

---

---

## HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND ASSIST IN THE RESOLUTION OF THE ISSUE OF OWNERSHIP OF ULALENA LOOP ROAD, AND REQUESTING THE DEPARTMENT OF TRANSPORTATION TO SUBMIT A REPORT ON THE ESTIMATED COST OF REPAVING ULALENA LOOP ROAD.

1 WHEREAS, the safety of residents of the Haiku district of  
2 Maui County may be at risk because of the condition of Ulalena  
3 Loop Road, which desperately needs repaving; and  
4

5 WHEREAS, although Ulalena Loop Road runs through state  
6 land, a jurisdictional dispute exists over the ownership of the  
7 road, in which the Department of Land and Natural Resources  
8 defers to the Department of Transportation (DOT), which claims  
9 that Ulalena Loop Road is the responsibility of Maui County; and  
10

11 WHEREAS, the lack of established jurisdictional  
12 responsibility has resulted in a corresponding lack of  
13 maintenance of Ulalena Loop Road, and to avoid future threats to  
14 the safety and well-being of the residents of Haiku, the matter  
15 of jurisdictional responsibility must be resolved to provide  
16 necessary public services to the residents of the Haiku area;  
17 now, therefore,  
18

19 BE IT RESOLVED by the House of Representatives of the  
20 Twenty-fourth Legislature of the State of Hawaii, Regular  
21 Session of 2007, the Senate concurring, that the Department of  
22 the Attorney General (AG) is requested to investigate and assist  
23 in the resolution of the issue of ownership of Ulalena Loop  
24 Road; and



1 BE IT FURTHER RESOLVED that the AG is requested to submit a  
2 report of its findings and recommendations, including any  
3 legislation deemed necessary to clarify legal jurisdiction, to  
4 the Legislature no later than 20 days prior to the convening of  
5 the Regular Session of 2008; and

6  
7 BE IT FURTHER RESOLVED that DOT is requested to submit a  
8 report to the Legislature, Mayor of Maui, and the Maui County  
9 Council, no later than 20 days prior to the convening of the  
10 Regular Session of 2008, on the estimated cost of repaving  
11 Ulalena Loop Road; and

12  
13 BE IT FURTHER RESOLVED that upon resolution of the issue of  
14 ownership of Ulalena Loop Road, and no less than 30 days after  
15 DOT receives the AG's report regarding jurisdiction over Ulalena  
16 Loop Road, DOT is requested to forward its report on the  
17 estimated cost of repaving Ulalena Loop Road to the government  
18 agency identified, with the assistance of the AG, as having  
19 jurisdiction; and

20  
21 BE IT FURTHER RESOLVED that certified copies of this  
22 Concurrent Resolution be transmitted to the Attorney General,  
23 Director of Transportation, Chairperson of the Board of Land and  
24 Natural Resources, Mayor of Maui, and the Chair of the Maui  
25 County Council.

26  
27  
28

OFFERED BY: Mele Carroll

MAR 14 2007

