

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO SPECIAL NUMBER PLATES.

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

1       SECTION 1. The legislature finds that Duke Kahanamoku  
2       should be recognized for his contributions as an all-around  
3       waterman, a lifeguard and lifesaver, a swim record-setter, a  
4       swim and surf instructor, a four-time Olympic medalist in  
5       swimming and water polo, a sheriff of the city and county of  
6       Honolulu, an early champion of volunteerism, and Hawaii's  
7       original ambassador of aloha. He was inducted into the Hawaii  
8       Waterman Hall of Fame, the U.S. Olympic Hall of Fame, the  
9       International Swimming Hall of Fame, and the International  
10      Surfing Hall of Fame. As one of the first internationally  
11      recognized native Hawaiians, Duke Kahanamoku shared surfing and  
12      the aloha spirit with the world, and in doing so, brought the  
13      world's attention to Hawaii. It is therefore appropriate that  
14      he be honored with a special license plate emblazoned with his  
15      name and likeness further promoting his legacy of aloha.



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

"§249- Special number plates for Duke Kahanamoku authorized. (a) Notwithstanding any law to the contrary, the director of finance shall issue to any registered owner of a motor vehicle, who is a resident of the State, upon completed application and payment of required fees, a special number plate for the registered owner's motor vehicle commemorating Duke Kahanamoku, to observe his contribution to Hawaii; provided that the owner of the Duke Kahanamoku trademark, Malama Pono, Inc., has given explicit permission for the trademark to be used for the special number plate with all proceeds benefiting the Outrigger Duke Kahanamoku Foundation.

(b) The director of finance of the city and county of Honolulu, in consultation with the directors of finance of the counties of Kauai, Maui, and Hawaii, the chiefs of police of the city and county of Honolulu, and the counties of Kauai, Maui, and Hawaii, and the executive director of the Outrigger Duke Kahanamoku Foundation, shall establish a special number plate design that:



- (1) Contains words, images, or both, that indicate the special number plate is issued to recognize Duke Kahanamoku; provided that the director of finance of the city and county of Honolulu may establish special number plate designs to jointly or separately recognize Duke Kahanamoku;
- (2) Is similar in shape and size to the uniform state number plate prescribed by law; and
- (3) Does 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 are readily identifiable and distinguishable under actual traffic conditions.
- (c) The special number plate design shall not:
- (1) Infringe or otherwise violate any trademark, trade name, service mark, copyright, or other proprietary or property right;
- (2) Represent any obscene or degrading image, idea, word, or phrase;
- (3) Advertise or endorse a product, brand, or service that is provided for sale;



1        (4) Promote any religious belief; or

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

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

6        (e) The director of finance shall charge a special number  
7        plate fee at least equal to the county's cost of providing the  
8        special number plate and administrative costs, if any, plus a  
9        fundraising fee to be determined by the director of finance in  
10       consultation with the executive director of the Outrigger Duke  
11       Kahanamoku Foundation. The fundraising fee shall be in addition  
12       to any other state or county fees collected for a motor vehicle  
13       registration or license plate.

14       (f) The director of finance may charge an additional  
15       fundraising fee, of the same or a different amount as the  
16       fundraising fee established pursuant to subsection (e), for the  
17       renewal of a special number plate. If an additional fundraising  
18       fee is implemented pursuant to this subsection, the director of  
19       finance shall revoke the special number plate of the registered  
20       owner of a motor vehicle who fails to pay the additional  
21       fundraising fee imposed by this subsection.



1        (g) The revenue generated by the fundraising fees, or a  
2 portion of the revenue generated by the fundraising fees as  
3 determined by the director of finance, shall be deposited in the  
4 name of the Outrigger Duke Kahanamoku Foundation in a separate  
5 county budget account. The director of finance shall determine  
6 the most efficient means of directing the revenue generated by  
7 the fundraising fees to the Outrigger Duke Kahanamoku  
8 Foundation, as appropriate, for the purpose of funding swim  
9 programs in the State as a tribute to Duke Kahanamoku. The net  
10 proceeds of the revenue shall be used to support programs that  
11 promote water safety and swim education across the State while  
12 developing world class water athletes in the spirit of Duke  
13 Kahanamoku.

14        (h) The director of finance may revoke all special number  
15 plates issued pursuant to this section if the total number of  
16 registered owner's of motor vehicles that obtain the special  
17 number plates is less than one hundred fifty within three years  
18 of issuance of the first special number plate.

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

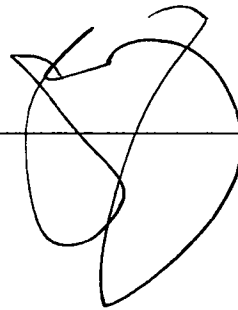


(j) For the purposes of this section, unless a different meaning appears from the context, "special number plate" means a license plate that commemorates Duke Kahanamoku."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2021.

INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, consisting of a large, stylized 'S' or 'D' shape with a loop, written over a horizontal line.

# S.B. NO. 915

**Report Title:**

Special License Plates; Duke Kahanamoku; Outrigger Duke  
Kahanamoku Foundation

**Description:**

Authorizes the issuance of special number plates to commemorate  
Duke Kahanamoku.

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

