

TO: The Honorable Henry J.C. Aquino, Chair, the Honorable Matthew S. Lopresti, Vice  
Chair and other Members of the House Committee on Transportation

DATE: Wednesday, February 10, 2016  
10:00 a.m., Room 309

RE: HB 2250 Relating to Highways

POSITION: STRONG SUPPORT

Thank you for this opportunity to testify in strong support of HB 2250, which would appropriate revenues for repair work and resurfacing of Kalani Street, Auld Lane and Rawlins Lane.

My name is Hwa Ja Park, and my family and I have been living at 1009 Rawlins Lane for over 80 years, and throughout that time, the road condition has deteriorated greatly. Over the years, our family has tried to be good neighbors and we have filled in the more damaged areas with blacktop patch. More recently, with my husband and son no longer with me, I hired someone to fill in some of the bigger holes near the entrance of Rawlins Lane with concrete, but due to the enormous cost, I could not fill the entire lane. We have tried to get abutting land owners to chip in to repave Rawlins Lane, but they are uninterested or do not have the monetary resources to do so. Rawlins Lane floods after heavy rainfall making it dangerous and sometimes impossible for the elderly like me and the young children pedestrians to pass safely. We have also asked the City for assistance, but they refused to maintain this roadway because it is considered a private road.

Please help us to improve this serious condition where we live by supporting and passing HB 2250.

Sincerely,

Hwa Ja Park



**TESTIMONY TO THE COMMITTEE ON TRANSPORTATION  
Wednesday, February 10, 2016, 10 a.m.  
State Capitol, Conference Room 309**

**TO:** The Honorable Henry J.C. Aquino, Chair  
The Honorable Matthew S. LoPresti, Vice Chair  
Members of the Transportation Committee

**COMMENTS ON HB2250 RELATING TO HIGHWAYS**

I am Stafford Kiguchi with Bank of Hawaii providing comments on HB2250 dealing with private roads. This bill would appropriate revenues for repair work and resurfacing of Kalani Street, Auld Lane, and Rawlins Lane on the island of Oahu. Similar situations beyond these specific examples exist throughout the state.

Bank of Hawaii is on title to a number of roads that were acquired when it purchased Hawaiian Trust and Bishop Trust companies back to the 1980s. It is believed that decades ago when the homes adjacent to these roads were developed and deeded to the homeowners by the trust companies as agent for the developers, these roads, by right, should have been dedicated to the city. However, for unknown reasons, that transfer never occurred and legal title appears to have remained in the trust companies and subsequently with Bank of Hawaii as successor in interest.

Over the decades, the roads have remained open to the public with unrestricted access for cars, buses, refuse trucks, and emergency vehicles, etc. Many of these roads are termed "remnants" and abut or are sandwiched between sections of city-owned roads or streets. As a result, we know that in many cases the city currently provides maintenance services for these roads.

Despite its "ownership," the bank does not enjoy the normal rights and privileges associated with ownership. We would not build on the roads nor would we deny homeowners access to their homes that front these roads. At the same time, there is no acceptable mechanism to assess any fees that could be applied toward road maintenance. As a result, the situation exists where Bank of Hawaii may have obligations but no rights.

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We also recognize that there is the issue of some older roads or streets not conforming to current codes. There are no remedies available to a non-government owner to address this dilemma. If there is a desire to bring such roads up to modern standards, there would potentially need to be an exercise of eminent domain of which only a government entity could do.

We believe that maintenance and ownership of such roads best belongs within the jurisdiction of the city and county. The city is best equipped with the knowledge and equipment to conduct any necessary planning, road repair and maintenance work. For these reasons, we believe it makes most practical sense for the city to own and maintain these types of roads. It would provide the public a single point of contact to address its needs, and would also provide both clarity and consistency for the residents and homeowners.

While we do not have a specific opinion on the appropriate dollar amounts to be allocated for these upgrades, we do recognize that this is a complex issue and are willing to work in cooperation with the appropriate city and state government entities to develop a “pilot process” to gradually transfer ownership of certain pre-designated roads or streets that would accommodate a mutually agreed upon schedule and conditions.

We appreciate the Committee’s interest and willingness to continue to examine solutions for this important issue.

Thank you for the opportunity to testify.

Stafford Kiguchi  
Executive Vice President, Bank of Hawaii  
694-8580

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POSITION: STRONG SUPPORT

Thank you for this opportunity to testify in strong support of HB 2250, which would appropriate revenues for repair work and resurfacing of Kalani Street, Auld Lane and Rawlins Lane.

For those of us who live on Rawlins Lane, the road conditions are deplorable. Rawlins Lane routinely gets damaged and floods after heavy rainfall making it dangerous and sometimes impossible for pedestrians and cars to pass safely. Further, the City has refused to maintain this roadway because it is considered a private road.

Please help us to improve this serious condition where we live by supporting HB 2250.

Sincerely,

