

Honolulu, Hawaii

FEB 16 2024

RE: S.B. No. 2178
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Transportation and Culture and the Arts, to which was referred S.B. No. 2178 entitled:

"A BILL FOR AN ACT RELATING TO ROADS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow for a percentage of general excise and fuel taxes generated by the counties to be used for maintenance of private roadways that are open to the public.

Your Committee received testimony in support of this measure from one individual.

Your Committee received comments on this measure from the Department of the Attorney General and Tax Foundation of Hawaii.

Your Committee finds that there has been an increase in utilization of streets, highways, thoroughfares, and roadways, and their surrounding areas that has resulted in an influx of traffic that exceeds their original design capacity. Currently, counties are prohibited from utilizing taxes to conduct maintenance on privately-owned roads that are open to the public. This measure will authorize counties to use county taxes for the reconstruction, improvement, repair, and maintenance of privately-owned roadways that are open to the public to increase public safety and the general welfare of the State.



Your Committee has amended this measure by:

- (1) Inserting legislative findings declaring that it is in the public interest to improve and maintain private roadways that serve the public, in limited circumstances;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2178, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2178, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
Culture and the Arts,



CHRIS LEE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Culture and the Arts
TCA

Bill / Resolution No.:* <div style="font-size: 1.2em; font-weight: bold; margin-top: 5px;">SB 2178</div>	Committee Referral: <div style="font-size: 1.2em; font-weight: bold; margin-top: 5px;">TCA, WAM</div>	Date: <div style="font-size: 1.2em; font-weight: bold; margin-top: 5px;">2-13-2024</div>
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUE, Lorraine R. (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
KANUHA, Dru Mamo	✓			
AWA, Brenton				✓
TOTAL	4			1

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:

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*Only one measure per Record of Votes