

Honolulu, Hawaii

APR 24 2025

RE: S.B. No. 321  
S.D. 1  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

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

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 321, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to establish a process for transferring fee simple absolute title of orphan streets to adjacent property owners under certain conditions, such as when the subdivider has dissolved, has ceased to exist, or is deceased, and include legal procedures for filing the action for transfer.

Your Committee on Conference finds that it is necessary to clarify the transfer of the fee simple ownership process for certain privately owned roadways or trails in the State in situations where the previous owner no longer exists and the State or a county has not been named grantee via a deed conveyance. Your Committee on Conference further finds that establishing a clear transfer process



of these paths to an adjacent owner under certain circumstances will help to avoid legal disputes pertaining to liability, maintenance, and access.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the language of the S.D. 1 version of this measure to provide that fee simple absolute title of a privately owned highway, road, alley, street, way, lane, bikeway, bridge, or trail is deemed transferred to a community association consisting of contiguous or adjacent property owners if certain conditions are met;
- (2) Specifying that the transfer requirements apply to any county with a population of less than 250,000;
- (3) Specifying the required notice that the community association to which the property is being transferred to is required to give of a potential transfer of property;
- (4) Specifying that a transfer of a fee simple title requires a year to have lapsed without the filing of a competing challenge or claim since the community association has given the required notice for the transfer;
- (5) Changing its effective date to July 1, 2027;
- (6) Inserting a sunset date of July 1, 2032; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 321, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 321, S.D. 1, H.D. 2, C.D. 1.



Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE



DARIUS KILA  
Co-Chair



MARK J. HASHE  
Co-Chair



DAVID A. TARNAS  
Co-Chair

ON THE PART OF THE SENATE



CHRIS LEE  
Chair



LORRAINE R. INOUYE  
Co-Chair



BARRETT KEOHOKALOLE  
Co-Chair



KARL RHOADS  
Co-Chair



Hawai'i State Legislature

Record of Votes of a  
Conference Committee

CCR 99

Bill / Concurrent Resolution No.: <b>SB 321, SD 1, HD 2</b>	Date/Time: <b>4/24/25 2:00 PM</b>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
LEE, Chris, Chr.	✓				KILA, Darius K., Co-Chr.	✓			
INOUYE, Lorraine R., Co-Chr.	✓				HASHEM, Mark J., Co-Chr.	✓			
KEOHOKALOLE, Jarrett, Co-Chr.				✓	TARNAS, David A., Co-Chr.	✓			
RHOADS, Karl, Co-Chr.	✓				KUSCH, Matthias	✓			
DECORTE, Samantha	✓				MURAOKA, Christopher L.	✓			
<b>TOTAL</b>	<b>4</b>			<b>1</b>	<b>TOTAL</b>	<b>5</b>			

A = Aye                      WR = Aye with Reservations                      N = Nay                      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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**Distribution:**                      **Original**                      **Yellow**                      **Pink**                      **Goldenrod**  
*File with Conference Committee Report      House Clerk's Office      Senate Clerk's Office      Drafting Agency*