
HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A
FEASIBILITY STUDY ON IDENTIFYING AND FACILITATING THE
REPAIR AND TRANSFER OF PRIVATE OR DISPUTED ROADS.

1 WHEREAS, there are roads in Hawaii whose ownership is
2 disputed between the State, counties, or private entities or
3 individuals; and
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5 WHEREAS, the State or county agencies are often unwilling
6 to maintain these roads because the maintenance activities may
7 be construed as assuming ownership and jurisdiction over the
8 disputed roads; and
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10 WHEREAS, the safety of persons traveling over these "roads
11 in limbo" is affected by the lack of maintenance to these roads;
12 now, therefore,
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14 BE IT RESOLVED by the House of Representatives of the
15 Thirty-second Legislature of the State of Hawaii, Regular
16 Session of 2024, that the Department of Transportation is
17 requested to conduct a feasibility study on identifying and
18 facilitating the repair and transfer of private or disputed
19 roads; and
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21 BE IT FURTHER RESOLVED that the feasibility study shall:
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23 (1) Identify and develop an inventory of all private and
24 disputed government roads;
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26 (2) Consider establishing a priority list of roads that
27 require more immediate attention than other roads
28 based upon the condition of the roads and the volume
29 of traffic on the roads;
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31 (3) Consider drafting sample memoranda of agreement to
32 facilitate the State and each county in transferring



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title of ownership of a private or disputed road to the county once the State repairs the road and brings it up to county standards;

(4) Examine a system for repairing private and disputed roads through memoranda of agreement between the State and each county; and

(5) Explore the possibility of accessing federal funds to alleviate the costs of repairing roads for which ownership is private or disputed; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Attorney General, Director of Transportation, and Mayor of each county.

OFFERED BY:



MAR - 8 2024

