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## A BILL FOR AN ACT

RELATING TO OUTDOOR ADVERTISING.

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

1           SECTION 1. The legislature finds that the State's laws  
2 regulating outdoor advertising are intended to promote and  
3 protect the public health, safety, and welfare. Laws, rules,  
4 and ordinances regulating and enforcing outdoor advertising are  
5 necessary to prevent unreasonable distraction of motorists and  
6 other motor vehicle operators, prevent interference with the  
7 effectiveness of traffic regulations, protect Hawaii's natural  
8 beauty, promote safety on the State's highways, and protect  
9 residents' enjoyment of public spaces.

10           The legislature notes that penalties associated with  
11 violations of outdoor advertising laws have not been updated in  
12 decades, including one law that has remained unamended since its  
13 enactment in 1966.

14           The purpose of this Act is to amend the fines and community  
15 service penalties for violating Hawaii's outdoor advertising  
16 laws.



1 SECTION 2. Section 264-77, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "**§264-77 Penalty.** Any person violating this part shall be  
4 fined not less than [~~\$25~~] \$ \_\_\_\_\_ nor more than [~~\$500,~~  
5 \$ \_\_\_\_\_, or imprisoned not more than one month, or both."

6 SECTION 3. Section 445-112.5, Hawaii Revised Statutes, is  
7 amended by amending subsection (c) to read as follows:

8 "(c) Any person convicted of violating this section shall  
9 be fined:

10 (1) Not less than [~~\$200~~] \$ \_\_\_\_\_ or more than  
11 [~~\$1,000,~~] \$ \_\_\_\_\_, for the first offense;

12 (2) Not less than [~~\$500~~] \$ \_\_\_\_\_ or more than [~~\$2,000~~]  
13 \$ \_\_\_\_\_ for the second offense; and

14 (3) Not less than [~~\$1,000~~] \$ \_\_\_\_\_ or more than  
15 [~~\$5,000~~] \$ \_\_\_\_\_ for the third and subsequent  
16 offense."

17 SECTION 4. Section 445-121, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 "**§445-121 Penalty.** (a) Any person violating any  
20 provision of sections 445-111 to 445-121 shall be fined not less



1 than [~~\$25~~] \$ \_\_\_\_\_ nor more than [~~\$500,~~] \$ \_\_\_\_\_, or  
2 imprisoned not more than one month, or both.

3 (b) In addition to subsection (a), any person acting  
4 knowingly, who is either:

5 (1) Responsible for posting material in violation of  
6 section 445-114; or

7 (2) The person organizing the event or the owner or  
8 operator of the business advertised on the posted  
9 material,

10 shall remove the material within seventy-two hours after receipt  
11 of written notice of the posting or seventy-two hours after the  
12 date of the event advertised on the posted material, whichever  
13 occurs first. Failure to remove the posted material within the  
14 time specified shall be punishable by an additional fine of not  
15 less than [~~\$100~~] \$ \_\_\_\_\_ nor more than [~~\$200~~] \$ \_\_\_\_\_  
16 per posted material, or community service of not less than [~~ten~~]  
17 \_\_\_\_\_ hours nor more than [~~twenty~~] \_\_\_\_\_ hours, or  
18 both. Such additional penalties shall not be imposed unless the  
19 person received written notice of the posting or was responsible  
20 for posting material in violation of section 445-114."



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1 SECTION 5. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 6 Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY:



JAN 22 2021



# H.B. NO. 506

**Report Title:**

Outdoor Advertising; Penalties

**Description:**

Amends the fines and community service penalties for violating Hawaii's outdoor advertising laws.

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

