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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1           SECTION 1. The legislature finds that Hawaii is one of the  
2 most beautiful places on the planet, with breathtaking  
3 landscapes, lush tropical forests, and rich ocean resources.  
4 The State is home to amazing ecosystems that include a unique  
5 mix of flora and fauna, including dozens of endemic Hawaiian  
6 birds that can be found nowhere else on earth; approximately one  
7 thousand four hundred species of native plants, ninety per cent  
8 of which are endemic to the State; and familiar marine mammals  
9 that are closely associated with the State, including the  
10 Hawaiian monk seal and humpback whale.

11           The legislature also finds that state residents understand  
12 the importance of these unique resources and appreciate their  
13 value. More specifically, residents appreciate the beloved  
14 native and endemic plants and animals of Hawaii, strongly  
15 believe that these resources must be preserved for future  
16 generations, and support opportunities to directly contribute to  
17 the conservation of these critical resources.



1       Accordingly, the purpose of this Act is to establish  
2       special number motor vehicle license plates that commemorate the  
3       importance of forest and ocean conservation, and to use proceeds  
4       from the special number plate program to fund conservation  
5       efforts for the State's beaches, nearshore environments, and  
6       forests.

7       SECTION 2. Chapter 249, Hawaii Revised Statutes, is  
8       amended by adding a new section to be appropriately designated  
9       and to read as follows:

10       "§249-       Special number plates for forest and ocean  
11 conservation; authorized. (a) Notwithstanding any law to the  
12 contrary, the director of finance shall issue to any registered  
13 owner of a motor vehicle, who is a resident of the State and has  
14 completed the application and paid the required fees, special  
15 number plates for the registered owner's motor vehicle  
16 commemorating the importance of forest and ocean conservation.

17       (b) The director of finance of the city and county of  
18 Honolulu, in consultation with the directors of finance of the  
19 counties of Kauai, Maui, and Hawaii, the chiefs of police of the  
20 city and county of Honolulu, and the counties of Kauai, Maui,  
21 and Hawaii, and the chairperson of the board of land and natural



resources, shall establish special number plate designs that  
commemorate the importance of forest and ocean conservation;  
provided that the director of finance shall establish two  
different designs that commemorate the importance of forest  
conservation and that correspond to the two fundraising fee  
amounts described in subsection (e), and two different designs  
that commemorate the importance of ocean conservation and that  
correspond to the two fundraising fee amounts described in  
subsection (e). Each design shall:

(1) Contain words, images, or both, that indicate the  
special number plate is issued to commemorate the  
importance of forest or ocean conservation;

(2) Be similar in shape and size to the uniform state  
number plate prescribed by law; and

(3) Not obstruct the visibility of the number or letters  
or any other information that is required by law to be  
on a number plate and is readily identifiable and  
distinguishable under actual traffic conditions.

(c) Each special number plate design shall not:



1       (1) Infringe or otherwise violate any trademark, trade  
2       name, service mark, copyright, or other proprietary or  
3       property right;

4       (2) Represent any obscene or degrading image, idea, word,  
5       or phrase;

6       (3) Advertise or endorse a product, brand, or service that  
7       is provided for sale;

8       (4) Promote any religious belief; or

9       (5) Promote any philosophy based on prejudice or that is  
10       contrary to state civil rights laws.

11       (d) Each special number plate shall be securely fastened  
12       to the motor vehicle in lieu of the uniform state number plate.

13       (e) The director of finance shall charge a special number  
14       plate fee at least equal to the county's cost of providing the  
15       special number plate and administrative costs, if any, plus a  
16       fundraising fee of either \$100 or \$200; provided that the  
17       director of finance shall issue a separate number plate design  
18       for each fundraising fee amount. The special number plate fee  
19       and fundraising fee established by this subsection shall be in  
20       addition to any other state or county fees collected for a motor  
21       vehicle registration or license plate.



1       (f) The director of finance shall charge the same  
2       fundraising fee established pursuant to subsection (e), for the  
3       renewal of a special number plate.

4       (g) The revenue generated by the fundraising fees shall be  
5       deposited into the:

6       (1) Forest stewardship fund established pursuant to  
7       section 195F-4, if the fundraising fee is for a  
8       special number plate issued to commemorate the  
9       importance of forest conservation; and

10       (2) Beach restoration special fund established pursuant to  
11       section 171-156, if the fundraising fee is for a  
12       special number plate issued to commemorate the  
13       importance of ocean conservation. Provided that fees  
14       deposited into the beach restoration special fund  
15       pursuant to this paragraph shall be used for beach and  
16       nearshore environmental cleanup as authorized by  
17       section 171-156(b)(1), Hawaii Revised Statutes.

18       (h) The director of finance may revoke all special number  
19       plates issued pursuant to this section if the total number of  
20       registered owners of motor vehicles that obtain the special



1 number plates is less than one hundred fifty within three years  
2 of issuance of the first special number plate.

3 (i) Nothing in this section shall be construed to apply to  
4 any plates issued pursuant to section 249-9.2.

5 (j) For the purposes of this section, unless a different  
6 meaning appears from the context, "special number plate" means a  
7 license plate that is not a uniform state number plate."

8 SECTION 3. Section 171-156, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 " ~~[+]~~ §171-156 ~~[+]~~ Beach restoration special fund. (a)  
11 There is established in the state treasury a special fund to be  
12 designated as the "beach restoration special fund" to carry out  
13 the purposes of this part. The following moneys shall be  
14 deposited into the beach restoration special fund:

15 (1) Proceeds from the lease or development of public  
16 coastal lands designated pursuant to a beach  
17 restoration plan, subject to the Hawaiian Homes  
18 Commission Act of 1920, as amended, and section 5(f)  
19 of the Admission Act of 1959;

20 (2) Proceeds from the lease of public lands pursuant to  
21 this part for an existing seawall or revetment;



(3) Proceeds from the fundraising fee charged for special number plates pursuant to section 249- (g) (2);

~~[(3)]~~ (4) Fines collected for unauthorized shoreline structures on state submerged land or conservation district land;

~~[(4)]~~ (5) Appropriations made by the legislature for deposit into this fund;

~~[(5)]~~ (6) Donations and contributions made by private individuals or organizations for deposit into this fund;

~~[(6)]~~ (7) Fees collected for the processing of applications for coastal and beach erosion control projects; and

~~[(7)]~~ (8) Grants provided by governmental agencies or any other source.

(b) The beach restoration special fund may be used by the department for one or more of the following purposes:

(1) Planning, designing, development, or implementation of beach restoration projects pursuant to this part;

[and]

(2) Providing grants to the counties, nongovernmental organizations, and the University of Hawaii for the



1 restoration of beach lands and for research or  
2 engineering studies necessary to support beach  
3 restoration projects, subject to this part[-]; and

4 (3) Conducting beach and nearshore environmental  
5 cleanups."

6 SECTION 4. Section 195F-4, Hawaii Revised Statutes, is  
7 amended by amending subsection (a) to read as follows:

8 "(a) There is established a special fund within the state  
9 treasury known as the forest stewardship fund which shall be  
10 used as follows:

11 (1) Payments shall be made by the board pursuant to  
12 agreements entered into with qualified landowners to  
13 further the purposes of this chapter; and

14 (2) Moneys collected from:

15 (A) The harvest of non-native forest products from  
16 forest reserves;

17 (B) The harvest of native forest products from  
18 degraded forests as defined in section 186-5.5,  
19 within forest reserves;

20 (C) The sale of forest products found dead and lying  
21 on the ground;





1 (D) The sale of tree seedlings from state nurseries;

2 (E) The sale of any other products or services, or  
3 anything of value derived from forest reserves  
4 not described above; ~~[or]~~

5 (F) The imposition of fines or penalties for  
6 violations of this chapter and chapters 183 and  
7 185 or any rule adopted thereunder; or

8 (G) Proceeds from the fundraising fee charged for  
9 special number plates pursuant to section  
10 24- (g) (1),

11 shall be used for:

12 (i) ~~[replanting,]~~ Replanting, managing, and  
13 maintaining designated timber management  
14 areas;

15 (ii) ~~[enhancing]~~ Enhancing the management of  
16 public forest reserves with an emphasis on  
17 restoring degraded koa forests; and

18 (iii) ~~[developing]~~ Developing environmental  
19 education and training programs pertaining  
20 to sustainable forestry;



1           provided that the activities described in clauses (ii)  
2           and (iii) [~~may~~] shall not be funded unless the  
3           activities described in approved management plans  
4           pertaining to clause (i) are adequately funded."

5           SECTION 5. Section 249-9.1, Hawaii Revised Statutes, is  
6   amended to read as follows:

7           "**§249-9.1 Special number plates.** In addition to the  
8   number plates contracted on behalf of the counties by the  
9   director of finance of the city and county of Honolulu, the  
10   director of finance may provide, upon request, special number  
11   plates. The special number plates shall conform to the  
12   requirements provided for the uniform number plates except that  
13   the owner may request the choice and arrangement of letters and  
14   numbers. The maximum number of letters and numbers shall be six  
15   and only one hyphen will be allowed in addition to and in lieu  
16   of the six letters and numerals. No other punctuation marks  
17   shall be allowed. The director of finance shall not issue  
18   special number plates which have the letter and numeral  
19   combination of regular plates, are misleading or publicly  
20   objectionable. The fee for special number plates shall be [~~\$25~~]  
21   \$100 upon initial application and [~~\$25~~] \$100 upon each annual



1 renewal of the vehicle registration. This fee shall not be  
2 refundable. Re-application for special number plates must be  
3 made upon a change in design of regular plates. The director of  
4 finance may discard and allow for new applications of inactive  
5 special number plates that have not been assigned or registered  
6 during the preceding three years. The director of finance shall  
7 adopt rules pursuant to chapter 91 to carry out this section."

8 SECTION 6. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 7. This Act shall take effect upon its approval.



**Report Title:**

Counties; Board of Land and Natural Resources; Special License Plates; Forest Conservation; Ocean Conservation

**Description:**

Authorizes the issuance of special license plates to support forest conservation and ocean conservation, with proceeds from the program to be used to fund conservation efforts at the State's beaches, nearshore environment, and forests. Increases the initial application and renewal fees for special number plates from \$25 to \$100. (SD1)

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

