

STAND. COM. REP. NO.

897

Honolulu, Hawaii

FEB 27 , 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 Judiciary & Hawaiian Affairs, to which was referred H.B. No. 860, H.D. 1, 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; one member of the Maui County Council; one member of the Hawai'i County Council; and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that roads with unresolved ownership or jurisdictional dispute often fall into disrepair, creating significant challenges to public safety, infrastructure maintenance, and government accountability. Your Committee further finds that in order to ensure appropriate and necessary maintenance measures can be undertaken, there is a need to clarify

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that a State or county performing necessary repairs maintenance on roads with disputed ownership does not convey ownership of these roads to the State or county.

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. 860, H.D. 1, and recommends that it pass Third Reading.

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



DAVID A. TARNAS, Chair



