

STAND. COM. REP. NO.

822

Honolulu, Hawaii

March 6, 2015

RE: H.B. No. 1408

H.D. 3

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 1408, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PRIVATE ROADS,"

begs leave to report as follows:

The purpose of this measure is to address the ownership of private roads that are regularly used by the public by:

- (1) Requiring the counties to accept the surrender of a private road in cases where there has been an absence of any act of private ownership over the road for five years; and
- (2) Exempting the State and counties from liability arising from the use of the road until the State or county performs maintenance work on the road.

The Bank of Hawaii and a concerned individual supported this measure. The Department of Land and Natural Resources, Department of Design and Construction of the City and County of Honolulu, and the Hawaii Association for Justice opposed this measure.


Your Committee has amended this measure by changing the effective date to July 1, 2030, to encourage further discussion. Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

HB1408 HD3 HSCR FIN HMS 2015-2186



As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1408, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1408, H.D. 3.

Respectfully submitted on
behalf of the members of the
Committee on Finance,



SYLVIA LUKE, Chair



