

**DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU
STATE OF HAWAII**

**RULES AND REGULATIONS RELATING TO
INTERIOR BUS ADVERTISING ON
CITY TRANSPORTATION VEHICLES (*TheBus*)**

Subchapter 4: Rules and Regulations, City Bus System (*TheBus*)

§00-00-44 Advertising Inside City Transit Buses.

- (a) The Department of Transportation Services, through the Department of Budget and Fiscal Services, may rent or let advertising spaces inside city transit buses.
- (b) Each person or business organization who wishes to display advertisements inside City and County of Honolulu owned buses shall submit a sample of the advertisement in paper and electronic PDF format, a notarized advertising agreement furnished by the Department of Transportation Services, City and County of Honolulu, and the fee established herein for such advertising to the Department of Transportation Services. Advertisements which contain foreign languages must provide an English translation with their proof from a certified translator.
- (c) Request for payment will not be sent. Payment shall be paid in full with business imprinted checks, certified checks, or money orders prior to advertising. Personal checks will not be accepted.
- (d) Checks should be made out to the City and County of Honolulu.
- (e) NO REFUNDS for cancellation by advertiser.
- (f) A twenty dollar service charge will be charged to the advertiser for checks returned because of insufficient funds.
- (g) All inside displays shall be 11" x 28" printed on a minimum of .18 stock with grain running horizontally so that cards can be held in place, top and bottom, by flanges in the rack and on sides by steel/vinyl straps. Printed copy should be kept at least $\frac{3}{4}$ inches from top, bottom and sides of the card.
- (h) The schedule of monthly costs per card for advertising in the interior of City-operated buses shall be:

Effective upon approval
\$11.00 Per Space Per Month

Effective January 1, 2008
\$12.00 Per Space Per Month

Effective January 1, 2009
\$13.00 Per Space Per Month

- (i) Contracts shall not exceed 12 months.
- (j) When a space is rented or let for six months or more, the advertiser shall be permitted to request the City to change the display free of charge once during the period. For each additional display change, the City shall charge a rate of one dollar per card. Replacement cards must be provided by the advertiser.
- (k) Acceptance of advertising by the City for display will be on a fleet or facility basis. Accordingly, advertising will not be accepted for particular routes or particular areas.
- (l) Tear off or "take one" attachments and messages that encourage writing on cards such as "word find" games will not be allowed on interior advertising displays.
- (m) It shall be the responsibility of the advertiser to supply the interior display cards, at his own expense, in the amount equal to 120% of the number of spaces purchased or provided, and to deliver such advertising to the designated Bus Facility Storeroom(s).
- (n) Postings shall be scheduled for the 1st or the 15th of the month. Postings scheduled for the 1st of the month must be received at the designated Bus Facility Storeroom(s) by the 15th of the previous month. Postings scheduled for the 15th must be received by the 1st of the month.
- (o) No advertising which contains political advertisement, or which bears the name, signature, or likeness of any candidate or elected official for Federal, State, or City office, or which by reason of design format or subject matter promotes or appeals to racial, religious, ethnic prejudice or violence, or which contains pictures, words, or symbols of an obscene, lewd or lascivious or indecent character, or service which is prohibited by law to be sold or offered for sale to minors or an age-based subgroup of minors, all as determined by the Director, shall be accepted for display in any City transit bus.
- (p) The advertiser shall indemnify, save and hold harmless the City and all of its officers, agents, employees, and contractors from any and all claims for losses, injuries, damages and liabilities to persons or property occasioned wholly or in part by the acts or omissions of advertiser, its agents, officers, employees, or any person or persons under the control of the advertiser.

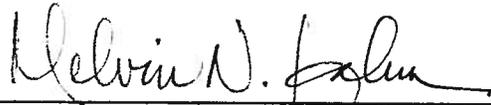
The advertiser shall further indemnify and save and hold harmless the City and all of its officers, agents, employees, and contractors from any and all losses, costs and/or damages arising out of or in connection with any claim or suit by any person, firm or corporation claiming injury, defamation, or libel resulting from any advertising material placed on City buses by advertiser.

- (q) At the discretion of the Director, consideration shall be given to making available reciprocal advertising agreements with other advertising media. This will enable the City to utilize interior advertising space not sold through direct sales, allowing for broader dissemination of City transit service information via newspaper, radio and television.
- (r) Three (3) standard advertising spaces will be reserved for public service announcements of a public service or charitable nature. Public service announcements (PSA) will be allowed free advertising for thirty days, one time per year, per organization. The free advertising will be on a space available basis and posted in the order received. The organization will be required to provide current tax exempt status documentation from the Internal Revenue Service. Corporate and/or business sponsors names or logos are not allowed on the cards during the free month for a PSA.
- (s) Nine (9) advertising spaces shall be reserved for announcements of public service or civic nature. Five (5) of these spaces will be reserved for signs as directed by Federal law and City Ordinance; two (2) for City use; two (2) for TheBus service sub-contractor.
- (t) There shall be no 15% advertising agency commission fee.
- (u) Sale of bus advertising will be under authorization of the Director of the Transportation Services.

EFFECTIVE DATE OF THESE RULES

These Rules shall become effective upon their approval by the Mayor of the City and County of Honolulu.

ADOPTED this 4th day of January, 2007, by the Director,
Department of Transportation Services, City and County of Honolulu, State of Hawaii.



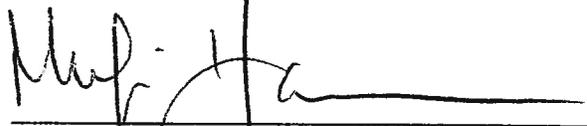
MELVIN N. KAKU, Director
Department of Transportation Services
City and County of Honolulu

APPROVED AS TO FORM AND LEGALITY:



Deputy Corporation Counsel

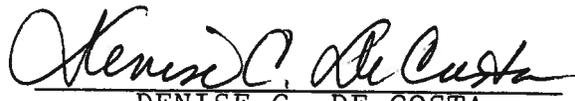
APPROVED this 19th day of January 2007



MUFI HANNEMANN, Mayor
City and County of Honolulu

Received this 26th day of
January, 2007.

Attachment



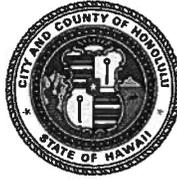
DENISE C. DE COSTA
City Clerk

Effective Date of these Rules:
February 5, 2007

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 523-4730 • Internet: www.honolulu.gov

MUFI HANNEMANN
MAYOR



RECEIVED
C&C
HONOLULU

JAN 26 8 05 AM '07

MELVIN N. KAKU
DIRECTOR

RICHARD F. TORRES
DEPUTY DIRECTOR

January 24, 2007

MEMORANDUM

TO: DENISE DECOSTA, CITY CLERK
OFFICE OF CITY CLERK

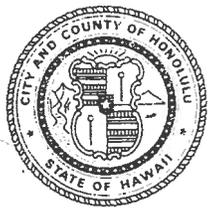
FROM: MELVIN N. KAKU, DIRECTOR
DEPARTMENT OF TRANSPORTATION SERVICES

SUBJECT: RULES AND REGULATIONS RELATING TO ADMINISTRATIVE
PROCEDURES FOR INTERIOR BUS ADVERTISING

In accordance with Chapter 91 of the Hawaii Revised Statutes, we are submitting copies of the approved Rules and Regulations relating to Administrative Procedures for Interior Bus Advertising. We request that these rules be filed.


MELVIN N. KAKU

Sandy Kobayashi



OFFICE OF THE CITY CLERK
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813 / TELEPHONE 523-4291

DENISE C. DE COSTA
City Clerk

January 29, 2007

The Honorable James "Duke" Aiona, Jr.
Lieutenant Governor
State of Hawaii
P. O. Box 3226
Honolulu, Hawaii 96813

Dear Lieutenant Governor Aiona:

Pursuant to Hawaii Revised Statutes, transmitted for filing are two copies of the approved Rules and Regulations of the Department of Transportation Services, City and County of Honolulu, relating to Administrative Procedures for Interior Bus Advertising, to take effect on February 5, 2007.

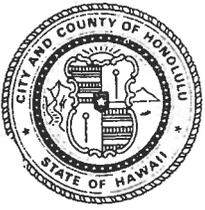
Sincerely,

A handwritten signature in black ink that reads "Denise C. De Costa". The signature is written in a cursive, flowing style.

DENISE C. DE COSTA
City Clerk

jt

Attachments



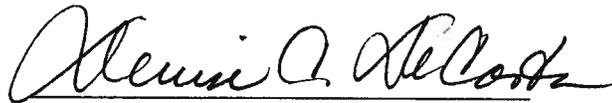
OFFICE OF THE CITY CLERK
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813 / TELEPHONE 523-4291

DENISE C. DE COSTA
City Clerk

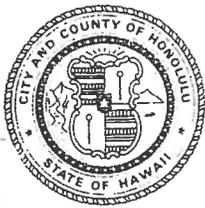
CERTIFICATE

I, DENISE C. DE COSTA, the duly appointed and qualified City Clerk of the City and County of Honolulu, State of Hawaii, do hereby certify that attached hereto are two copies of the approved Rules and Regulations of the Department of Transportation Services, City and County of Honolulu, relating to Administrative Procedures for Interior Bus Advertising, to take effect on February 5, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City and County of Honolulu, Hawaii, to be affixed this 29th day of January, 2007.

A handwritten signature in cursive script, reading "Denise C. De Costa".

DENISE C. DE COSTA
City Clerk
City and County of Honolulu
State of Hawaii



OFFICE OF THE CITY CLERK
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813 / TELEPHONE 523-4291

DENISE C. DE COSTA
City Clerk

January 29, 2007

Mr. Melvin Kaku, Director
Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor

Dear Mr. Kaku:

I am transmitting the original Rules and Regulations relating to Administrative Procedures for Interior Bus Advertising, filed by your department on January 26, 2006, and to take effect on February 5, 2007.

Sincerely,

A handwritten signature in black ink, appearing to read "Denise C. De Costa".

DENISE C. DE COSTA
City Clerk

jt

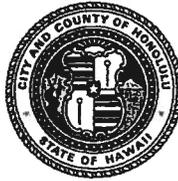
Enclosure

10/32 201

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 523-4730 • Internet: www.honolulu.gov

MUFI HANNEMANN
MAYOR



MELVIN N. KAKU
DIRECTOR

RICHARD F. TORRES
DEPUTY DIRECTOR

January 4, 2007

MEMORANDUM

TO: THE HONORABLE MUFI HANNEMANN, MAYOR
OFFICE OF THE MAYOR

VIA: WAYNE M. HASHIRO, P.E., MANAGING DIRECTOR
CARRIE OKINAGA, CORPORATION COUNSEL

FROM: MELVIN N. KAKU, DIRECTOR
DEPARTMENT OF TRANSPORTATION SERVICES

SUBJECT: RULES AND REGULATIONS RELATING TO
ADMINISTRATIVE PROCEDURES FOR INTERIOR BUS ADVERTISING

We are submitting for your approval the attached Rules and Regulations for Interior Bus Advertising.

A public hearing for these rules was held on December 1, 2006, to afford the public an opportunity to comment. Written testimony was received. Copies of the testimony received are attached.

201