

Honolulu, Hawaii

April 7, 2016

RE: S.B. No. 2372
S.D. 3
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 2372, S.D. 3, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PRIVATE ROADS,"

begs leave to report as follows:

The purpose of this measure is to address the repair and maintenance of private roads. Specifically, this measure:

- (1) Establishes a temporary roads commission within the Department of Transportation to, among other things, determine ownership of each private road and road in limbo, advise the appropriate legislative body of the determination of ownership of the private road or road in limbo, and recommend action regarding the private road or road in limbo to the appropriate legislative body, including the initiation of condemnation proceedings as appropriate;
- (2) Expands the State and counties' authority to condemn public highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails and amends the process for county acquisition through dedication;
- (3) Allows any private owner of a highway, road, alley, street, way, lane, bikeway, bridge, or trail to petition the Mayor of the county in which the highway, road, alley, street, way, lane, bikeway, bridge, or county



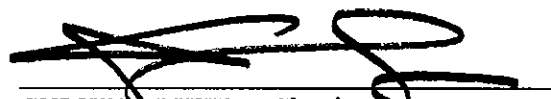
trail is located to initiate condemnation proceedings if certain conditions are met;

- (4) Exempts highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails constructed and completed in accordance with the requirements of any ordinance, rule, or regulation in effect at the time of construction and completion from meeting construction standards in place at the time of transfer to the county;
- (5) Exempts the State and counties from requirements to maintain or improve highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails taken by condemnation; and
- (6) Appropriates funds for road repair work, including resurfacing, flood mitigation, and installation of drainage infrastructure to certain roads.

The Building Industry Association of Hawaii, Bank of Hawaii, Chamber of Commerce Hawaii, and Hawaii Association of Realtors testified in support of this measure. The Department of Transportation, Department of Public Works of the County of Hawaii, Department of Public Works of the County of Kauai, Council Chair of the Maui County Council, and several concerned individuals testified in opposition to this measure. The Department of Land and Natural Resources, City and County of Honolulu, and Hawaii Association for Justice provided comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2372, S.D. 3, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Finance,


SYLVIA LUKE, Chair



