
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE
AND ASSIST IN THE RESOLUTION OF THE ISSUE OF OWNERSHIP OF
NAHIKU BRIDGE AND LOWER NAHIKU ROAD.

1 WHEREAS, the safety of residents of the Hana district of
2 the county of Maui may be at risk because of the condition of
3 Nahiku Bridge; and
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5 WHEREAS, presumably because of Nahiku Bridge's current
6 weight rating, the Maui Fire Department fears for the safety of
7 its firefighters when crossing the bridge; and
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9 WHEREAS, regarding ownership, the Department of Land and
10 Natural Resources defers to the Department of Transportation,
11 which claims that Nahiku bridge is the responsibility of Maui
12 County; and
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14 WHEREAS, uncertainty in jurisdiction over Lower Nahiku Road
15 frustrates many residents calling for its maintenance, repair,
16 or improvement; and
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18 WHEREAS, sometime after the completion of Hana Highway (the
19 "Road to Hana") in the 1950s, Maui County stopped almost all
20 maintenance on the old government road that connected Hana town
21 to Nahiku, also known as the Lower Nahiku Road; and
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23 WHEREAS, the matter of jurisdictional responsibility for
24 Nahiku Bridge and Lower Nahiku Road must be resolved to protect
25 the safety and well-being of residents and visitors of the Hana
26 district; now, therefore,
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28 BE IT RESOLVED by the House of Representatives of the
29 Twenty-fourth Legislature of the State of Hawaii, Regular
30 Session of 2008, the Senate concurring, that the Department of
31 the Attorney General is requested to investigate and make a



determination on the issue of ownership of Nahiku Bridge and Lower Nahiku Road in the Hana District of Maui; and

BE IT FURTHER RESOLVED that the Department of Transportation is requested to estimate the cost of making:

- (1) Upgrades to the Nahiku bridge that will result in strengthening, repairing, increasing its load limit, and improving the bridge to provide safe access to the Hana district by the Maui county fire department; and
- (2) Repairs to the Lower Nahiku Road that protect the safety and well-being of Hana district residents; and

BE IT FURTHER RESOLVED that upon the resolution of the issue of ownership of Nahiku Bridge and Lower Nahiku Road, and no less than thirty days after the Department of Transportation receives the Department of the Attorney General's report regarding jurisdiction over Nahiku Bridge and Lower Nahiku Road, the Department of Transportation is requested to forward its report on the estimated cost of repaving Nahiku Bridge and Lower Nahiku Road to the government agencies identified as having jurisdiction over the Nahiku Bridge and Lower Nahiku Road; and

BE IT FURTHER RESOLVED that the Department of the Attorney General and the Department of Transportation are requested to submit a report of findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2009; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Attorney General, the Director of Transportation, the Chairperson of the Board of Land and Natural Resources, and the Mayor and the Chairperson of the Council of Maui County.

[Signature]

OFFERED BY: *Mele Carroll*
K. L. *Cindy Evans*
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