
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 record-setting swimmer, a
4 swim and surf instructor, a five-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, United States Olympic Hall of
9 Fame, International Swimming Hall of Fame, and 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 Hawaii
13 to the world's attention. It is therefore appropriate that Duke
14 Kahanamoku be honored with a special license plate emblazoned
15 with his name and likeness to further promote his legacy of
16 aloha.



1 Accordingly, the purpose of this Act is to authorize the
2 issuance of special number plates to recognize and honor Duke
3 Kahanamoku.

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

7 "§249- Special number plates for Duke Kahanamoku
8 authorized. (a) Notwithstanding any law to the contrary, the
9 director of finance shall issue to any registered owner of a
10 motor vehicle, who is a resident of the State, upon completed
11 application and payment of required fees, a special number plate
12 for the registered owner's motor vehicle commemorating Duke
13 Kahanamoku and his contributions to Hawaii; provided that the
14 director of finance of the city and county of Honolulu shall not
15 issue any special number plate pursuant to this section before
16 receiving from the owner of the Duke Kahanamoku trademark,
17 Malama Pono, Inc., written permission for the trademark to be
18 used for the special number plate and for all proceeds to
19 benefit the Outrigger Duke Kahanamoku Foundation.

20 (b) The director of finance of the city and county of
21 Honolulu, in consultation with the directors of finance of the



1 counties of Kauai, Maui, and Hawaii, the chiefs of police of the
2 city and county of Honolulu and the counties of Kauai, Maui, and
3 Hawaii, and the executive director of the Outrigger Duke
4 Kahanamoku Foundation, shall establish a special number plate
5 design that:

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

8 (2) Complies with all other requirements in section 249-
9 9(a);

10 (3) Contains words, images, or both, not to exceed four
11 and a half inches in height by four inches in width,
12 that indicate the special number plate is issued to
13 recognize Duke Kahanamoku; and

14 (4) Does not obstruct the visibility of the number or
15 letters or any other information that is required by
16 law to be on a number plate and is readily
17 identifiable and distinguishable under actual traffic
18 conditions;

19 provided that the director of finance of the city and county of
20 Honolulu may also establish additional special number plate



1 designs in conformance with this subsection and subsection (c)
2 that jointly or separately recognize Duke Kahanamoku.

3 (c) The 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; or

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

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

16 (e) The director of finance shall charge a special number
17 plate fee at least equal to the county's cost of providing the
18 special number plate and administrative costs, if any, plus a
19 fundraising fee to be determined by the director of finance in
20 consultation with the executive director of the Outrigger Duke
21 Kahanamoku Foundation. The fundraising fee shall be in addition



1 to any other state or county fees collected for a motor vehicle
2 registration or license plate.

3 (f) The director of finance may charge an additional
4 fundraising fee, of the same or a different amount as the
5 fundraising fee established pursuant to subsection (e), for the
6 renewal of a special number plate. If an additional fundraising
7 fee is implemented pursuant to this subsection, the director of
8 finance shall not renew and instead shall revoke the special
9 number plate of the registered owner of a motor vehicle who
10 fails to pay the additional fundraising fee imposed by this
11 subsection.

12 (g) The revenue generated by the fundraising fees, or a
13 portion of the revenue generated by the fundraising fees as
14 determined by the director of finance, shall be deposited in the
15 name of the Outrigger Duke Kahanamoku Foundation in a separate
16 county budget account. The director of finance shall determine
17 the most efficient means of directing the net revenue generated
18 by the fundraising fees to the Outrigger Duke Kahanamoku
19 Foundation, as appropriate, to fund programs that promote water
20 safety and swim education across the State while developing



1 world class water athletes as a tribute to, and in the spirit
2 of, Duke Kahanamoku.

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

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

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

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on July 1, 2024.



Report Title:

Special Number Plates; Duke Kahanamoku; Outrigger Duke
Kahanamoku Foundation

Description:

Authorizes the issuance of special number plates to commemorate
Duke Kahanamoku. (CD1)

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not legislation or evidence of legislative intent.*

