HOUSE OF REPRESENTATIVES TWENTY-SIXTH LEGISLATURE, 2011 STATE OF HAWAII

## HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTY OF KAUAI TO WORK TOGETHER TO CREATE UNIFORM RULES AND ORDINANCES REGULATING THE OPERATION OF MOTOR VEHICLES ON KAUAI'S BEACHES.

1 WHEREAS, throughout the State, beaches are controlled and 2 managed by different state and county agencies with conflicting 3 rules and ordinances regulating the operation of motor vehicles 4 on beaches; and

6 WHEREAS, on Kauai, where there are long, contiguous 7 stretches of beach, it is particularly important for the State 8 and county to establish consistent rules and ordinances for 9 operating motorized vehicles on the beach; and

11 WHEREAS, it is difficult for both beachgoers and government 12 agencies to determine where the boundaries of the beaches 13 intersect, making enforcement of motor vehicle violations on 14 beaches particularly challenging; and

16 WHEREAS, additionally, there are a minimum of four 17 government entities with differing rules for the operation of 18 motor vehicles on beaches, including the County of Kauai and the 19 Department of Land and Natural Resources' Land Division, State 20 Parks Division, and Division of Forestry and Wildlife; and 21

22 WHEREAS, each of the government entities has a different 23 definition for the term "motor vehicle", making it especially 24 difficult for residents or visitors to determine if they are 25 violating a rule or ordinance concerning the operation of a 26 motor vehicle on a Kauai beach; and



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1 WHEREAS, consistency between county ordinances and 2 Department of Land and Natural Resources administrative rules 3 relating to the operation of motor vehicles on beaches would 4 provide individuals with uniform information relating to which 5 types of vehicles are prohibited or allowed on Kauai's beaches; 6 now, therefore, 7

8 BE IT RESOLVED by the House of Representatives of the 9 Twenty-sixth Legislature of the State of Hawaii, Regular Session 10 of 2011, the Senate concurring, that the Department of Land and 11 Natural Resources and the County of Kauai are requested to work 12 together to create uniform and consistent rules and ordinances 13 regulating the operation of motor vehicles on Kauai's beaches; 14 and

16 BE IT FURTHER RESOLVED that the Department of Land and 17 Natural Resources and the County of Kauai are requested to work 18 together to revise their respective rules and ordinances to 19 include a uniform definition for the term "motor vehicle"; and

21 BE IT FURTHER RESOLVED that the Department of Land and 22 Natural Resources and County of Kauai jointly submit a report to 23 the Legislature not later than twenty days prior to the 24 convening of the 2012 Regular Session on the actions taken 25 pursuant to this Concurrent Resolution; and

27 BE IT FURTHER RESOLVED that certified copies of this 28 Concurrent Resolution be transmitted to the Chairperson of the 29 Board of Land and Natural Resources, the Mayor of the County of 30 Kauai, and the Members of the Kauai County Council.

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OFFERED BY:

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