

Honolulu, Hawaii

**FEB 18 2022**

RE: S.B. No. 2008

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Transportation, to which was referred S.B. No. 2008 entitled:

"A BILL FOR AN ACT RELATING TO HIGHWAYS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Remove the three-year limit on the exemption of the State and counties from the requirement to maintain or improve any condemned roads; and
- (2) Abolish joint and several liability of the State and counties for any condemned roads.

Your Committees received testimony in support of this measure from the Department of Transportation and one member of the Maui County Council. Your Committees received testimony in opposition to this measure from the Hawaii Association for Justice.

Your Committees find that there are numerous roads throughout the State that are privately owned. Although these roads are not often used by the public, the public may not realize that the road is not owned by a governmental agency. This creates difficulties when individuals seek to have a private road repaired. The Legislature sought to address the situation by passing Act 194, Session Laws of Hawaii of 2016, which, among other things,



expanded the State and counties' authority to condemn private roads and exempted the State and counties from requirements to maintain or improve condemned roads for a three-year period. Your Committees believe that further legislation is now needed to reduce legal impediments to state and county condemnation of private lanes so that the predicament of repairing and maintaining private lanes does not endure.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2008 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Public Safety,  
Intergovernmental, and Military  
Affairs and Transportation,



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CHRIS LEE, Chair



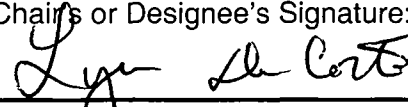
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CLARENCE K. NISHIHARA, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Intergovernmental, and Military Affairs**  
**PSM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2008	PSM/TRS, JDC	2/15/2022		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
DECOITE, Lynn (VC)	✓			
BAKER, Rosalyn H.	✓			
RIVIERE, Gil	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chairs or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

