

Ashley L. Kierkiewicz
County Council District IV

*Chair – Policy Committee on Planning,
Land Use & Economic Development*



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*Vice-Chair – Policy Committee on
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HAWAI'I COUNTY COUNCIL

25 Aupuni Street • Hilo, Hawai'i 96720

February 10, 2025

Support for SB 321

Senate Committee on Transportation & Culture and the Arts

Sen. Chris Lee, Chair
Sen. Lorraine Inouye, Vice-Chair

Senate Committee on Water & Land

Sen. Lorraine Inouye, Chair
Sen. Brandon Elefante, Vice-Chair

Aloha, Chair Lee, Chair Inouye, and Esteemed Members of the TCA & WTL Committees:

Mahalo for the opportunity to testify in support of SB 321, relating to the transfer of ownership of privately owned roads and pathways.

This bill is being introduced at the request of community members. It ensures that fee simple absolute title to a privately owned highway, road, alley, street, way, lane, bikeway, bridge, or trail is transferred to adjacent property owners or the community association if certain conditions are met.

By enabling community associations to assume ownership of roads previously held by long-dissolved development corporations, this measure promotes proper maintenance, enhances safety, and ensures responsible management of vital infrastructure.

SB 321 is a critical step toward resolving long-standing challenges associated with private road ownership and maintenance. I respectfully urge your support and mahalo for your time and consideration.

Cheers,

A handwritten signature in black ink, appearing to read "Ashley Kierkiewicz". The signature is fluid and cursive.

Ashley Lehualani Kierkiewicz
COUNCIL MEMBER, DISTRICT IV
HAWAI'I COUNTY

SB-321

Submitted on: 2/10/2025 2:36:56 PM

Testimony for TCA on 2/12/2025 1:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie Bath	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am grateful that this Bill is being heard. Having lived in Puna since 1981 I have witnessed the growth of our area.

With this growth the substandard subdivisions roadways have been more heavy used. Some are being used by public mass transit.

The creator of these subdivisions did not project this magnitude of growth or did not care.

Developers who were responsible for roads have folded leaving roads ownership in a doldrums legally.

We need to have an entity who is in control of these roads!

It is scary to think and more recently see what disaster can do when there are roadways that are impassable and/or road redundancy is lacking.

many populations of these communities put excessive wear and tear on State highways because they are the only alternative with passable roads.

Gridlock happens during rush hours.

First responders have no alternative to getting to communities.

Lahaina has taught us much about the important of safe highways.

As Puna grows more and more tax revenue is being funneled to the State from us!

This Bill is a wonderful way to provide a level of support and service to our underserved communities. We need to have a voice about our roadways.

In subdivisions such as Hawaiian acres, where parcel owners are legally responsible for the roads maintenance collectively, (no homeowners association that legally represents all lot owners) some folks ignore their responsibility.

This is creating a health and safety issue where first responders can not safely respond! We need to address this issue as well

Think health and Safety!

Roy and Stephanie Bath

Kurtistown, Hawaii

SB-321

Submitted on: 2/10/2025 4:45:38 PM

Testimony for TCA on 2/12/2025 1:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Matson	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs, Vice Chairs, and Committee Members,

I am so grateful to our Puna Senator Joy San Buenaventura for continuing to try to address the nightmare that our County allowed to be created more than a half-century ago when substandard subdivisions were the norm. As someone who lives in one of the many subdivisions that is affected by unpaved and unmaintained roads I am hopeful that you will pass this bill so that our communities can continue to work to right these wrongs.

In the neighborhood that I live in, we have over 75 miles of unpaved roads. This is an income inequality issue, an equity issue, an emergency evacuation issue, a health and well-being issue, and a safety issue. There are many hardworking community members who are doing everything they can to address it, but without full ownership of the roads things can get complicated in court in trying to enforce road maintenance fees. Please grant us property owners the full benefits of owning our own roads, if the deadbeat developers won't help us, and the County and State don't want to take ownership, then please let us fully own our own roads so we can make the best decisions on how to proceed. I ask that you please consult with legal counsel to ensure that this bill as written will not prevent our Hawaiian Acres Road Corporation from taking over ownership and maintain our roads as our Hawaiian Acres Community Association does not currently maintain our roads or accept funds for road work. Thank you for the opportunity to testify in support of improving our roads.

Mahalo for your time and consideration,

Shannon M.

Hawai'i Island Resident