
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 264, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§264- Private streets; ownership. (a) Notwithstanding
5 any provision of law to the contrary, fee simple absolute title
6 of a privately owned highway, road, alley, street, way, lane,
7 bikeway, bridge, or trail held by a subdivider shall be deemed
8 transferred to owners of property contiguous or adjacent
9 thereto, or to the community association consisting of the
10 owners of property contiguous or adjacent thereto, when:

11 (1) The subdivider has dissolved or ceased to exist for
12 not less than five years; and

13 (2) There has not been a dedication of the privately owned
14 highway, road, alley, street, way, lane, bikeway,
15 bridge, or trail by deed of conveyance naming the
16 State or county as grantee pursuant to section
17 264-1(c).



1 (b) For the purposes of this section:

2 "Community association" means a nonprofit homeowners or
3 community association existing pursuant to covenants running
4 with the land.

5 "Subdivider" means a person, firm, corporation,
6 partnership, association, trust, or other legal entity or
7 combination thereof causing land to be subdivided or
8 consolidated, which is the owner of the land or the duly
9 authorized agent or lessee of the owner."

10 SECTION 2. New statutory material is underscored.

11 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Private Streets; Highways; Roads; Subdivider; Title; Fee Simple; Ownership; Community Association

Description:

Provides that fee simple absolute title of a privately owned highway, road, alley, street, way, lane, bikeway, bridge, or trail is deemed transferred to adjacent property owners or the community association if certain conditions are met. Effective 7/1/2050. (SD1)

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