

Honolulu, Hawaii

MAR 24 2008

RE: H.B. No. 1832
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1832, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING,"

begs leave to report as follows:

The purpose of this measure is to enact limitations on
outdoor advertising on residential property by limiting the size
of the signage.

Your Committee received testimony in support of this measure
from The Outdoor Circle, Na Leo Pohai (Outdoor Circle), and one
individual. Testimony in opposition was received from the
Honolulu Department of Planning and Permitting. Comments were
received from the State Attorney General and American Civil
Liberties Union of Hawai'i.

Current law delegates to the counties size limitations on
outdoor signs (section 445-113(2), Hawaii Revised Statutes). This
measure limits the size of signs, billboards, and outdoor
advertising devices on residential properties to no larger than
four feet by two feet, with the total area of all signs for each
residential property unit limited to sixteen square feet. In a
multi-unit residential structure, each separate unit is entitled
to the same size signage as a residential property, provided that
signs shall be no larger than eight by four feet on a structure
with four or more units and are limited to common areas, with the
total area of all signs in the common area not exceeding sixty-



four square feet. This measure also prohibits signage on residential property if the owner of the property has received any payment, fee, or valuable consideration in return for the display.

The intent of this measure, among other things, is to eliminate large campaign banners by setting sensible maximum square footage for campaign signs on any one property. While your Committee is cognizant of property owners' rights, your Committee must balance those rights with the greater good of preventing what some consider to be eyesores in the neighborhood. The typical scenario is strategically located corner properties that display multiple signs plastering a fence or wall, which creates a visual blight as well as a potential traffic and pedestrian distraction.

Your Committee has amended this measure by:

- (1) Clarifying that "valuable consideration" does not include any benefit derived by the tenant or owner from the effect of advertising, on the recommendation of the State Attorney General;
- (2) Deleting reference to four or more units, on the recommendation of the State Attorney General;
- (3) Adding that the size limitation as to multi-unit residential properties apply if the rules of the association of apartment owners allow any signs;
- (4) Changing the effective date to July 1, 2050, to promote continued discussion on this issue; and
- (5) Making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1832, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1832, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



BRIAN T. TANIGUCHI, Chair



