

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 1091
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1091 entitled:

"A BILL FOR AN ACT RELATING TO MOBILE BILLBOARDS,"

begs leave to report as follows:

The purpose of this measure is to prohibit the placement of paid advertisements on vehicles and trailers.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Na Leo Pohai. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that the current law allows advertisers to place signs and advertisements on vehicles when these same signs and advertisements would be prohibited if they were posted anywhere else, such as on a building or along the roadside. These vehicles function as billboards when they are driven or parked on the side of the road. Your Committee notes that this measure does not apply to vehicles or trailers that display advertisements for the business for which the vehicle or trailer is actually used.

Your Committee has amended this measure by:

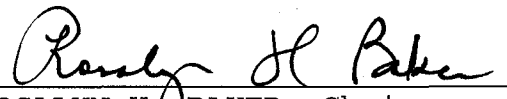
- (1) Clarifying that "economic benefit" does not include a benefit derived by the vehicle owner from advertising its own business; and



- (2) Making technical, nonsubstantive changes for clarity to section one.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1091, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1091, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



ROSALYN H. BAKER, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB 1091	Committee Referral: CPN, J90	Date: 02/13/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will		✓		
GREEN, M.D., Josh	✓			
IHARA, Jr., Les	✓			
SAKAMOTO, Norman	✓			
HEMMINGS, Fred			✓	
TOTAL	5	1	1	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">David Y. Ige</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes