
A BILL FOR AN ACT

RELATING TO OUTDOOR SIGNAGE.

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

1 SECTION 1. Chapter 445, Hawaii Revised Statutes, is
2 amended by adding a new section to part IV to be appropriately
3 designated and to read as follows:

4 **"§445- Digital outdoor signage devices; allowed display.**

5 (a) Notwithstanding any other law to the contrary, display of
6 outdoor advertising devices, including digital outdoor signage
7 devices, shall be allowed within the Waikiki area of Oahu, the
8 boundaries of which are delineated in the land use ordinance as
9 amended, establishing the "Waikiki Special District".

10 (b) No later than _____, each county with a
11 population of five hundred thousand or more shall adopt
12 ordinances necessary to implement this section.

13 (c) For the purposes of this section, "digital outdoor
14 signage device" means any outdoor advertising device displaying
15 a message that may be changed by electronic processes or
16 designed to attract attention by the inclusion of a flashing,
17 changing, revolving, or flickering light source or change in



1 light intensity. "Digital outdoor signage device" includes
2 signs with electronically generated or controlled images, such
3 as electronic programmable message signs, digital signs, and
4 plasma or light-emitting diode (LED) signs."

5 SECTION 2. Section 445-112, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§445-112 Where and when permitted.** No person shall
8 erect, maintain, or use a billboard or display any outdoor
9 advertising device, except as provided in this section:

10 (1) The display of official notices and signs, posted by
11 order of any court or public office, or posted by any
12 public officer in the performance of a public duty, or
13 posted by any person required to do so by any law or
14 rule having the force of law;

15 (2) Any outdoor advertising device announcing a meeting or
16 series of meetings is not prohibited by this section
17 if displayed on the premises where the meeting or
18 series of meetings will be or is being held. Meeting,
19 as used in this section, includes all meetings
20 regardless of whether open to the public or conducted
21 for profit and includes but is not limited to sports



1 events, conventions, fairs, rallies, plays, lectures,
2 concerts, motion pictures, dances, and religious
3 services;

4 (3) Any outdoor advertising device indicating that the
5 building or premises on which it is displayed is the
6 residence, office, or place of business, commercial or
7 otherwise, of any individual, partnership, joint
8 venture, association, club, or corporation, and
9 stating the nature of the business;

10 (4) Any outdoor advertising device that advertises
11 property or services that may be bought, rented, sold,
12 or otherwise traded in on the premises or in the
13 building on which the outdoor advertising device is
14 displayed;

15 (5) The offering for sale of merchandise bearing
16 incidental advertising, including books, magazines,
17 and newspapers, in any store, newsstand, vending
18 machine, rack, or other place where such merchandise
19 is regularly sold;

20 (6) Any outdoor advertising device offering any land,
21 building, or part of a building for sale or rent, if



- 1 displayed on the property so offered or on the
2 building so offered;
- 3 (7) Any outdoor advertising device carried by persons or
4 placed upon vehicles used for the transportation of
5 persons or goods, except as provided under section
6 445-112.5, relating to vehicular advertising devices;
- 7 (8) Any outdoor advertising device warning the public of
8 dangerous conditions that they may encounter in nearby
9 sections of streets, roads, paths, public places,
10 power lines, gas and water mains, or other public
11 utilities;
- 12 (9) Signs serving no commercial purpose that indicate
13 places of natural beauty, or of historical or cultural
14 interest and that are made according to designs
15 approved by the department of business, economic
16 development, and tourism;
- 17 (10) Any outdoor advertising device or billboard erected,
18 placed, or maintained upon a state office building, if
19 erected, placed, or maintained by authority of a state
20 agency, department, or officer for the sole purpose of
21 announcing cultural or educational events within the



1 State, and if the design and location thereof has been
2 approved by the department of business, economic
3 development, and tourism;

4 (11) Signs urging voters to vote for or against any person
5 or issue, may be erected, maintained, and used, except
6 where contrary to or prohibited by law;

7 (12) Signs stating that a residence that is offered for
8 sale, lease, or rent is open for inspection at the
9 actual time the sign is displayed and showing the
10 route to the residence; provided that the sign
11 contains no words or designs other than the words
12 "Open House", the address of the residence, the name
13 of the person or agency responsible for the sale, and
14 an arrow or other directional symbol and is removed
15 during such time as the residence is not open for
16 inspection;

17 (13) The erection, maintenance, and use of billboards if
18 the billboard is used solely for outdoor advertising
19 devices not prohibited by this section;

20 (14) The continued display and maintenance of outdoor
21 advertising devices actually displayed on July 8,



1 1965, in accordance with all laws and ordinances
2 immediately theretofore in effect;

3 (15) The continued maintenance of any billboard actually
4 maintained on July 8, 1965, and the display thereon of
5 the same or new advertising devices, all in accordance
6 with all laws and ordinances in effect immediately
7 prior to July 9, 1965;

8 (16) Any outdoor advertising device, displayed with the
9 authorization of the University of Hawaii, on any
10 scoreboard of any stadium owned by the university. An
11 outdoor advertising device displayed under this
12 paragraph shall be on the front of the scoreboard and
13 face the interior of the stadium;

14 (17) Any temporary outdoor advertising device attached to
15 or supported by the structure of any stadium owned by
16 the University of Hawaii, located within and facing
17 the interior of the stadium, and authorized to be
18 displayed by the university. For the purpose of this
19 paragraph, "temporary" means displayed for a short
20 period before the official start of organized athletic
21 competition, during the organized athletic



1 competition, and for a short period after the official
2 end of the organized athletic competition;

3 (18) Any outdoor advertising device, displayed with the
4 authorization of the stadium authority~~[, or]~~:

5 (A) On any scoreboard of any stadium operated by the
6 stadium authority~~[, or]~~; provided that an
7 outdoor advertising device displayed under this
8 [paragraph] subparagraph shall be on the front of
9 the scoreboard and face the interior of the
10 stadium; ~~and~~ or

11 (B) In the stadium development district; provided
12 that for the purposes of this subparagraph,
13 "outdoor advertising device" includes "digital
14 outdoor signage device", as the term is defined
15 in section 445- ;

16 (19) Any outdoor advertising device, displayed with the
17 authorization of the city and county of Honolulu, on
18 the scoreboard of the Waipio peninsula soccer stadium.

19 The outdoor advertising device shall be:

20 (A) Attached to the bottom of the scoreboard;

21 (B) No longer than the width of the scoreboard; and



1 (C) No higher than twenty-five per cent of the
 2 scoreboard height.
 3 The scoreboard shall be no larger than twenty-eight
 4 feet by ten feet. Any outdoor advertising device
 5 displayed pursuant to this paragraph shall be on the
 6 front of the scoreboard and face the interior of the
 7 stadium; provided that the outdoor advertising device
 8 shall not be visible from any thoroughfare[~~-~~]; and

9 (20) Any outdoor advertising device, including digital
 10 outdoor signage devices, displayed pursuant to section
 11 445- ."

12 SECTION 3. Section 445-113, Hawaii Revised Statutes, is
 13 amended to read as follows:

14 "**§445-113 Regulation by counties.** Except for outdoor
 15 advertising devices authorized under section 445-112(16) and
 16 (17), the several counties may adopt ordinances regulating
 17 billboards and outdoor advertising devices not prohibited by
 18 [~~sections 445-111 to 445-121.~~] this part. The ordinances may:

- 19 (1) Classify billboards and outdoor advertising devices in
- 20 the classes set forth in section 445-112, or in any
- 21 other reasonable manner of classification;



1 (2) Regulate the size, manner of construction, color,
2 illumination, location, and appearance of any class of
3 billboard or outdoor advertising device;

4 (3) Prohibit the erection or maintenance of any type of
5 billboard or the displaying of any outdoor advertising
6 device in particular parts, or in all parts, of the
7 county; provided that the prohibition shall not apply
8 to any official notice or sign described in section
9 445-112(1); and provided further that, unless a county
10 ordinance specifies otherwise, the prohibition shall
11 extend to billboards or outdoor advertising devices
12 located in the airspace or waters beyond the
13 boundaries of the county that are visible from any
14 public highway, park, or other public place located
15 within the county;

16 (4) Control and license the business of making, erecting,
17 posting, renting, and maintaining outdoor advertising
18 devices and billboards as a business providing
19 advertising for others, and require each person
20 engaging in such business to obtain an annual license,
21 the fee for which shall not exceed \$100. The license



1 shall be conditioned upon the maintenance of all
2 outdoor advertising devices and billboards in a safe
3 state, and the observance of [~~sections 445-111 to~~
4 ~~445-121~~] this part and all applicable ordinances and
5 shall be revocable by the licensing authority upon
6 breach of such condition;

7 (5) Require that no person, whether licensed under
8 paragraph (4) or not, shall erect or maintain any
9 billboard unless it is licensed by a permit issued by
10 the county, the issuance of which permit shall be
11 conditioned upon compliance with this chapter and all
12 applicable ordinances and the payment to the county of
13 an annual fee not to exceed \$25 per billboard; and

14 (6) Provide for [~~such~~] other regulation of billboards and
15 outdoor advertising devices as will promote the public
16 health, welfare, safety, and convenience; encourage
17 and promote the tourist and visitor trade; conserve
18 and develop the natural beauty of the State, as well
19 as objects and places of historic and cultural
20 interest; foster sightliness and physical good order;



1 and promote the purposes and provisions of [~~sections~~
2 ~~445-111 to 445-121.~~] this part."

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

5 SECTION 5. This Act shall take effect on July 1, 2050.



S.B. NO. 2353
S.D. 1

Report Title:

Outdoor Advertising; Digital Outdoor Signage Devices; Waikiki Special District; Ordinance; Stadium Development District; Stadium Authority

Description:

Requires the display of outdoor advertising devices, including digital outdoor signage devices, to be allowed within the Waikiki Special District and requires the adoption of necessary county ordinances. Allows the display of outdoor advertising devices, including digital outdoor signage devices, within the Stadium Development District with the authorization of the Stadium Authority. Effective 7/1/2050. (SD1)

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