

JAN 24 2024

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# A BILL FOR AN ACT

RELATING TO ADVERTISING.

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

1           SECTION 1. Section 445-112, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§445-112 Where and when permitted.** No person shall  
4 erect, maintain, or use a billboard or display any outdoor  
5 advertising device, except as provided in this section:

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

11           (2) Any outdoor advertising device announcing a meeting or  
12 series of meetings is not prohibited by this section  
13 if displayed on the premises where the meeting or  
14 series of meetings will be or is being held. Meeting,  
15 as used in this section, includes all meetings  
16 regardless of whether open to the public or conducted  
17 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 [~~sueh~~] 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~~] the time [~~as~~] the residence is not open  
16 for 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



1 July 8, 1965, in accordance with all laws and  
2 ordinances immediately [~~theretofore~~] in effect[~~+~~]  
3 immediately before July 9, 1965;

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

9 (16) Any outdoor advertising device, displayed with the  
10 authorization of the [~~University~~] university of  
11 Hawaii, on any scoreboard of any stadium owned by the  
12 university[~~—An~~]; provided that an outdoor  
13 advertising device displayed under this paragraph  
14 shall be on the front of the scoreboard and face the  
15 interior of the stadium;

16 (17) Any temporary outdoor advertising device attached to  
17 or supported by the structure of any stadium owned by  
18 the [~~University~~] university of Hawaii, located within  
19 and facing the interior of the stadium, and authorized  
20 to be displayed by the university[~~—For~~]; provided  
21 that for the purpose of this paragraph, "temporary"



1 means displayed for a short period before the official  
 2 start of organized athletic competition, during the  
 3 organized athletic competition, and for a short period  
 4 after the official end of the organized athletic  
 5 competition;

6 (18) Any outdoor advertising device, displayed with the  
 7 authorization of the stadium authority, on any  
 8 scoreboard of any stadium operated by the stadium  
 9 authority~~[.—An]~~; provided that an outdoor advertising  
 10 device displayed under this paragraph shall be on the  
 11 front of the scoreboard and face the interior of the  
 12 stadium; [and]

13 (19) Any billboard or outdoor advertising device, displayed  
 14 with the authorization of the stadium authority,  
 15 within the stadium development district established by  
 16 section 206E-223; and

17 [~~(19)~~] (20) Any outdoor advertising device, displayed with  
 18 the authorization of the city and county of Honolulu,  
 19 on the scoreboard of the Waipio peninsula soccer  
 20 stadium~~[.—The]~~; provided that the outdoor advertising  
 21 device shall be:

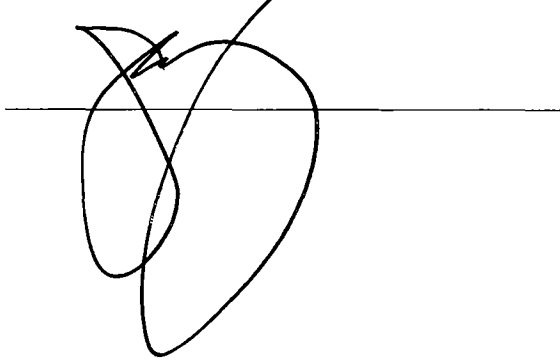


- 1 (A) Attached to the bottom of the scoreboard;
- 2 (B) No longer than the width of the scoreboard; and
- 3 (C) No higher than twenty-five per cent of the
- 4 scoreboard height.

5 The scoreboard shall be no larger than twenty-eight  
6 feet by ten feet. Any outdoor advertising device  
7 displayed pursuant to this paragraph shall be on the  
8 front of the scoreboard and face the interior of the  
9 stadium; provided that the outdoor advertising device  
10 shall not be visible from any thoroughfare."

11 SECTION 2. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13 SECTION 3. This Act shall take effect upon its approval.

14 INTRODUCED BY: 

# S.B. NO. 3197

**Report Title:**

Stadium Authority; Stadium Development District; Billboards;  
Advertising; Exemption

**Description:**

Exempts billboards and outdoor advertising devices displayed with authorization of the Stadium Authority within the Stadium Development District.

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

