
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. Duke Kahanamoku was inducted into
8 the Hawaii Waterman Hall of Fame, the United States Olympic Hall
9 of Fame, the International Swimming Hall of Fame, and the
10 International Surfing Hall of Fame. As one of the first
11 internationally recognized native Hawaiians, Duke Kahanamoku
12 shared surfing and the aloha spirit with the world, and in doing
13 so, brought Hawaii to the world's attention. It is therefore
14 appropriate that Duke Kahanamoku be honored with a special
15 license plate emblazoned with his name and likeness to further
16 promote his legacy of aloha.



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

"§249- Special number plates for Duke Kahanamoku authorized. (a) Notwithstanding any law to the contrary, the director of finance shall issue to any registered owner of a motor vehicle, who is a resident of the State and has completed the application and paid the required fees, a special number plate for the registered owner's motor vehicle that commemorates Duke Kahanamoku and his contribution to Hawaii; provided that the director of finance of the city and county of Honolulu shall not issue any special number plate pursuant to this section before receiving from the owner of the Duke Kahanamoku trademark, Malama Pono, Inc., written permission for the trademark to be used for the special number plate and for all proceeds to benefit the Outrigger Duke Kahanamoku Foundation.

(b) The director of finance of the city and county of Honolulu, in consultation with the directors of finance of the counties of Kauai, Maui, and Hawaii, the chiefs of police of the city and county of Honolulu and the counties of Kauai, Maui, and Hawaii, and the executive director of the Outrigger Duke



1 Kahanamoku Foundation, shall establish a special number plate
2 design that:

3 (1) Contains words, images, or both, that indicate the
4 special number plate is issued to recognize Duke
5 Kahanamoku;

6 (2) Is similar in shape and size to the uniform state
7 number plate prescribed by law; and

8 (3) Does not obstruct the visibility of the number or
9 letters or any other information that is required by
10 law to be on a number plate and is readily
11 identifiable and distinguishable under actual traffic
12 conditions;

13 provided that the director of finance of the city and county of
14 Honolulu may establish additional special number plate designs
15 in conformance with this subsection and subsection (c) that
16 jointly or separately recognize Duke Kahanamoku.

17 (c) The special number plate design shall not:

18 (1) Infringe upon or otherwise violate any trademark,
19 trade name, service mark, copyright, or other
20 proprietary or property right;



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

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

5 (4) Promote any religious belief; or

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

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

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

18 (f) The director of finance may charge an additional
19 fundraising fee, of the same or a different amount as the
20 fundraising fee established pursuant to subsection (e), for the
21 renewal of a special number plate. If an additional fundraising



1 fee is implemented pursuant to this subsection, the director of
2 finance shall revoke the special number plate of the registered
3 owner of a motor vehicle who fails to pay the additional
4 fundraising fee imposed by this subsection.

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

18 (h) The director of finance may revoke all special number
19 plates issued pursuant to this section if the total number of
20 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 commemorates Duke Kahanamoku."

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on January 1, 2050.



Report Title:

Special License Plates; Duke Kahanamoku; Outrigger Duke
Kahanamoku Foundation

Description:

Authorizes the issuance of special number plates to commemorate
Duke Kahanamoku. Effective 1/1/2050. (SD2)

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

