

Honolulu, Hawaii
February 9, 2018

RE: H.B. No. 2275
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Water & Land and Transportation, to which was referred H.B. No. 2275 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY,"

beg leave to report as follows:

The purpose of this measure is to:

- (1) Require that private streets, highways, or thoroughfares used by the public in a development district of the Hawaii Community Development Authority conform to county construction and maintenance standards;
- (2) Make owners of those private streets, highways, or thoroughfares responsible for the costs of conforming and maintaining the private roads to county standards; and
- (3) Establish a private right of action to enforce compliance with county construction and maintenance standards.

The Department of Transportation, Hawaiian Civic Club of Honolulu, Hawaii Energy Policy Forum, U. Oaka & Co., Ltd., Musicians' Association of Hawai'i, Macdonald & Porter Inc., and



several individuals supported this measure. The Department of Facility Maintenance of the City and County of Honolulu opposed this measure. Bank of Hawaii, Land Use Research Foundation, and an individual provided comments.

Your Committees have amended this measure by:

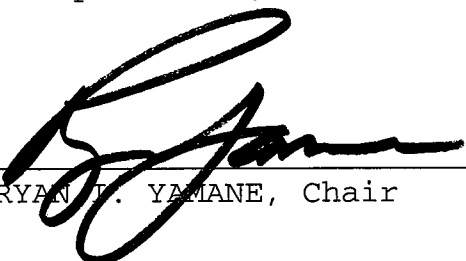
- (1) Limiting its application to private streets, highways, or thoroughfares in a commercial development district of the Hawaii Community Development Authority;
- (2) Limiting responsibility for construction and maintenance costs to private street owners who exercise ownership rights for financial gain or profit; and
- (3) Changing its effective date to July 1, 2050, to encourage further discussion.

Your Committees note that the intent of limiting the scope on financial gain or profit is to apply to parking, parking meters, permits, towing, and other street uses.

As affirmed by the records of votes of the members of your Committees on Water & Land and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2275, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2275, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Water & Land and
Transportation,


HENRY J.C. AQUINO, Chair


RYAN T. YAMANE, Chair



