

JAN 21 2010

S.B. NO. 2199

A BILL FOR AN ACT

RELATING TO COUNTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 46-15.9, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Any provision of law to the contrary notwithstanding,
4 any county and its authorized personnel may impose and enforce
5 traffic laws and shall enforce chapters 249, 286, 287, 291,
6 [and] 291C, 291E, 431:10C, and 486, part III, on public streets,
7 roads, or highways whose ownership is in dispute between the
8 State and the county."

9 SECTION 2. Section 46-16, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§46-16 Traffic regulation and control over private**
12 **streets.** Any provision of law to the contrary notwithstanding,
13 any county and its authorized personnel may impose and enforce
14 traffic regulations and place appropriate traffic control
15 devices, and may enforce chapters 249, 286, 287, 291, [and]
16 291C, 291E, 431:10C, and 486, part III, on the following
17 categories of private streets, highways, or thoroughfares,



1 except private roads used primarily for agricultural and
2 ranching purposes:

3 (1) Any private street, highway, or thoroughfare which has
4 been used continuously by the general public for a
5 period of not less than six months; provided that the
6 county shall not be responsible for the maintenance
7 and repair of the private street, highway, or
8 thoroughfare when it imposes or enforces traffic
9 regulations and highway safety laws or places or
10 permits to be placed appropriate traffic control
11 devices on that street, highway, or thoroughfare;
12 provided further that no adverse or prescriptive
13 rights shall accrue to the general public when the
14 county imposes or enforces traffic regulations and
15 highway safety laws or places appropriate traffic
16 control devices on that street, highway, or
17 thoroughfare; nor shall county consent to the
18 placement of traffic control signs or markings on a
19 private street be deemed to constitute control over
20 that street; and

21 (2) Any private street, highway, or thoroughfare which is
22 intended for dedication to the public use as provided



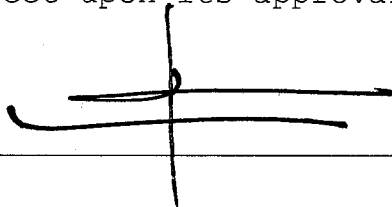
1 in section 264-1 and is open for public travel but has
2 not yet been accepted by the county."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

6

INTRODUCED BY: _____

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By Request



Report Title:

Motor Vehicle and Traffic Enforcement

Description:

Expands county enforcement of various motor vehicle and traffic laws on private streets and roads to include laws relating to county vehicular taxes, motor vehicle safety responsibility, traffic violations, use of intoxicants while operating a vehicle, odometers, and motor vehicle insurance.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

