

---

---

# 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.



1 Accordingly, the purpose of this Act is to:

- 2 (1) Establish special number motor vehicle license plates
- 3 that commemorate the importance of forest and ocean
- 4 conservation, and use proceeds from the special number
- 5 plate program to fund conservation efforts for the
- 6 State's beaches, nearshore environments, and forests;
- 7 and
- 8 (2) Increase initial application and renewal fees for
- 9 special number plates.

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

13 **"§249- Special number plates for forest and ocean**  
 14 **conservation; authorized.** (a) Notwithstanding any law to the  
 15 contrary, the director of finance shall issue to any registered  
 16 owner of a motor vehicle, who is a resident of the State and has  
 17 completed the application and paid the required fees, special  
 18 number plates that commemorate the importance of forest and  
 19 ocean conservation, for the registered owner's motor vehicle.

20 (b) The director of finance of the city and county of  
 21 Honolulu shall establish special number plate designs that



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

9       (1) Contain words or images, or both, that indicate that  
10       the special number plate is being issued to  
11       commemorate the importance of forest or ocean  
12       conservation;

13       (2) Be similar in shape and size to the uniform state  
14       number plate prescribed by law; and

15       (3) Be readily identifiable and distinguishable under  
16       actual traffic conditions.

17 The director of finance of the city and county of Honolulu shall  
18 consult with the directors of finance of the counties of Kauai,  
19 Maui, and Hawaii; the chiefs of police of the city and county of  
20 Honolulu and the counties of Kauai, Maui, and Hawaii; and the



1 chairperson of the board of land and natural resources in  
2 establishing the special number plate design.

3 (c) Each special number plate design shall not:

4 (1) Infringe upon or otherwise violate any trademark,  
5 trade name, service mark, copyright, or other  
6 proprietary or property right;

7 (2) Represent any obscene or degrading image, idea, word,  
8 or phrase;

9 (3) Advertise or endorse a product, brand, or service that  
10 is provided for sale;

11 (4) Promote any religious belief;

12 (5) Promote any philosophy based on prejudice or that is  
13 contrary to state civil rights laws; or

14 (6) Obstruct the visibility of the number plate's numbers  
15 or letters or any other information that is required  
16 by law to be on a number plate.

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

19 (e) The director of finance shall charge a special number  
20 plate fee at least equal to the county's cost of providing the  
21 special number plate and administrative costs, if any, plus a



1 fundraising fee of either \$100 or \$200; provided that the  
2 director of finance shall issue a separate number plate design  
3 for each fundraising fee amount. The special number plate fee  
4 and fundraising fee established by this subsection shall be in  
5 addition to any other state or county fees collected for a motor  
6 vehicle registration or license plate.

7 (f) The director of finance shall charge the same  
8 fundraising fee established pursuant to subsection (e) for the  
9 renewal of a special number plate.

10 (g) The revenue generated by the fundraising fees  
11 established pursuant to subsections (e) and (f) shall be  
12 deposited into the:

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

17 (2) Beach restoration special fund established pursuant to  
18 section 171-156, if the fundraising fee is for a  
19 special number plate issued to commemorate the  
20 importance of ocean conservation; provided that fees  
21 deposited into the beach restoration special fund



1 pursuant to this paragraph shall be used for beach and  
2 nearshore environmental cleanup as authorized by  
3 section 171-156(b) (1).

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

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

11 (j) For the purposes of this section, unless a different  
12 meaning appears from the context, "special number plate" means a  
13 license plate that is not a uniform state number plate."

14 SECTION 3. Section 171-156, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "[~~§~~]**S171-156**[~~]~~ **Beach restoration special fund.** (a)

17 There is established in the state treasury a special fund to be  
18 designated as the "beach restoration special fund" to carry out  
19 the purposes of this part. The following moneys shall be  
20 deposited into the beach restoration special fund:



- 1 (1) Proceeds from the lease or development of public  
2 coastal lands designated pursuant to a beach  
3 restoration plan, subject to the Hawaiian Homes  
4 Commission Act of 1920, as amended, and section 5(f)  
5 of the Admission Act of 1959;
- 6 (2) Proceeds from the lease of public lands pursuant to  
7 this part for an existing seawall or revetment;
- 8 (3) Proceeds from the fundraising fee charged for special  
9 number plates pursuant to section 249- (g) (2);
- 10 [~~3~~] (4) Fines collected for unauthorized shoreline  
11 structures on state submerged land or conservation  
12 district land;
- 13 [~~4~~] (5) Appropriations made by the legislature for  
14 deposit into this fund;
- 15 [~~5~~] (6) Donations and contributions made by private  
16 individuals or organizations for deposit into this  
17 fund;
- 18 [~~6~~] (7) Fees collected for the processing of applications  
19 for coastal and beach erosion control projects; and
- 20 [~~7~~] (8) Grants provided by governmental agencies or any  
21 other source.



1 (b) The beach restoration special fund may be used by the  
2 department for one or more of the following purposes:

3 (1) Planning, designing, development, or implementation of  
4 beach restoration projects pursuant to this part[~~+~~  
5 and], including beach and nearshore environmental  
6 cleanup; and

7 (2) Providing grants to the counties, nongovernmental  
8 organizations, and the University of Hawaii for the  
9 restoration of beach lands and for research or  
10 engineering studies necessary to support beach  
11 restoration projects, subject to this part."

12 SECTION 4. Section 195F-3, Hawaii Revised Statutes, is  
13 amended by amending subsection (c) to read as follows:

14 "(c) The program shall assist in the forest stewardship of  
15 public lands and in developing education and training programs  
16 for sustainable forestry pursuant to section [~~195F-4(a)(2).~~]  
17 195F-4(b)(3)."

18 SECTION 5. Section 195F-4, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "**§195F-4 Forest stewardship fund.** (a) There is  
21 established a special fund within the state treasury known as



1 the forest stewardship fund into which shall be [~~used as~~  
2 ~~follows:~~

3 ~~(1) Payments shall be made by the board pursuant to~~  
4 ~~agreements entered into with qualified landowners to~~  
5 ~~further the purposes of this chapter; and~~

6 ~~(2) Moneys collected]~~ deposited moneys:

7 (1) Received from any public or private sources; and

8 (2) Otherwise collected from:

9 (A) The harvest of non-native forest products from  
10 forest reserves;

11 (B) The harvest of native forest products from  
12 degraded forests as defined in section 186-5.5,  
13 within forest reserves;

14 (C) The sale of forest products found dead and lying  
15 on the ground;

16 (D) The sale of tree seedlings from state nurseries;

17 (E) The sale of any other products or services, or  
18 anything of value derived from forest reserves  
19 not described above; [~~or~~]



1 (F) The imposition of fines or penalties for  
2 violations of this chapter and chapters 183  
3 and 185 or any rule adopted thereunder; or

4 (G) Proceeds from the fundraising fee charges for  
5 special number plates pursuant to  
6 section 249- (g) (1).

7 (b) Moneys in the fund shall be used for:

8 [~~(i) replanting,~~] (1) Replanting, managing, and maintaining  
9 designated timber management areas;

10 [~~(ii) enhancing]~~ (2) Enhancing the management of public  
11 forest reserves with an emphasis on restoring degraded  
12 koa forests; and

13 [~~(iii) developing]~~ (3) Developing environmental education and  
14 training programs pertaining to sustainable forestry;  
15 provided that the activities described in [~~clauses (ii) and~~  
16 ~~(iii) may]~~ paragraphs (2) and (3) shall not be funded unless the  
17 activities described in approved management plans pertaining to  
18 [~~clause (i)]~~ paragraph (1) are adequately funded[~~-~~

19 ~~(b) The fund shall consist of moneys received from any~~  
20 ~~public or private sources.];~~ provided further that payments  
21 shall be made by the board pursuant to agreements entered into



1 with qualified landowners to further the purposes of this  
2 chapter.

3       (c) The fund shall be held separate and apart from all  
4 other moneys, funds, and accounts in the state treasury;  
5 provided that any moneys received from the federal government or  
6 from private contributions shall be deposited and accounted for  
7 in accordance with conditions established by the agencies or  
8 persons from whom the moneys are received.

9       (d) Investment earnings credited to the fund shall become  
10 a part of the assets of the fund. Any balance remaining in the  
11 fund at the end of any fiscal year shall be carried forward in  
12 the fund for the next fiscal year."

13       SECTION 6. Section 195F-6, Hawaii Revised Statutes, is  
14 amended by amending subsection (e) to read as follows:

15       "(e) The board shall submit annually a detailed report to  
16 the governor and legislature that shall:

17       (1) Identify management objectives that have been  
18 completed on private lands resulting from payments  
19 made pursuant to section [~~195F-4(a)(1)~~] 195F-4(a) and  
20 provide an analysis of problems and issues encountered



1 in meeting or failing to meet objectives as set forth  
2 in the management plans;

3 (2) Identify all reforestation, forest management,  
4 education, and training objectives that have been  
5 completed as a result of any expenditures made  
6 pursuant to section 195F-4(a) (2);

7 (3) Describe the financial condition of the fund,  
8 including receipts and expenditures from the previous  
9 fiscal year; and

10 (4) Set forth plans and management objectives for the next  
11 fiscal year."

12 SECTION 7. Section 249-9.1, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 "**§249-9.1 Special number plates.** In addition to the  
15 number plates contracted on behalf of the counties by the  
16 director of finance of the city and county of Honolulu, the  
17 director of finance may provide, upon request, special number  
18 plates. The special number plates shall conform to the  
19 requirements provided for the uniform number plates except that  
20 the owner may request the choice and arrangement of letters and  
21 numbers. The maximum number of letters and numbers shall be six



1 and only one hyphen will be allowed in addition to and in lieu  
2 of the six letters and numerals. No other punctuation marks  
3 shall be allowed. The director of finance shall not issue  
4 special number plates which have the letter and numeral  
5 combination of regular plates, are misleading or publicly  
6 objectionable. The fee for special number plates shall be [~~\$25~~  
7 \$100 upon initial application and [~~\$25~~ \$100 upon each annual  
8 renewal of the vehicle registration. This fee shall not be  
9 refundable. Re-application for special number plates must be  
10 made upon a change in design of regular plates. The director of  
11 finance may discard and allow for new applications of inactive  
12 special number plates that have not been assigned or registered  
13 during the preceding three years. The director of finance shall  
14 adopt rules pursuant to chapter 91 to carry out this section."

15 SECTION 8. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 9. This Act shall take effect upon its approval.



**Report Title:**

Counties; Board of Land and Natural Resources; Special Number Plates; Forest Conservation; Ocean Conservation

**Description:**

Authorizes the issuance of special number 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. (HD1)

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

