

JAN 28 2015

A BILL FOR AN ACT

RELATING TO OUTDOOR ADVERTISING.

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

1 SECTION 1. The legislature finds that the use of a
2 billboard or the display of any outdoor advertising device is
3 prohibited in the State. However, there are several exemptions
4 to the billboard and outdoor advertising prohibition, including
5 the allowance of outdoor advertising on a scoreboard of a
6 stadium operated by the stadium authority and on a scoreboard of
7 a stadium owned by the University of Hawaii. These exemptions
8 provide advertising and sponsorship revenue to the stadium
9 authority and the University of Hawaii, contributing to the
10 maintenance and operation costs of the stadiums.

11 The purpose of this Act is to exempt county parks and
12 county recreational facilities from the prohibition of outdoor
13 advertising; provided that certain criteria are met.

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



1 "§445-112 Where and when permitted. No person shall
2 erect, maintain, or use a billboard or display any outdoor
3 advertising device, except as provided in this section:

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

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

19 (3) Any outdoor advertising device indicating that the
20 building or premises on which it is displayed is the
21 residence, office, or place of business, commercial or



1 otherwise, of any individual, partnership, joint
2 venture, association, club, or corporation, and
3 stating the nature of the business;

4 (4) Any outdoor advertising device that advertises
5 property or services that may be bought, rented, sold,
6 or otherwise traded in on the premises or in the
7 building on which the outdoor advertising device is
8 displayed;

9 (5) The offering for sale of merchandise bearing
10 incidental advertising, including books, magazines,
11 and newspapers, in any store, newsstand, vending
12 machine, rack, or other place where such merchandise
13 is regularly sold;

14 (6) Any outdoor advertising device offering any land,
15 building, or part of a building for sale or rent, if
16 displayed on the property so offered or on the
17 building so offered;

18 (7) Any outdoor advertising device carried by persons or
19 placed upon vehicles used for the transportation of
20 persons or goods, except as provided under section
21 445-112.5, relating to vehicular advertising devices;



- 1 (8) Any outdoor advertising device warning the public of
2 dangerous conditions that they may encounter in nearby
3 sections of streets, roads, paths, public places,
4 power lines, gas and water mains, or other public
5 utilities;
- 6 (9) Signs serving no commercial purpose that indicate
7 places of natural beauty, or of historical or cultural
8 interest and that are made according to designs
9 approved by the department of business, economic
10 development, and tourism;
- 11 (10) Any outdoor advertising device or billboard erected,
12 placed, or maintained upon a state office building, if
13 erected, placed, or maintained by authority of a state
14 agency, department, or officer for the sole purpose of
15 announcing cultural or educational events within the
16 State, and if the design and location thereof has been
17 approved by the department of business, economic
18 development, and tourism;
- 19 (11) Signs urging voters to vote for or against any person
20 or issue, may be erected, maintained, and used, except
21 where contrary to or prohibited by law;



- 1 (12) Signs stating that a residence that is offered for
2 sale, lease, or rent is open for inspection at the
3 actual time the sign is displayed and showing the
4 route to the residence; provided that the sign
5 contains no words or designs other than the words
6 "Open House", the address of the residence, the name
7 of the person or agency responsible for the sale, and
8 an arrow or other directional symbol and is removed
9 during such time as the residence is not open for
10 inspection;
- 11 (13) The erection, maintenance, and use of billboards if
12 the billboard is used solely for outdoor advertising
13 devices not prohibited by this section;
- 14 (14) The continued display and maintenance of outdoor
15 advertising devices actually displayed on
16 July 8, 1965, in accordance with all laws and
17 ordinances immediately theretofore in effect;
- 18 (15) The continued maintenance of any billboard actually
19 maintained on July 8, 1965, and the display thereon of
20 the same or new advertising devices, all in accordance



1 with all laws and ordinances in effect immediately
2 prior to July 9, 1965;

3 (16) Any outdoor advertising device displayed with the
4 authorization of the University of Hawaii on any
5 scoreboard of any stadium owned by the university. An
6 outdoor advertising device displayed under this
7 paragraph shall be on the front of the scoreboard and
8 face the interior of the stadium;

9 (17) Any temporary outdoor advertising device attached to
10 or supported by the structure of any stadium owned by
11 the University of Hawaii, located within and facing
12 the interior of the stadium, and authorized to be
13 displayed by the university. For the purpose of this
14 paragraph, "temporary" means displayed for a short
15 period before the official start of organized athletic
16 competition, during the organized athletic
17 competition, and for a short period after the official
18 end of the organized athletic competition; [and]

19 (18) Any outdoor advertising device displayed with the
20 authorization of the stadium authority on any
21 scoreboard of any stadium operated by the stadium



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1 authority. An outdoor advertising device displayed
 2 under this paragraph shall be on the front of the
 3 scoreboard and face the interior of the stadium[-];
 4 and

5 (19) Any outdoor advertising device displayed with the
 6 authorization of the county, attached to or supported
 7 by a structure, including a fence, at a county park or
 8 county recreational facility. An outdoor advertising
 9 device displayed under this paragraph shall face the
 10 interior of the county park or county recreational
 11 facility."

12 SECTION 3. Statutory material to be repealed is bracketed
 13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect upon its approval.

15 INTRODUCED BY:

Don S.C. Koch-Agona Randy H. Bell
[Signature] [Signature]
Michelle Tuboni



S.B. NO. 1218

Report Title:

Outdoor Advertising; County Park; County Recreational Facility;
Exemptions

Description:

Exempts county parks and county recreational facilities from the outdoor advertising prohibition; provided that certain criteria are met.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

