

JAN 20 2012

A BILL FOR AN ACT

RELATING TO HIGHWAYS.

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

1 SECTION 1. Section 265A-1, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§265A-1 County authority.** The several councils or other
4 governing bodies of the several political subdivisions of the
5 State shall have the general supervision, charge, and control
6 of, and the duty to maintain and repair, all county highways,
7 bikeways, and sidewalks and shall have the power to determine
8 the terms under which irrigation or drainage ditches, flumes,
9 railroads, including plantation railroads and similar
10 structures, telephone, electric light and power lines and pipes
11 and other conduits may be maintained upon, under, over, and
12 across the same, and the councils or other governing bodies may
13 make all regulations needful for the public convenience and
14 safety in all cases where permission has been or may be granted
15 to maintain the ditches, railroads, pipes, or other structures
16 across, under, over, and upon all county highways. Any other
17 law to the contrary notwithstanding, the several counties by
18 ordinance may take over, or receive by dedication or otherwise,



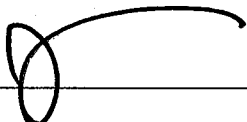
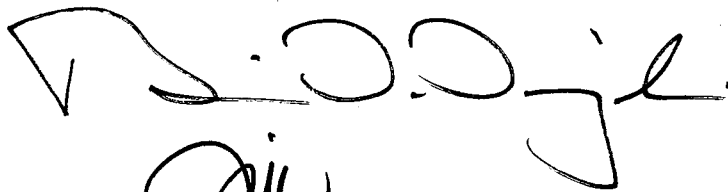
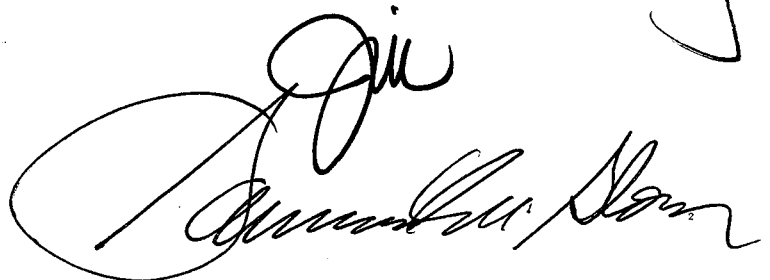
S.B. NO. 2267

1 any private street or way or may improve, grade, repair, or do
 2 any construction work upon private streets, ways, pavement,
 3 water lines, street lighting systems, or sewer repairs[-];
 4 provided that if a county takes over or receives a private
 5 street or way for which the county is unable to determine the
 6 owner, the county shall be exempt from any state laws, or rules
 7 adopted pursuant thereto, that would require the county to
 8 perform construction or any improvement upon the street or way."

9 SECTION 2. Statutory material to be repealed is bracketed
 10 and stricken. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.
 12

INTRODUCED BY:

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S.B. NO. 2267

Report Title:

Highways; Private Streets; Counties; Improvements

Description:

Exempts counties from laws or rules that would require the performance of construction or improvements upon a street or way if the county takes over a private street or way for which the county is unable to determine the owner.

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