B. No. 2708, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADVERTISING,"

begs leave to report as follows:

The purpose of this measure is to prohibit commercial advertising for compensation on vehicles.

Your Committee received testimony in support of this measure from the Outdoor Circle, Na Leo Pohai, and Scenic Hawaii, Inc. The Hawaii Ship Agents Association, the Hawaii Transportation Association, and one individual submitted testimony in opposition to this measure. The Department of the Attorney General, E Noa Corporation, and Unity House submitted comments on this measure.

Your Committee received testimony from the Department of the Attorney General that the measure as currently written would prohibit a broad spectrum of advertisements on almost all commercial vehicles. Your Committee finds that this measure is intended to be aimed at vehicles or trailers whose primary purpose is advertising.

Therefore, your Committee has amended this measure to clarify that it is unlawful for any person to operate or park any vehicle or trailers carrying a vehicular advertising device for consideration or any other economic benefit if the vehicle or

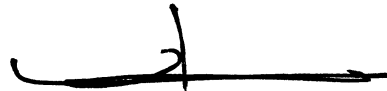


trailer is used primarily to display a vehicular advertising device.

This measure would not make unlawful a vehicular advertising device on vehicles or trailers in which the primary purpose is to transport goods, persons, or provide services, maintenance, or repairs. Similar prohibitions in other states have been upheld in the state and federal courts.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2708, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2708, H.D. 2, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Hawaiian Affairs,



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COLLEEN HANABUSA, Chair



