

## ACT 181

S.B. NO. 2957

A Bill for an Act Relating to Outdoor Advertising.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 445-114, Hawaii Revised Statutes, is amended to read as follows:

**“§445-114 Unlawful posting in public places. (a)<sup>1</sup>** [It shall be unlawful for any person, except] Except for a public officer in performance of a public duty, or a private person in giving legal notice[,] on other than utility poles, it shall be unlawful for any person to paste, post, paint, print, nail, tack, or otherwise fasten any card, banner, handbill, sign, poster, outdoor advertising device, or notice of any kind or cause the same to be done, on any curbstone, lamp-post, [pole, hitching post, watering trough,] utility pole, street-light pole, hydrant, bridge, tree, street sign, traffic sign, or traffic light upon any public property in the State, except as may be required by the ordinances of the county where it is posted, or by the laws of this State or of the United States.”

SECTION 2. Section 445-121, Hawaii Revised Statutes, is amended to read as follows:

**“§445-121 Penalty. (a)** Any person violating any provision of sections 445-111 to 445-121 shall be fined not less than \$25 nor more than \$500, or imprisoned not more than one month, or both.

(b) In addition to subsection (a), any person acting knowingly, who is either:

(1) Responsible for posting material in violation of section 445-114; or

(2) The person organizing the event or the owner or operator of the business advertised on the posted material,

shall remove the material within seventy-two hours after receipt of written notice of the posting or seventy-two hours after the date of the event advertised on the posted material, whichever occurs first. Failure to remove the posted material within the time specified shall be punishable by an additional fine of not less than \$100 nor more than \$200 per posted material, or community service of not less than ten hours nor more than twenty hours, or both. Such additional penalties shall not be imposed unless the person received written notice of the posting or was responsible for posting material in violation of section 445-114.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved July 15, 1998.)

**Note**

1. No subsection (b) designation.