

STAND. COM. REP. NO.

1197

Honolulu, Hawaii

MAR 13

, 2025

RE: S.B. No. 321
S.D. 1
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 S.B. No. 321, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose of this measure is to require that fee simple absolute title of a privately-owned highway, road, alley, street, way, lane, bikeway, bridge, or trail held by a subdivider be deemed transferred to certain owners under certain circumstances.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the existing framework of determining ownership over certain roads leaves privately owned streets, roads, alleys, and similar rights-of-way in a state of ambiguity when the original subdivider ceases to exist, often resulting in deferred maintenance and unclear responsibility for infrastructure upkeep. The lack of clear ownership often leads to deteriorating infrastructure, safety hazards, and disputes among adjacent property owners over liability and upkeep. This measure will ensure proper management and long-term maintenance of these essential thoroughfares by transferring ownership of certain

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private roads to contiguous property owners or their community association.

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 S.B. No. 321, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 321, S.D. 1, H.D. 1, and be referred to your Committee on Water & Land.

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



DARIUS KILA, Chair



