

---

# A BILL FOR AN ACT

RELATING TO COUNTIES.

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

1 SECTION 1. Section 46-15.9, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) Any provision of law to the contrary notwithstanding,  
4 any county and its authorized personnel may impose and enforce  
5 traffic laws and shall enforce chapters 249; 286 [and]; 287;  
6 291; 291C; 291E; 431, articles 10C and 10G; and 486, part III on  
7 public streets, roads, or highways whose ownership is in dispute  
8 between the State and the county."

9 SECTION 2. Section 46-16, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "§46-16 Traffic regulation and control over private  
12 streets. Any provision of law to the contrary notwithstanding,  
13 any county and its authorized personnel may impose and enforce  
14 traffic regulations and place appropriate traffic control  
15 devices, and may enforce chapters 249; 286 [and]; 287; 291;  
16 291C[7]; 291E; 431, articles 10C and 10G; and 486, part III on  
17 the following categories of private streets, highways, or



1 thoroughfares, except private roads used primarily for  
2 agricultural and ranching purposes:

3 (1) Any private street, highway, or thoroughfare which has  
4 been used continuously by the general public for a  
5 period of not less than six months; provided that the  
6 county shall not be responsible for the maintenance  
7 and repair of the private street, highway, or  
8 thoroughfare when it imposes or enforces traffic  
9 regulations and highway safety laws or places or  
10 permits to be placed appropriate traffic control  
11 devices on that street, highway, or thoroughfare;  
12 provided further that no adverse or prescriptive  
13 rights shall accrue to the general public when the  
14 county imposes or enforces traffic regulations and  
15 highway safety laws or places appropriate traffic  
16 control devices on that street, highway, or  
17 thoroughfare; nor shall county consent to the  
18 placement of traffic control signs or markings on a  
19 private street be deemed to constitute control over  
20 that street; and

21 (2) Any private street, highway, or thoroughfare which is  
22 intended for dedication to the public use as provided

1           in section 264-1 and is open for public travel but has  
2           not yet been accepted by the county."

3           SECTION 3. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5           SECTION 4. This Act shall take effect upon its approval.



**Report Title:**  
Traffic Regulation

**Description:**

Expands county enforcement of traffic regulations on public streets, roads, or highways whose ownership is in dispute between the State and the county, and on private streets, highways, or thoroughfares, to include laws relating to county vehicular taxes, motor vehicle safety responsibility, traffic violations, use of intoxicants while operating a vehicle, motor vehicle insurance, motorcycle and motor scooter insurance, and odometers. Effective upon its approval. (HB2020 CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

