

JAN 22 2021

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.



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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



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

- 10 (1) Contain words, images, or both, that indicate the
11 special number plate is issued to commemorate the
12 importance of forest or ocean conservation;
13 (2) Be similar in shape and size to the uniform state
14 number plate prescribed by law; and
15 (3) Not obstruct the visibility of the number or letters
16 or any other information that is required by law to be
17 on a number plate and is readily identifiable and
18 distinguishable under actual traffic conditions.
19 (c) Each special number plate design shall not:



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- 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.



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1 (f) The director of finance may charge an additional
2 fundraising fee, of the same or a different amount as the
3 fundraising fee established pursuant to subsection (e), for the
4 renewal of a special number plate. If an additional fundraising
5 fee is implemented pursuant to this subsection, the director of
6 finance shall revoke the special number plate of the registered
7 owner of a motor vehicle who fails to pay the additional
8 fundraising fee imposed by this subsection.

9 (g) The revenue generated by the fundraising fees shall be
10 deposited into the:

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

15 (2) Beach restoration special fund established pursuant to
16 section 171-156, if the fundraising fee is for a
17 special number plate issued to commemorate the
18 importance of ocean conservation.

19 (h) The director of finance may revoke all special number
20 plates issued pursuant to this section if the total number of
21 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;



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- 1 (3) Proceeds from the fundraising fee charged for special
2 number plates pursuant to section 249- (g) (2);
- 3 [~~3~~] (4) Fines collected for unauthorized shoreline
4 structures on state submerged land or conservation
5 district land;
- 6 [~~4~~] (5) Appropriations made by the legislature for
7 deposit into this fund;
- 8 [~~5~~] (6) Donations and contributions made by private
9 individuals or organizations for deposit into this
10 fund;
- 11 [~~6~~] (7) Fees collected for the processing of applications
12 for coastal and beach erosion control projects; and
- 13 [~~7~~] (8) Grants provided by governmental agencies or any
14 other source.
- 15 (b) The beach restoration special fund may be used by the
16 department for one or more of the following purposes:
- 17 (1) Planning, designing, development, or implementation of
18 beach restoration projects pursuant to this part;
19 [and]
- 20 (2) Providing grants to the counties, nongovernmental
21 organizations, and the University of Hawaii for the



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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;



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- 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



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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.

11

INTRODUCED BY:



A handwritten signature in black ink, appearing to be 'Dan', is written over a horizontal line.



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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.

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

