

May 21, 2026, Committee meeting

ADEPT-6

AGRICULTURE, DIVERSIFICATION, ENVIRONMENT, AND PUBLIC
TRANSPORTATION COMMITTEE
Amendment Summary Form

Legislation: Bill 13 (2026), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 11.02, MAUI COUNTY CODE, ON ADVERTISING INSIDE COUNTY TRANSIT BUSES."

Proposer: Gabe Johnson, Chair 
Agriculture, Diversification, Environment, and Public
Transportation Committee.

Description: The attached proposed CD1 version incorporates:

1. An amendment to the bill's title to include the broader reference to Title 11 and County transit bus advertising.
2. An amendment to the bill's preamble to include advertising on County bus passes.
3. An amendment to Code Section 11.01.010 to delete the word "solely" because Bill 13 would allow advertising inside County transit buses that is not designed to generate revenue.
4. An amendment to clarify that advertisements which do not promote County-sponsored programs or events must comply with all requirements under Title 11.
5. An amendment to Code Section 11.02.060 to update the Code citation for the types of advertising prohibited on County bus system passes; and
6. Nonsubstantive revisions throughout for clarity, consistency, and style.

Motion: Move to replace Bill 13 (2026) with the attached proposed CD1 version.

Attachment: Proposed CD1 version of Bill 13 (2026).

adept:ltr:006aasf02:ebm

ORDINANCE NO. _____

BILL NO. **13, CD1** (2026)

A BILL FOR AN ORDINANCE AMENDING TITLE 11, MAUI COUNTY CODE, ON
COUNTY TRANSIT BUS ADVERTISING

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

SECTION 1. This Ordinance’s purpose is to amend the requirements for advertising inside County transit buses and on County bus passes.

SECTION 2. Section 11.01.010, Maui County Code, is amended to read as follows:

“11.01.010 Purpose and intent. [The] This title’s purpose and intent [of this title] is to regulate the public transit system for the County of Maui to provide reliable transportation services while protecting the health, safety, and welfare of the people, to prevent disturbances to nearby residences, and make County bus stops and transit facilities a safer environment for all County bus system users.

The display of advertising on the interior or exterior of County buses, at all County bus stops, transit facilities, or on County bus passes is intended [solely] to generate revenue incidental to the operation of the public transit system[; it]. It is not the County’s intent to allow or cause any of its buses or bus passes to become a public forum for the dissemination, debate [and/or], or discussion of public issues.”

SECTION 3. 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 [rent or let] use advertising spaces inside County transit buses[,provided that the following types of advertising shall not be accepted:] to promote County-sponsored programs or events that the County is solely responsible for or is

supporting through a formal agreement that includes County funding.

B. Advertisements by other entities may be displayed inside County transit buses only if the advertiser pays the standard fee under subsection D and follows all requirements under Title 11.

C. Advertising inside County transit buses is prohibited if it does any of the following:

1. [Advertising that contains political or campaign speech.] Promotes or opposes a political party, political candidate, ballot measure, legislation, or otherwise constitutes electioneering or campaign-related advocacy.

2. [Advertising that, by reason of design, format, or subject matter, promotes] Promotes or appeals to racial, religious, or ethnic prejudice or violence[.] through its design, format, or subject matter.

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

4. [Advertising that promotes] Promotes illegal activities.

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

6. [Advertising that contains] Contains profanity, as defined in section 11.01.020, or depicts 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] Contains false or misleading information, copyright or trademark infringement, or is otherwise unlawful.

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

9. [Advertising that contains] Contains libelous speech.

10. [Advertising that is harmful to or disruptive to the transit system.] Substantially interferes with the safe, efficient, or orderly delivery of transit services.

11. [Advertising that emits] Emits 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.]D. Rates for renting or [letting of] leasing 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:] In addition:

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 4. Section 11.02.060, Maui County Code, is amended to read as follows:

“11.02.060 Advertising on County bus passes. A. The department, through the department of finance, may allow advertisements on bus passes issued under the County bus system fare structure.

B. The types of advertising prohibited under [section] subsection [11.02.040(A) shall not be] 11.02.040(C) are not permitted on County bus system passes.”

SECTION 5. 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 6. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

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