
A BILL FOR AN ACT

RELATING TO PUBLIC ACCESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 115, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§115- Signage. (a) Each county shall ensure that all
5 public rights-of-way are clearly designated by the posting of
6 clear and understandable signs to inform the public where each
7 right-of-way is and how to reach it.

8 (b) Each county shall adopt ordinances designating signage
9 guidelines, including guidelines that the signs shall be:

10 (1) Installed at entrances to and at key places along a
11 right-of-way or easement;

12 (2) Made of a rigid, durable material;

13 (3) Fade resistant; and

14 (4) Firmly attached to a post or wall.

15 (c) All signs shall include language informing the public
16 of the penalties for obstructing access to public property
17 pursuant to section 115-9 and a telephone number to report any
18 violation of section 115-9."



1 SECTION 2. Section 46-6.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~f~~]~~\$~~46-6.5[~~f~~] **Public access.** (a) Each county shall
4 adopt ordinances [~~which shall~~] that require a subdivider or
5 developer, as a condition precedent to final approval of a
6 subdivision[~~7~~] or development, in cases where public access is
7 not already provided, to dedicate land for public access by
8 right-of-way or easement for pedestrian travel from a public
9 highway or public streets to the land below the high-water mark
10 on any coastal shoreline, and to dedicate land for public access
11 by [~~right of way~~] right-of-way or easement from a public highway
12 to areas in the mountains where there are existing facilities
13 for hiking, hunting, fruit-picking, ti-leaf sliding, and other
14 recreational purposes[~~7~~] and where there are existing mountain
15 trails.

16 [~~(b)~~] ~~These ordinances shall be adopted within one year of~~
17 ~~May 22, 1973.~~

18 ~~(e)~~ (b) Upon the dedication of land for a right-of-way[~~7~~]
19 or easement as required by this section and acceptance by the
20 county, the county concerned shall thereafter assume the cost of
21 improvements for and the maintenance of the right-of-way[~~7~~] or



1 easement and the subdivider or developer, as the case may be,
2 shall accordingly be relieved from such costs.

3 [~~d~~] (c) For the purposes of this section[~~r~~
4 "subdivision"]:

5 "Development" means the construction, reconstruction,
6 demolition, repair, or alteration of the size of any structure
7 comprised of not less than one hundred units.

8 "Subdivision" means any land [~~which~~] that is divided or is
9 proposed to be divided for the purpose of disposition into six
10 or more lots, parcels, units, or interests and also includes any
11 land, whether contiguous or not, if six or more lots are offered
12 as part of a common promotional plan of advertising and sale.

13 [~~e~~] (d) The right-of-way shall be clearly designated
14 [~~on~~]:

15 (1) On the final map of the subdivision or development[~~r~~];
16 and

17 (2) By the posting of clear and understandable signs to
18 inform the public where the right-of-way is and how to
19 reach it in accordance with section 115- .

20 [~~f~~] (e) This section shall apply to the plan of any
21 subdivision or development [~~which~~] that has not been approved by
22 the respective counties prior to July 1, [~~1973-~~] 2008."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

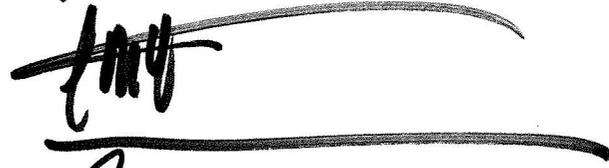
3 SECTION 4. This Act shall take effect on July 1, 2008.
4

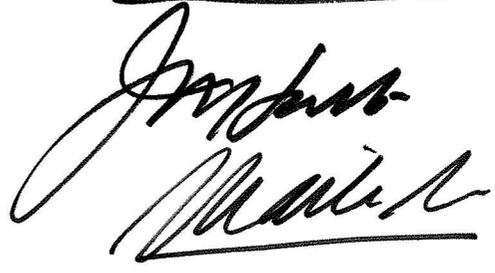
INTRODUCED BY: Mel Carroll


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Report Title:

Public Access

Description:

Requires developments of 100 units or more to dedicate land for public access by right-of-way or easement. Requires each county to adopt public access signage guidelines.

