



SIERRA CLUB Kaua'i Group of the Hawai'i Chapter
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March 24, 2008

VIA EMAIL: JUDtestimony@Capitol.hawaii.gov

TO: Committee on Judiciary
DATE: Tuesday, March 25, 2008
TIME: 4:05 PM
PLACE: State Capitol Conference Room 325

**RE: Testimony in Strong Support of SB 2900 SD1 Relating to Roadway Jurisdiction;
Right to Use or Possess**

Dear Chair Waters and Committee Members:

The Kauai Group of the Sierra Club strongly supports Senate Bill 2900 SD1 which establishes that any county has the power to enforce laws and rules applicable to the use of "limbo roads" whose ownership is in dispute between the state and the county and ensures that the general public retains the right to use these roads to access coastal and inland recreational area, beaches park, and trails.

We are very familiar with the Legislative Reference Bureau's 1989 study entitled *Roads in Limbo*. The report presents an analysis of the problem, the historical and legal background, and proposed solutions which will require long-term joint effort between state and county officials to resolve these long-standing jurisdiction issues.

In the meantime, the proposed amendment will ensure that the general public retains the right to use these roads and it will deter private entities from improperly blocking access as well. This bill takes positive action to address access issues and will provide benefit to the public.

Please support SB 2900 SD1. Thank you for the opportunity to comment.

Sincerely,

Rayne Regush, on behalf of
Sierra Club, Kauai Group Executive Committee

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