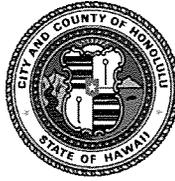


DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

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HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4730 • Internet: www.honolulu.gov

KIRK CALDWELL
MAYOR



MICHAEL D. FORMBY
DIRECTOR

MARK N. GARRITY, AICP
DEPUTY DIRECTOR

December 2, 2013

The Honorable Ernest Y. Martin, Chair
and Members
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

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Dear Chair Martin and Councilmembers:

SUBJECT: Proposed Amendment to the Public Transit Ordinance,
Chapter 13, Revised Ordinances of Honolulu (ROH)

The Department of Transportation Services (DTS) would like to request City Council approval of the attached proposed amendments to the Revised Ordinances of Honolulu 1990 ("ROH"), Chapter 13, Public Transit.

The purpose of the proposed bill is to generate an alternate revenue source to support operations of TheBus and TheHandi-Van by authorizing DTS to sell advertising space on the exterior of City fixed-route, public transit buses and paratransit vehicles.

Should you have any technical questions or concerns regarding this proposal, please contact me at 768-8303.

Very truly yours,


Michael D. Formby
Director

Attachment

APPROVED:



Ember Lee Shinn
Managing Director



A BILL FOR AN ORDINANCE

RELATING TO PUBLIC TRANSIT.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to generate an alternate revenue source to support operations of TheBus and TheHandi-Van by authorizing DTS to sell advertising space on the exterior of City fixed route public transit buses and paratransit vehicles.

SECTION 2. Section 13-6.6, Revised Ordinances of Honolulu 1990 ("Operating Revenues"), as amended, is amended by amending subsection (a) to read as follows:

- "(a) All operating revenues derived from the city bus system shall be public funds. "Operating revenues derived from the city bus system" include revenues from:
 - (1) Cash fares;
 - (2) Bus pass sales;
 - (3) Transit voucher sales;
 - (4) Sales of bus tokens, coupons or approved cards;
 - (5) Contracts authorizing the use of the city bus system logo as provided in Section 13-6.12;
 - (6) Advertising spaces in city transit buses, on the exterior of city transit buses or on bus passes; and
 - (7) Rental or lease of or concessions on real property managed by the department or transit management services contractor and used for the city bus system."

SECTION 3. Section 13-6.10, Revised Ordinances of Honolulu 1990 ("Advertising on exterior of city transit buses"), as amended, is amended to read as follows:



A BILL FOR AN ORDINANCE

Sec. 13-6.10 Advertising on exterior of city transit buses.

- [(a) Except as otherwise provided under subsection (b) of this section, no advertising shall be allowed on the exterior of a city transit bus.
- (b) Any word, phrase or logo identifying the city, department, transit management services contractor, or trade name of the city bus system may be placed on the exterior of a city transit bus.
- (c) Any letter, word, phrase or number on the exterior of a city transit bus which identifies the route, origin, destination or fleet inventory designation of the bus shall not be deemed advertising prohibited under this section.]
- “(a) The department, through the department of budget and fiscal services, may rent or let advertising spaces on the exterior of city transit buses; provided, that the following types of advertising shall not be accepted:
 - (1) Advertising which bears the name, signature, picture or likeness of any elected federal, state or city official or of any candidate for federal, state or city elective office;
 - (2) Advertising which, by reason of design, format or subject matter, promotes or appeals to racial, religious or ethnic prejudice or violence;
 - (3) Advertising which contains pictures, words or symbols of an obscene, lewd, lascivious or indecent character;
 - (4) Advertising which promotes any illegal, indecent or immoral purpose; and
 - (5) Advertising of any product or service which is prohibited by law to be sold or offered for sale to minors or an age-based subgroup of minors.
- (b) The department shall set the rates for the renting or letting of advertising spaces. Rates shall be set by rules adopted in accordance with HRS Chapter 91.”

SECTION 4. Ordinance material to be repealed is bracketed and new material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, bracketed material, or the underscoring.



A BILL FOR AN ORDINANCE

SECTION 5: This ordinance shall take effect upon its approval.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

KIRK CALDWELL, Mayor
City and County of Honolulu