
A BILL FOR AN ACT

RELATING TO SUBDIVISION DOCUMENTS.

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

1 SECTION 1. The legislature finds that section 264-43,
2 Hawaii Revised Statutes, which exempts the department of
3 transportation from county subdivision ordinances in acquiring,
4 subdividing, consolidating, maintaining, and administering the
5 state highway system, poses problems for counties. For example,
6 section 3.48.010(F) of the Maui county code provides in
7 pertinent part: "The director [of finance] shall provide for
8 the County maps drawn to appropriate scale, showing all parcels,
9 blocks, lots, or other divisions of land based upon ownership,
10 and their areas or dimensions, numbered or otherwise designated
11 in a systematic manner for convenience of identification,
12 valuation, and assessment." The exemption makes it difficult
13 for Maui county to maintain accurate records of subdivision
14 parcel ownership, since the department of transportation is not
15 required to furnish any information to Maui county about parcels
16 that may have been transferred by the department to private
17 owners or vice versa. The consequences are as follows:



- 1 (1) The fire department is unable to ascertain ownership
2 of particular subdivision lots;
- 3 (2) Property owners are assessed property taxes on
4 property that they no longer own; and
- 5 (3) Real estate transactions are not completed in a timely
6 fashion since subdivision maps may inaccurately
7 reflect ownership of parcels.

8 The legislature further finds that the department of
9 Hawaiian home lands and the department of land and natural
10 resources pose similar problems to the counties as the
11 department of transportation in their respective land
12 transactions in subdivisions.

13 The purpose of this Act is to require the department of
14 transportation, department of Hawaiian home lands, and
15 department of land and natural resources to furnish certain
16 information to the counties regarding subdivision transactions.
17 The legislature deems this Act to be revenue neutral and finds
18 that this Act does not impose additional costs upon the counties
19 or constitute a new program subject to article VIII, section 5,
20 of the Hawaii state constitution.

21 SECTION 2. Section 264-43, Hawaii Revised Statutes, is
22 amended to read as follows:



1 **"§264-43 Responsibility.** (a) The department of
2 transportation shall acquire, subdivide, consolidate, construct,
3 maintain, and administer all highways comprising the state
4 highway system in accordance with all state and federal laws and
5 shall be exempt from county subdivision ordinances[-], except as
6 provided in subsection (b).

7 (b) The department of transportation, department of
8 Hawaiian home lands, and department of land and natural
9 resources shall submit to the appropriate county real property
10 assessment administrator, in paper or electronic format, copies
11 of the following documents involving parcels within a
12 subdivision:

- 13 (1) The final right of way project maps, including federal
14 aid project maps if any;
15 (2) Final orders of condemnation if any; and
16 (3) Recorded deeds and title transfers."

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

19 SECTION 4. This Act shall take effect on July 1, 2020.



Report Title:

Counties; DOT; Subdivision Information

Description:

Requires the DOT, DHHL, and DLNR to submit to the counties certain information on parcels located within a subdivision. Effective July 1, 2020. (HB1648 HD1)

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

