

DAVID Y. IGE
GOVERNOR



Testimony by:
JADE T. BUTAY
DIRECTOR

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IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

March 16, 2018
10:00 a.m.
State Capitol, Conference Room 414

H.B. 2275, H.D. 2

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY

SENATE COMMITTEE ON TRANSPORTATION AND ENERGY
AND
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND
MILITARY AFFAIRS

The Department of Transportation (DOT), **supports** this bill to resolve maintenance issues for privately owned roads in development districts under Chapter 206E, HRS. We would also like to point out for clarification purposes that the DOT does own State roads that pass through or are within HCDA development districts such as Ala Moana Boulevard in Kakaako and a few roads in Kalaeloa. All State roads in the area are on a maintenance cycle and are managed to State standards.

Thank you for the opportunity to provide testimony.



HAWAII COMMUNITY
DEVELOPMENT AUTHORITY



KAKAKO
KALAELOA

David Y. Ige
Governor

John Whalen
Chairperson

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STATEMENT OF

GARETT KAMEMOTO, INTERIM EXECUTIVE DIRECTOR
HAWAII COMMUNITY DEVELOPMENT AUTHORITY

BEFORE THE
SENATE COMMITTEE ON TRANSPORTATION AND ENERGY
and
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL,
AND MILITARY AFFAIRS

Friday, March 16, 2018
10:00 a.m.
State Capitol, Conference Room 414

in consideration, of
**HB 2275, HD2 RELATING TO THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY**

Chairs Inouye and Nishihara, Vice Chairs Espero and Wakai and Members
of the Committee.

The Hawaii Community Development Authority (HCDA) appreciates the opportunity to provide comments on HB2275, HD2. This bill requires owners of private streets, highways, or thoroughfares in an HCDA development district to conform and maintain private roads to county standards and makes those owners who exercise ownership rights for financial gain or profit responsible for the costs of conforming and maintaining the private roads. We note that there are a number of private land owners in the Kakaako district and have attached a map of street owners.

Thank you for the opportunity to provide comments on this bill.



**TESTIMONY TO THE COMMITTEES ON TRANSPORTATION AND ENERGY
AND PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS**

Friday, March 16, 2018, 10 a.m.

State Capitol, Conference Room 414

TO: The Honorable Lorraine R. Inouye, Chair TRE
The Honorable Will Espero, Vice Chair TRE
The Honorable Clarence K. Nishihara, Chair PSM
The Honorable Glenn Wakai, Vice Chair PSM
Committee Members

TESTIMONY IN SUPPORT OF HB2275 HD2 RELATING TO HCDA

I am Stafford Kiguchi with Bank of Hawaii testifying in support of HB2275 HD2 relating to the Hawaii Community Development Authority. This bill would require certain private streets, highways, or thoroughfares in a development district of the HCDA to conform to county construction and maintenance standards. Additionally, it would make owners who charge a fee to use private roads responsible for the costs of conforming and maintaining the private roads; exempts private roads used solely by the owner or its employees.

Bank of Hawaii is on title to a number of roads, although none in Kakaako, which were acquired when it purchased Hawaiian Trust and Bishop Trust companies in the 1980s. Decades ago, when the homes adjacent to these roads were developed and deeded to the homeowners by the trust companies as agent for the developers, these roads, by right, should have been dedicated to the city. However, for unknown reasons, that transfer never occurred and legal title appears to have remained in the trust companies and subsequently with Bank of Hawaii as successor in interest.

Over the decades, the bank has never attempted to exercise any rights of ownership and these roads have remained open to the public with unrestricted access for cars, buses, refuse trucks, and emergency vehicles, etc. We recognize the fact that ongoing maintenance along certain privately owned roads or roads where there is a dispute of ownership is a longstanding issue.

This current draft helps to narrow applicability and address situations whereby the owner(s) is passive and where the roads are open for public benefit with no restrictions regarding public use.

Thank you for the opportunity to testify.

Stafford Kiguchi
Executive Vice President