
A BILL FOR AN ACT

RELATING TO AERIAL ADVERTISING DEVICES.

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

1 SECTION 1. Chapter 445, Hawaii Revised Statutes, is
2 amended by adding a new section to part IV to be appropriately
3 designated and to read as follows:

4 "§445- Aerial advertising device; prohibited. (a) No
5 person shall display an aerial advertising device in the State.

6 (b) As used in this section, "aerial advertising device"
7 means any device that is:

8 (1) A writing, picture, painting, light, model, display,
9 emblem, sign, or similar device displayed in the sky,
10 which is so designed that it draws the attention of
11 persons in any public highway, park, or other public
12 place to any property, services, entertainment, or
13 amusement, bought, sold, rented, hired, offered, or
14 otherwise traded in by any person, or to the place or
15 person where or by whom such buying, selling, renting,
16 hiring, offering, or other trading is carried on;



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- 1 (2) A sign, poster, notice, bill, or word or words in
2 writing displayed in the sky and so designed that it
3 draws the attention of and is read by persons in any
4 public highway, park, or other public place; or
5 (3) A sign, writing, symbol, or emblem made of lights, or
6 a device or design made of lights so designed that its
7 primary function is not giving light, which is
8 displayed in the sky and draws the attention of
9 persons in any public highway, park or other public
10 place."

11 SECTION 2. Section 261-7, Hawaii Revised Statutes, is
12 amended by amending subsection (a) to read as follows:

13 "(a) In operating an airport or air navigation facility
14 owned or controlled by the department of transportation, or in
15 which it has a right or interest, the department may enter into
16 contracts, leases, licenses, and other arrangements with any
17 person:

- 18 (1) Granting the privilege of using or improving the
19 airport or air navigation facility or any portion or
20 facility thereof or space therein for commercial
21 purposes;



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- 1 (2) Conferring the privilege of supplying goods,
- 2 commodities, things, services, or facilities at the
- 3 airport or air navigation facility;
- 4 (3) Making available services, facilities, goods,
- 5 commodities, or other things to be furnished by the
- 6 department or its agents at the airport or air
- 7 navigation facility; or
- 8 (4) Granting the use and occupancy of any portion of the
- 9 land under its jurisdiction that may not be required
- 10 by the department for aeronautics purposes so that it
- 11 may instead put the area to economic use and thereby
- 12 derive revenue therefrom.

13 The department shall not enter into contracts, leases,
 14 licenses, and other arrangements that permit an aircraft to
 15 display an aerial advertising device. As used in this
 16 subsection, "aerial advertising device" has the same meaning as
 17 in section 445-_____.

18 The term "airport purpose" or "airport purposes" contained
 19 in any governor's executive order transferring jurisdiction and
 20 control of real property to the department of transportation



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1 shall be considered to include entering into contracts, leases,
2 licenses, and other arrangements pursuant to this section."

3 SECTION 3. Section 445-121, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) Any person violating any provision of sections 445-
6 111 to 445-121 or section 445- shall be fined not less than
7 \$25 nor more than \$500, or imprisoned not more than one month,
8 or both."

9 SECTION 4. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval.

12

INTRODUCED BY:

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Report Title:

Aerial Advertising; Prohibition

Description:

Bans aerial advertising in the State. Prohibits the Department of Transportation from entering into contracts that permit an aircraft to display an aerial advertising device.

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