

**ACT 81**

H.B. NO. 2715

A Bill for an Act Relating to Special Number Plates.

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

SECTION 1. The legislature finds that Keawalau o Puuloa, also known as Puuloa or Pearl Harbor, was first settled around 400 A.D. and is a

place of cultural significance that exemplifies the power of positive, community-led change. The Maweke family, one of the original families who settled in the area, is credited with bringing sweet potato from Peru to Ewa and dredging an entrance to allow large voyaging canoes to pass over the shallow entrance to Puuloa. Puuloa's ancient settlements near present-day Honouliuli, also known as West Loch, represent the first and oldest settlements on the island of Oahu. The area near Puuloa also served as a major political capital in Ewa that governed the island of Oahu.

The legislature also finds that Puuloa was an abundant water resource that contained at least thirty loko ia, traditional Hawaiian fishponds, and loi kalo, patches of land for taro cultivation. A convergence of estuaries, perennial freshwater springs, shallow aquifers, and healthy nutrient runoff provided loko ia and loi kalo with regenerative resources needed to feed surrounding settlements. However, Puuloa's aquatic resources have been exposed and contaminated with mercury, polychlorinated biphenyls, dioxins, pesticides, microplastics, lead, and other harmful chemicals and materials from multiple polluted runoff sources. Many toxins present in Puuloa persist in the environment for significant periods of time and bioaccumulate in the tissues of fish, aquatic plants, and wildlife that live in the local ecosystems.

The legislature further finds that Hui o Ho'ohonua is a 501(c)(3) non-profit organization doing business under the trade name Mālama Pu'uloa, with a mission to address the historical trauma to the land, water, and people in the Ewa Moku on Oahu. Created by the members of the Ewa community, this mission was motivated by the environmental neglect and pollution in Pearl Harbor.

Accordingly, the purpose of this Act is to authorize the issuance of special number plates to recognize and honor Malama Puuloa.

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 Malama Puuloa; 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 and has completed the application and paid the required fees, a special number plate for the registered owner's motor vehicle that commemorates Malama Puuloa and observes the organization's contributions to the restoration of Puuloa, also known as Pearl Harbor.

(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 chief executive officer of Hui o Ho'ohonua shall establish a special number plate design that:

- (1) Contains words, images, or both, that indicate the special number plate is issued to recognize Malama Puuloa;
- (2) Is similar in shape and size to the uniform state number plate prescribed by law;
- (3) Does not exceed four and one-half inches in height by four and one-half inches in width;
- (4) Complies with all other requirements in section 249-9(a); and
- (5) 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 is readily identifiable and distinguishable under actual traffic conditions;

provided that the director of finance of the city and county of Honolulu may also establish additional special number plate designs in conformance with

this subsection and subsection (c) that jointly or separately recognize Malama Puuloa.

(c) The special number plate design shall not:

- (1) Infringe upon 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;
- (4) Promote any religious belief; or
- (5) Promote any philosophy based on prejudice or that is contrary to state civil rights laws.

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

(e) The director of finance shall charge a special number plate fee at least equal to the county's cost of providing the special number plate and administrative costs, if any, plus a fundraising fee to be determined by the director of finance in consultation with the chief executive officer of Hui o Ho'ohonua. The fundraising fee shall be in addition to any other state or county fees collected for a motor vehicle registration or license plate.

(f) The director of finance may charge an additional fundraising fee, of the same or a different amount as the fundraising fee established pursuant to subsection (e), for the renewal of a special number plate. If an additional fundraising fee is implemented pursuant to this subsection, the director of finance shall not renew and instead shall revoke the special number plate of the registered owner of a motor vehicle who fails to pay the additional fundraising fee imposed by this subsection.

(g) The revenue generated by the fundraising fees, or a portion of the revenue generated by the fundraising fees as determined by the director of finance, shall be deposited in the name of Malama Puuloa in a separate county budget account. The director of finance shall determine the most efficient means of directing the net revenue generated by the fundraising fees to Malama Puuloa, as appropriate, to fund the restoration of Puuloa, or Pearl Harbor.

(h) The director of finance may revoke all special number plates issued pursuant to this section if the total number of registered owners of motor vehicles who obtain the special number plates is less than one hundred fifty within three years of issuance of the first special number plate.

(i) Nothing in this section shall be construed to apply to 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 Malama Puuloa."

SECTION 3. New statutory material is underscored.<sup>1</sup>

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

(Approved June 21, 2024.)

**Note**

1. Edited pursuant to HRS §23G-16.5.