

ACT 11

S.B. NO. 60

A Bill for an Act Relating to Special Number Plates.

*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; Polynesian Voyaging Society 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 the required fees, a special number plate for the registered owner’s motor vehicle commemorating the Polynesian Voyaging Society.

(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; chiefs of police of the city and county of Honolulu and the counties of Kauai, Maui, and Hawaii; and board of directors of the Polynesian Voyaging Society, shall establish a special number plate design that:

- (1) Contains words, images, or both, that indicate the special number plate is issued to recognize the Polynesian Voyaging Society;
- (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 numbers or letters or any other information that is required by law to be on a number plate and is readily identifiable and distinguishable under actual traffic conditions.

(c) The special number plate design shall not:

- (1) Infringe upon 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 board of directors of the Polynesian Voyaging Society. 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 any 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 Polynesian Voyaging Society in a separate account. The director of finance shall determine the most efficient means of directing the revenue generated by the fundraising fees to the Polynesian Voyaging Society.

(h) The director of finance may revoke all special number plates issued pursuant to this section if the total number of registered owners 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 as to apply to any plates issued pursuant to sections 249-9.2 or 249-9.5.

(j) For the purposes of this section, unless a different meaning appears from the context, "special number plate" means a license plate that represents the Polynesian Voyaging Society."

SECTION 2. Section 249-9.5, Hawaii Revised Statutes, is amended by amending subsection (i) to read as follows:

“(i) Nothing in this section shall be construed to apply to any plates issued pursuant to ~~[section]~~ sections 249-9.2[-] and 249-\_\_\_\_\_.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.<sup>1</sup>

SECTION 4. This Act shall take effect on July 1, 2021.  
(Approved May 6, 2021.)

**Note**

1. Edited pursuant to HRS §23G-16.5.