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## A BILL FOR AN ACT

RELATING TO GOVERNMENT BUILDINGS.

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

1       SECTION 1. Section 445-112, Hawaii Revised Statutes, is  
2 amended to read as follows:

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

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

11       (2) Any outdoor advertising device announcing a meeting or  
12          series of meetings is not prohibited by this section  
13          if displayed on the premises where the meeting or  
14          series of meetings will be or is being held. Meeting,  
15          as used in this section, includes all meetings  
16          regardless of whether open to the public or conducted  
17          for profit and includes but is not limited to sports



1 events, conventions, fairs, rallies, plays, lectures,  
2 concerts, motion pictures, dances, and religious  
3 services;

4 (3) Any outdoor advertising device indicating that the  
5 building or premises on which it is displayed is the  
6 residence, office, or place of business, commercial or  
7 otherwise, of any individual, partnership, joint  
8 venture, association, club, or corporation, and  
9 stating the nature of the business;

10 (4) Any outdoor advertising device that advertises  
11 property or services that may be bought, rented, sold,  
12 or otherwise traded in on the premises or in the  
13 building on which the outdoor advertising device is  
14 displayed;

15 (5) The offering for sale of merchandise bearing  
16 incidental advertising, including books, magazines,  
17 and newspapers, in any store, newsstand, vending  
18 machine, rack, or other place where such merchandise  
19 is regularly sold;

20 (6) Any outdoor advertising device offering any land,  
21 building, or part of a building for sale or rent, if



displayed on the property so offered or on the building so offered;

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

(8) Any outdoor advertising device warning the public of dangerous conditions that they may encounter in nearby sections of streets, roads, paths, public places, power lines, gas and water mains, or other public utilities;

(9) Signs serving no commercial purpose that indicate places of natural beauty, or of historical or cultural interest and that are made according to designs approved by the department of business, economic development, and tourism;

(10) Any outdoor advertising device or billboard erected, placed, or maintained upon a state or county office building, if erected, placed, or maintained by authority of [a] the state or county agency, department, or officer [~~for the sole purpose of~~



1        ~~announcing cultural or educational events within the~~  
2        ~~State,~~ which uses the majority of the building and if  
3        the design and location thereof has been approved by  
4        the department of business, economic development, and  
5        tourism;

6        (11) Signs urging voters to vote for or against any person  
7        or issue, may be erected, maintained, and used, except  
8        where contrary to or prohibited by law;

9        (12) Signs stating that a residence that is offered for  
10       sale, lease, or rent is open for inspection at the  
11       actual time the sign is displayed and showing the  
12       route to the residence; provided that the sign  
13       contains no words or designs other than the words  
14       "Open House", the address of the residence, the name  
15       of the person or agency responsible for the sale, and  
16       an arrow or other directional symbol and is removed  
17       during such time as the residence is not open for  
18       inspection;

19       (13) The erection, maintenance, and use of billboards if  
20       the billboard is used solely for outdoor advertising  
21       devices not prohibited by this section;



1       (14) The continued display and maintenance of outdoor  
2       advertising devices actually displayed on  
3       July 8, 1965, in accordance with all laws and  
4       ordinances immediately theretofore in effect;

5       (15) The continued maintenance of any billboard actually  
6       maintained on July 8, 1965, and the display thereon of  
7       the same or new advertising devices, all in accordance  
8       with all laws and ordinances in effect immediately  
9       prior to July 9, 1965;

10      (16) Any outdoor advertising device displayed with the  
11      authorization of the University of Hawaii on any  
12      scoreboard of any stadium owned by the university. An  
13      outdoor advertising device displayed under this  
14      paragraph shall be on the front of the scoreboard and  
15      face the interior of the stadium;

16      (17) Any temporary outdoor advertising device attached to  
17      or supported by the structure of any stadium owned by  
18      the University of Hawaii, located within and facing  
19      the interior of the stadium, and authorized to be  
20      displayed by the university. For the purpose of this  
21      paragraph, "temporary" means displayed for a short



1 period before the official start of organized athletic  
2 competition, during the organized athletic  
3 competition, and for a short period after the official  
4 end of the organized athletic competition; ~~and~~

5 (18) Any outdoor advertising device displayed with the  
6 authorization of the stadium authority on any  
7 scoreboard of any stadium operated by the stadium  
8 authority. An outdoor advertising device displayed  
9 under this paragraph shall be on the front of the  
10 scoreboard and face the interior of the stadium~~[-]~~;

11 and

12 (19) Any outdoor advertising device displayed with the  
13 authorization of the stadium authority on the exterior  
14 of any stadium operated by the stadium authority. The  
15 outdoor advertising devices displayed under this  
16 paragraph shall be limited to five identical  
17 advertising devices per stadium."

18 SECTION 2. Section 445-113, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "**§445-113 Regulation by counties.** Except for outdoor  
21 advertising devices authorized under section ~~[445-112(16) and]~~



1 445-112(10), (16), (17), and (19), the several counties may  
2 adopt ordinances regulating billboards and outdoor advertising  
3 devices not prohibited by sections 445-111 to 445-121. The  
4 ordinances may:

5 (1) Classify billboards and outdoor advertising devices in  
6 the classes set forth in section 445-112, or in any  
7 other reasonable manner of classification;

8 (2) Regulate the size, manner of construction, color,  
9 illumination, location, and appearance of any class of  
10 billboard or outdoor advertising device;

11 (3) Prohibit the erection or maintenance of any type of  
12 billboard or the displaying of any outdoor advertising  
13 device in particular parts, or in all parts, of the  
14 county; provided that the prohibition shall not apply  
15 to any official notice or sign described in section  
16 445-112(1); and provided further that, unless a county  
17 ordinance specifies otherwise, the prohibition shall  
18 extend to billboards or outdoor advertising devices  
19 located in the airspace or waters beyond the  
20 boundaries of the county that are visible from any



1 public highway, park, or other public place located  
2 within the county;

3 (4) Control and license the business of making, erecting,  
4 posting, renting, and maintaining outdoor advertising  
5 devices and billboards as a business providing  
6 advertising for others, and require each person  
7 engaging in such business to obtain an annual license,  
8 the fee for which shall not exceed \$100. The license  
9 shall be conditioned upon the maintenance of all  
10 outdoor advertising devices and billboards in a safe  
11 state, and the observance of sections 445-111 to  
12 445-121 and all applicable ordinances and shall be  
13 revocable by the licensing authority upon breach of  
14 such condition;

15 (5) Require that no person, whether licensed under  
16 paragraph (4) or not, shall erect or maintain any  
17 billboard unless it is licensed by a permit issued by  
18 the county, the issuance of which permit shall be  
19 conditioned upon compliance with this chapter and all  
20 applicable ordinances and the payment to the county of  
21 an annual fee not to exceed \$25 per billboard; and





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(6) Provide for such other regulation of billboards and outdoor advertising devices as will promote the public health, welfare, safety, and convenience; encourage and promote the tourist and visitor trade; conserve and develop the natural beauty of the State, as well as objects and places of historic and cultural interest; foster sightliness and physical good order; and promote the purposes and provisions of sections 445-111 to 445-121."

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

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

INTRODUCED BY:

*[Signature]*

**By Request**

JAN 23 2015



# H.B. NO. 314

**Report Title:**

State Buildings; Outdoor Advertising Device; Sponsorship

**Description:**

Authorizes the use of outdoor advertising devices for purposes of all owing the naming rights of state buildings.

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

