

ACT 145

H.B. NO. 1489

A Bill for an Act Relating to Special License Plates for National Parks.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. 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 Haleakala National Park and Hawaii Volcanoes National Park 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, upon completed application and payment of required fees, a special number plate for the registered owner’s motor vehicle commemorating Haleakala National Park or Hawaii Volcanoes National Park, or both, to observe the importance of the national parks in Hawaii.

(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 superintendents of Haleakala National Park and Hawaii Volcanoes National Park, shall establish a special number plate design that:

- (1) Contain words, images, or both, that indicate the special number plate is issued to recognize Haleakala National Park and Hawaii Volcanoes National Park; provided that the director of finance of the city and county of Honolulu may establish special number plate designs to jointly or separately recognize Haleakala National Park and Hawaii Volcanoes National Park;
 - (2) Is similar in shape and size to the uniform state number plate prescribed by law; and
 - (3) Does not obstruct the visibility of the number or letters or any other information that is required by law to be on a number plate and are readily identifiable and distinguishable under actual traffic conditions.
- (c) The special number plate design shall not:

- (1) Infringe or otherwise violate any trademark, trade name, service mark, copyright, or other proprietary or property right;
 - (2) Represent any obscene or degrading image, idea, word, or phrase;
 - (3) Advertise or endorse a product, brand, or service that is provided for sale;
 - (4) Promote any religious belief; or
 - (5) Promote any philosophy based on prejudice or that is contrary to state civil rights laws.
- (d) Each special number plate shall be securely fastened to the motor vehicle in lieu of the uniform state number plate.
- (e) The director of finance shall charge a special number plate fee at least equal to the county's cost of providing the special number plate and administrative costs, if any, plus a fundraising fee to be determined by the director of finance in consultation with the superintendents of Haleakala National Park and Hawaii Volcanoes National Park. The fundraising fee shall be in addition to any other state or county fees collected for a motor vehicle registration or license plate.
- (f) The director of finance may charge an additional fundraising fee, of the same or a different amount as the fundraising fee established pursuant to subsection (e), for the renewal of a special number plate. If an additional fundraising fee is implemented pursuant to this subsection, the director of finance shall revoke the special number plate of the registered owner of a motor vehicle who fails to pay the additional fundraising fee imposed by this subsection.
- (g) The revenue generated by the fundraising fees, or a portion of the revenue generated by the fundraising fees as determined by the director of finance, shall be deposited in the name of the Haleakala National Park and Hawaii Volcanoes National Park in a separate county budget account. The director of finance shall determine the most efficient means of directing the revenue generated by the fundraising fees to the respective national park, or its nonprofit partner organization, as appropriate.
- (h) The director of finance may revoke all special number plates issued pursuant to this section if the total number of registered owner's of motor vehicles that obtain the special number plates is less than one hundred fifty within three years of issuance of the first special number plate.
- (i) Nothing in this section shall be construed to apply to any plates issued pursuant to section 249-9.2.
- (j) For the purposes of this section, unless a different meaning appears from the context, "special number plate" means a license plate that represents Haleakala National Park and Hawaii Volcanoes National Park."

SECTION 2. New statutory material is underscored.¹

SECTION 3. This Act shall take effect on July 1, 2015.

(Approved June 26, 2015.)

Note

1. Edited pursuant to HRS §23G-16.5.