STAND. COM. REP. NO.

Honolulu, Hawaii FED 11 , 2025

RE: H.B. No. 860 H.D. 1

Honorable Nadine K. Nakamura Speaker, House of Representatives Thirty-Third State Legislature Regular Session of 2025 State of Hawaii

Madame:

Your Committee on Transportation, to which was referred H.B. No. 860 entitled:

"A BILL FOR AN ACT RELATING TO LIABILITY,"

begs leave to report as follows:

The purpose of this measure is to provide immunity to the State and counties for injuries sustained due to the repair or maintenance of streets undertaken by the State or a county, in cases in which the ownership or jurisdiction of such streets is in dispute between the State and a county.

Your Committee received testimony in support of this measure from the Department of Transportation and Office of the Mayor of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from Hawaii Association for Justice and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that roads for which ownership or jurisdiction is in dispute between the State and a county often suffer from a lack of repair and maintenance. Therefore, government agencies are unwilling to maintain these roads because of potential liability issues associated with the repair and maintenance of the roads. This measure seeks to address this issue by providing immunity to the State and counties for personal

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injuries or property damage arising out of the repair or maintenance of roads in limbo.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 860, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 860, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

> Respectfully submitted on behalf of the members of the Committee on Transportation,

DARIUS KILA, Chair



State of Hawaii House of Representatives The Thirty-third Legislature



Record of Votes of the Committee on Transportation

Bill/Resolution No.:	Committee Referral: TRN, JHA			Dat	Date: 2/4/25		
The committee is reconsidering its previous decision on the measure.							
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)							
TRN Members			Ayes	Ayes (WR)	Nays	Excused	
1. KILA, Darius K. (C)							
2. GRANDINETTI, Tin	a Nakada	(VC)					
	gadų, tai						
3. COCHRAN, Elle		<u>.</u>					
4. EVSLIN, Luke A.							
5. KITAGAWA, Lisa							
J. KIIAOAWA, Lisa							
6. LA CHICA, Trish							
7. MIYAKE, Tyson K.		in in Saarle					
8. MURAOKA, Christo	pher L.		✓				
9. PIERICK, Elijah			\checkmark			12	
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	<u> </u>						
TOTAL			8				
The recommendation is: Adopted If joint referral, Adopted If joint referral, Committee acronym(s) did not support recommendation.							
Vice Chair's or designee's signature:							
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