
A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

1 SECTION 1. Chapter 206E, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:
4 "§206E- Roads; county standards. (a) Every portion of
5 a private street, highway, or thoroughfare that has been used
6 continuously by the general public for a period of not less than
7 six months and is located within a commercial development
8 district shall conform to construction and maintenance standards
9 established for county highways, pursuant to section 46-
10 1.5(19)(A) and section 265A-1, by the county in which the
11 development district is located. Any owner or owners who
12 exercise the ownership rights for financial gain or profit, of a
13 portion of a private street, highway, or thoroughfare that is
14 located within a commercial development district and used
15 continuously by the general public for a period of not less than
16 six months, shall be responsible for the costs of conforming and



1 maintaining the private street, highway, or thoroughfare to meet
2 the construction and maintenance standards by that county.

3 (b) Any person may bring a civil action in circuit court
4 for injunctive relief against the owner in order to require the
5 owner to comply with the requirements of subsection (a). If the
6 decree is for the person who brings the action, the person shall
7 be awarded reasonable attorney's fees together with the costs of
8 suit."

9 SECTION 2. New statutory material is underscored.

10 SECTION 3. This Act shall take effect on July 1, 2050 and
11 shall be repealed on June 30, 2023.



Report Title:

HCDA; Private Street, Highway, or Thoroughfare; County Standards

Description:

Requires certain private streets, highways, or thoroughfares in a commercial development district of the HCDA to conform to county construction and maintenance standards. Makes owners who exercise ownership rights for financial gain or profit responsible for the costs of conforming and maintaining the private roads. Authorizes private right of action to enforce compliance. Repeal on 6/30/2023. (HB2275 HD1)

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

