

## **DRAFT**

### **State of Hawaii Government Web Site**

#### **Terms of Use**

By visiting and using this Web site, its subpages, and content, you are agreeing to these terms of access and use.

#### **Notice**

You have entered an official State of Hawaii government Web site. This Web site is not, nor is it intended to be, an open public forum.

#### **Definition**

As used in these terms of access and use, “Web site” means and refers to all or any portion of an official State of Hawaii government Web site (including but not necessarily limited to pages with Web addresses that contain “hawaii.gov”), subpages and content.

As used in these terms of access and use, “content” includes the information, material, documents, text, graphics, images, logos, and HTML programming format (including meta tags or the meta http-equivalent), and scripts.

#### **Security & Monitoring Notice**

This Web site reserves the right to collect navigational information about its users such as:

- the name of the domain from which the site was accessed;
- the date and time the site was accessed; and
- the site address (also called the URL) of the link clicked to access the site.

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This Web site is provided as a public service. This Web site is dynamic and will change over time WITHOUT NOTICE. Users of this Web site are therefore fully responsible for checking the accuracy, completeness, currency and suitability of content found on the Web site themselves.

In addition, the State of Hawaii may suspend or discontinue some or all of this public service at any time, or it may elect to charge a fee for access to or use of this public service.

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This Web site is provided “AS IS” and without warranties of any kind. To the fullest extent of the law, the State of Hawaii, including each agency, officer, or employee of the State of Hawaii, disclaims all warranties, expressed or implied, including but not limited to warranties of merchantability and fitness for

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### **Notice of Limitation on Use of State Seals and Symbols**

Use of the great seal of the State of Hawaii or the coat-of-arms of the State is restricted by law:

Pursuant to Section 5-6, Hawaii Revised Statutes, whoever uses any representation of the great seal or the coat of arms of the State in any advertisement or for any commercial purpose or in any manner likely to give the impression of official State approval shall be guilty of a misdemeanor. The preceding sentence shall not be construed to apply to the use of the seal or the coat of arms in any newspaper, periodical, book, or pamphlet wherein the seal or coat of arms is printed for informational purposes only.

### **Links to External Sites and Pages**

This Web site may contain hypertext links to external sites and pages containing information created and maintained by public and private organizations other than the State of Hawaii. These hypertext links may be created by the State of Hawaii if it determines that establishing the external link will be consistent with assisting or furthering the purpose of this Web site, which is to significantly and diligently promote public service to citizens and businesses by:

- expanding business and citizen access to government services and government information;

- offering an easy and convenient process for businesses and citizens to conduct transactions with state government online;
- accelerating the development and delivery of an increased volume of quality, online government services;
- improving the level of customer service from state government; and/or
- extending electronic government services to citizens of cities and county government.

In addition, hypertext links may be created by the State of Hawaii for informational purposes, that is, where the linked external site will provide useful and valuable information to visitors to this Web site, or where the linked external web site is required or authorized by law.

The State of Hawaii, in its sole discretion, will determine whether the external site meets the purpose of this Web site or for the specified informational purposes. The inclusion of a hypertext link to an external site is not intended as an endorsement of any products or service offered or referenced on the linked site, the organizations sponsoring such site, or any views which might be expressed or referenced in the site.

These hypertext links to external sites and pages may be removed or replaced in the sole discretion of the State of Hawaii, at any time without notice.

In the event you discover problems with or have concerns regarding the format, accuracy, timeliness or completeness of a linked external site, please contact the organization responsible for the linked external site; the State of Hawaii does not control nor is it responsible for any linked external sites and pages.

#### **Disclaimer of Endorsement**

Any reference in this Web site to any specific commercial products, processes, or services by trade name, trademark, manufacturer, or otherwise, does not constitute or imply its endorsement, recommendation, or favoring by the State of Hawaii.

#### **Jurisdiction**

This Web site is provided as a public service using an associated computer system located within the State of Hawaii. Any person choosing to access and use this Web site is subject to the jurisdiction of the State of Hawaii.

These terms shall be governed by and construed in accordance with the laws of the State of Hawaii. Any dispute arising out of or relating to these terms, or access and use of this Web site shall be decided under the laws of and in the state courts in the State of Hawaii, and you hereby consent to and submit to the personal jurisdiction of such courts for the purpose of adjudicating such dispute.

#### **Severability**

If any provision in these terms shall be determined to be unlawful, void or unenforceable by a court of competent jurisdiction, then that provision shall be deemed severable from the remaining terms and shall not affect the validity and enforceability of the remaining provisions.