

JAN 22 2021

A BILL FOR AN ACT

RELATING TO SPECIAL NUMBER PLATES.

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

1 SECTION 1. The legislature finds that Duke Kahanamoku
2 should be recognized for his contributions as an all-around
3 waterman, a lifeguard and lifesaver, a swim record-setter, a
4 swim and surf instructor, a four-time Olympic medalist in
5 swimming and water polo, a sheriff of the city and county of
6 Honolulu, an early champion of volunteerism, and Hawaii's
7 original ambassador of aloha. He was inducted into the Hawaii
8 Waterman Hall of Fame, the U.S. Olympic Hall of Fame, the
9 International Swimming Hall of Fame, and the International
10 Surfing Hall of Fame. As one of the first internationally
11 recognized native Hawaiians, Duke Kahanamoku shared surfing and
12 the aloha spirit with the world, and in doing so, brought the
13 world's attention to Hawaii. It is therefore appropriate that
14 he be honored with a special license plate emblazoned with his
15 name and likeness further promoting his legacy of aloha.



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

4 "§249- Special number plates for Duke Kahanamoku
5 authorized. (a) Notwithstanding any law to the contrary, the
6 director of finance shall issue to any registered owner of a
7 motor vehicle, who is a resident of the State, upon completed
8 application and payment of required fees, a special number plate
9 for the registered owner's motor vehicle commemorating Duke
10 Kahanamoku, to observe his contribution to Hawaii; provided that
11 the owner of the Duke Kahanamoku trademark, Malama Pono, Inc.,
12 has given explicit permission for the trademark to be used for
13 the special number plate with all proceeds benefiting the
14 Outrigger Duke Kahanamoku Foundation.

15 (b) The director of finance of the city and county of
16 Honolulu, in consultation with the directors of finance of the
17 counties of Kauai, Maui, and Hawaii, the chiefs of police of the
18 city and county of Honolulu, and the counties of Kauai, Maui,
19 and Hawaii, and the executive director of the Outrigger Duke
20 Kahanamoku Foundation, shall establish a special number plate
21 design that:



- 1 (1) Contains words, images, or both, that indicate the
2 special number plate is issued to recognize Duke
3 Kahanamoku; provided that the director of finance of
4 the city and county of Honolulu may establish special
5 number plate designs to jointly or separately
6 recognize Duke Kahanamoku;
- 7 (2) Is similar in shape and size to the uniform state
8 number plate prescribed by law; and
- 9 (3) Does not obstruct the visibility of the number or
10 letters or any other information that is required by
11 law to be on a number plate and are readily
12 identifiable and distinguishable under actual traffic
13 conditions.
- 14 (c) The special number plate design shall not:
- 15 (1) Infringe or otherwise violate any trademark, trade
16 name, service mark, copyright, or other proprietary or
17 property right;
- 18 (2) Represent any obscene or degrading image, idea, word,
19 or phrase;
- 20 (3) Advertise or endorse a product, brand, or service that
21 is provided for sale;



1 (4) Promote any religious belief; or

2 (5) Promote any philosophy based on prejudice or that is
3 contrary to state civil rights laws.

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

6 (e) The director of finance shall charge a special number
7 plate fee at least equal to the county's cost of providing the
8 special number plate and administrative costs, if any, plus a
9 fundraising fee to be determined by the director of finance in
10 consultation with the executive director of the Outrigger Duke
11 Kahanamoku Foundation. The fundraising fee shall be in addition
12 to any other state or county fees collected for a motor vehicle
13 registration or license plate.

14 (f) The director of finance may charge an additional
15 fundraising fee, of the same or a different amount as the
16 fundraising fee established pursuant to subsection (e), for the
17 renewal of a special number plate. If an additional fundraising
18 fee is implemented pursuant to this subsection, the director of
19 finance shall revoke the special number plate of the registered
20 owner of a motor vehicle who fails to pay the additional
21 fundraising fee imposed by this subsection.



1 (g) The revenue generated by the fundraising fees, or a
2 portion of the revenue generated by the fundraising fees as
3 determined by the director of finance, shall be deposited in the
4 name of the Outrigger Duke Kahanamoku Foundation in a separate
5 county budget account. The director of finance shall determine
6 the most efficient means of directing the revenue generated by
7 the fundraising fees to the Outrigger Duke Kahanamoku
8 Foundation, as appropriate, for the purpose of funding swim
9 programs in the State as a tribute to Duke Kahanamoku. The net
10 proceeds of the revenue shall be used to support programs that
11 promote water safety and swim education across the State while
12 developing world class water athletes in the spirit of Duke
13 Kahanamoku.

14 (h) The director of finance may revoke all special number
15 plates issued pursuant to this section if the total number of
16 registered owner's of motor vehicles that obtain the special
17 number plates is less than one hundred fifty within three years
18 of issuance of the first special number plate.

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



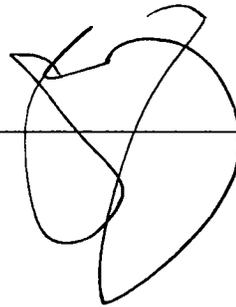
1 (j) For the purposes of this section, unless a different
2 meaning appears from the context, "special number plate" means a
3 license plate that commemorates Duke Kahanamoku."

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 1, 2021.

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INTRODUCED BY: _____

A handwritten signature in black ink, consisting of several overlapping loops and curves, positioned over a horizontal line.

S.B. NO. 915

Report Title:

Special License Plates; Duke Kahanamoku; Outrigger Duke
Kahanamoku Foundation

Description:

Authorizes the issuance of special number plates to commemorate
Duke Kahanamoku.

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