
A BILL FOR AN ACT

RELATING TO THE HANA DISTRICT IN THE COUNTY OF MAUI.

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

1 SECTION 1. The legislature finds that the safety of
2 residents of the Hana district of the county of Maui may be at
3 risk because of the condition of Nahiku bridge. Nahiku bridge
4 is an old wooden bridge that may not be able to sustain the
5 weight of emergency vehicles. Presumably because of Nahiku
6 bridge's current weight rating, the Maui fire department fears
7 for the safety of its firefighters when crossing the bridge.

8 Although Nahiku bridge is located on state land, a
9 jurisdictional dispute exists over the ownership of Nahiku
10 bridge. Regarding ownership, the department of land and natural
11 resources defers to the department of transportation, which
12 claims that Nahiku bridge is the responsibility of the county of
13 Maui. On the other hand, Maui county asserts that Nahiku bridge
14 is part of the old Hana highway, which the county says is owned
15 by the State.

16 The legislature further finds that the lack of established
17 jurisdictional responsibility has resulted in a corresponding
18 lack of maintenance of Nahiku bridge. To avoid future threats



1 to the safety and well-being of the residents of the Hana
2 district of the county of Maui, the matter of jurisdictional
3 responsibility must be resolved to provide necessary public
4 services to the residents of the Hana area.

5 The purpose of this Act is to protect the safety and well-
6 being of the residents of the Hana district by:

7 (1) Requiring the department of the attorney general to
8 assist in resolving the jurisdictional dispute over
9 Nahiku bridge; and

10 (2) Determining the costs of bringing the Nahiku bridge up
11 to standards that will allow access to Hana district
12 residents by the Maui county fire department.

13 SECTION 2. The department of the attorney general shall
14 investigate and assist in the resolution of the issue of
15 ownership of Nahiku bridge and submit a report of its findings
16 and recommendations, including any legislation deemed necessary
17 to clarify legal jurisdiction, to the legislature no later than
18 twenty days before the convening of the regular session of 2008.

19 SECTION 3. The department of transportation shall submit a
20 report to the legislature, mayor of Maui, and county council of
21 Maui no later than twenty days before the convening of the
22 regular session of 2008. The report shall include the



1 department's findings and recommendations, including any
 2 legislation deemed necessary, that will result in strengthening,
 3 repairing, increasing the load limit, and improving Nahiku
 4 bridge to provide safe access to the Hana district by the Maui
 5 county fire department. The department of transportation shall
 6 include in its report the estimated cost of repair and upgrade
 7 to Nahiku bridge that are necessary to protect the safety and
 8 well-being of residents of the Hana district.

9 Upon the resolution of the issue of ownership of Nahiku
 10 bridge, the department of transportation shall also forward its
 11 report to the entity identified with the assistance of the
 12 attorney general as having jurisdiction over Nahiku bridge. The
 13 department of transportation's report of its findings and
 14 recommendations shall be transmitted to the appropriate
 15 government agency no less than thirty days after the
 16 department's receipt of the attorney general's report on the
 17 resolution of the jurisdictional issue over which public agency
 18 has responsibility for Nahiku bridge.

19 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:





 OCT. 2 -




Report Title:

Nahiku Bridge; Repair and Upgrade

Description:

Requires the attorney general to assist in resolving ownership issues relating to Nahiku bridge of the Hana district in Maui county. Requires the department of transportation to determine the costs of repairing and upgrading Nahiku bridge. Effective on approval.

