

ORDINANCE NO. _____

BILL NO. 13 (2026)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 11.02, MAUI COUNTY
CODE, ON ADVERTISING INSIDE COUNTY TRANSIT BUSES

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. This Ordinance's purpose is to amend the laws for
advertisements inside County transit buses.

SECTION 2. Section 11.02.040, Maui County Code, is amended to read
as follows:

"11.02.040 Advertising inside County transit buses.

A. The department may use [rent or let] advertising spaces inside
County transit buses [,provided that] for advertisements that
promote a County-sponsored program or event, referring to those
the County is solely responsible for or is supporting through a formal
agreement that includes County funding.

Advertisements by other entities may be displayed only if they
propose a legitimate commercial transaction, and the advertiser
pays the standard fee under Section B. However, the following types
of advertising [shall not be accepted] are prohibited if they:

1. [Advertising that contains political or campaign
speech.] Promote or oppose a political party, political
candidate, ballot measure, legislation, or that otherwise
constitute electioneering or campaign-related advocacy.

2. [Advertising that, by reason of design, format, or
subject matter, promotes] Promote or appeal to racial,
religious, or ethnic prejudice or violence by reason of design,
format, or subject matter.

3. [Advertising that contains] Contain pictures,
words, or symbols of an obscene, illicit, or pornographic
character.

4. [Advertising that promotes] Promote illegal
activities.

5. ~~[Advertising of any]~~ Promote a product or service that is prohibited by law to be sold, or offered for sale, to minors.

6. ~~[Advertising that contains]~~ Contain profanity, as defined in section 11.01.020, or depict[s] violence[.], including acts of physical assault, bloodshed, or threats of physical harm, in a manner that is likely to shock or disturb a reasonable viewer.

7. ~~[Advertising that contains]~~ Contain false or misleading information, copyright or trademark infringement, or is otherwise unlawful.

8. ~~[Any material that implies]~~ Imply or declare[s] an endorsement by the County of any service, product, or point of view, without prior written authorization by the department.

9. ~~[Advertising that contains]~~ Contain libelous speech.

10. ~~[Advertising that is harmful to or disruptive to the transit system.]~~ Will substantially interfere with the safe, efficient, or orderly delivery of transit services.

11. ~~[Advertising that emits]~~ Emit lights, noise, or special effects.

[B. A tax-exempt organization shall not be denied the use of advertising space in a County transit bus solely because the announcement or advertisement refers to the location of an event sponsored by the tax-exempt organization, even if the location of the event is not owned or operated by the tax-exempt organization. All such advertising shall be provided on a space available basis, in consideration of revenue generating advertisements described under subsection 11.02.040(C).]

[C.] B. Rates for renting or ~~[letting]~~ leasing of advertising spaces in County transit buses ~~[shall]~~ must be set forth in the annual budget. The department is authorized to enter into contracts for advertising with private vendors ~~[provided that]~~ if all procurement laws are met and in accordance with the following:

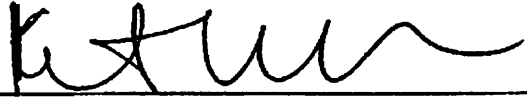
1. The County's share of the revenues generated ~~[shall]~~ must be placed in the County highway fund.

2. An annual report of revenues received ~~[shall]~~ must be transmitted to the county council during the annual budget process."

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 4. This Ordinance takes effect on approval.


APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read 'Kristie M. Wigglesworth', written over a horizontal line.

KRISTIE M. WRIGGLESWORTH
Department of the Corporation Counsel
County of Maui

LF# 2025-0999
2025-12-10 Ord Amnd Ch 11.02.040

INTRODUCED BY:



Upon the request of the Mayor.