

STAND. COM. REP. NO.

369

Honolulu, Hawaii

FEB 11 , 2025

RE: H.B. No. 860

H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Transportation, to which was referred H.B. No. 860 entitled:

"A BILL FOR AN ACT RELATING TO LIABILITY,"

begs leave to report as follows:

The purpose of this measure is to provide immunity to the State and counties for injuries sustained due to the repair or maintenance of streets undertaken by the State or a county, in cases in which the ownership or jurisdiction of such streets is in dispute between the State and a county.

Your Committee received testimony in support of this measure from the Department of Transportation and Office of the Mayor of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from Hawaii Association for Justice and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that roads for which ownership or jurisdiction is in dispute between the State and a county often suffer from a lack of repair and maintenance. Therefore, government agencies are unwilling to maintain these roads because of potential liability issues associated with the repair and maintenance of the roads. This measure seeks to address this issue by providing immunity to the State and counties for personal

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injuries or property damage arising out of the repair or maintenance of roads in limbo.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 860, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 860, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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



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DARIUS KILA, Chair



