

Honolulu, Hawaii  
February 16, 2018

RE: H.B. No. 2275  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2275, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require that private streets, highways, or thoroughfares used by the public in a commercial development district of the Hawaii Community Development Authority conform to county construction and maintenance standards;
- (2) Make owners, who exercise ownership rights for financial gain or profit, of those private streets, highways, or thoroughfares responsible for the costs of conforming and maintaining the private roads to county standards; and
- (3) Establish a private right of action to enforce compliance with county construction and maintenance standards.

The Department of Transportation, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, and a



concerned individual supported this measure. Two concerned individuals opposed this measure. The Hawaii Community Development Authority, Land Use Research Foundation of Hawaii, Bank of Hawaii, and Hawaii Gas provided comments.

Your Committee has amended this measure by:

- (1) Removing the provisions that established a private right of action;
- (2) Clarifying that this measure applies only to the Kakaako Community Development District;
- (3) Specifying that any owner who charges a fee for the use of a private street, highway, or thoroughfare is responsible for conformance and maintenance; and
- (4) Exempting private streets, highways, or thoroughfares used solely by the owner or employees of the owner.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2275, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2275, H.D. 2.

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



SCOTT Y. NISHIMOTO, Chair



State of Hawaii  
House of Representatives  
The Twenty-ninth Legislature

HSCR 709-18

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: <b>HB 2275 HD1</b>	Committee Referral: <b>WAL / TRN, JUD, FIN</b>	Date: <b>2/15/18</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. NISHIMOTO, Scott Y. (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. LEE, Chris				/
5. MORIKAWA, Dee	/			
6. TAKAYAMA, Gregg	/			
7. McDERMOTT, Bob	/			
8. THIELEN, Cynthia	/			
TOTAL (8)	<b>7</b>			<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee   Duplicate (Yellow) - Chief Clerk's Office   Duplicate (Pink) - HMSO				