

STAND. COM. REP. NO.

855

Honolulu, Hawaii

MAR 05 ; 2021

RE: H.B. No. 486
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 486, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose of this measure is to enable government agencies to maintain roads whose ownership or jurisdiction is in dispute between the State and the counties by:

- (1) Specifying that the maintenance or repair of disputed roads by any agency shall not be deemed to be an indication that the agency has assumed ownership or jurisdiction of the disputed road; and
- (2) Authorizing the State to transfer ownership of roads in favor of counties by quitclaim if requested by the county.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

2021-2097 HB486 HD2 HSCR HMSO



Your Committee finds that certain roads in Hawaii are in a state of disrepair due to disputes over ownership and jurisdictional authority between the State and counties. As a result, many of these roads in limbo are not well maintained and may be unsafe for drivers. This measure will enable the maintenance of these roads by allowing a governmental agency to maintain or repair a disputed road without assuming ownership or jurisdiction of the disputed road. This measure will also facilitate the resolution of disputes by specifically allowing the State to transfer any interest in a disputed road by quitclaim to a county upon request.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 486, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 486, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



