

JAN 21 2011

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# A BILL FOR AN ACT

RELATING TO FEES.

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

1 SECTION 1. Section 46-142, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) Impact fees may be assessed, imposed, levied, and  
4 collected by:

5 (1) Any county for any development, or portion thereof,  
6 not involving water supply or service; or

7 (2) Any board for any development, or portion thereof,  
8 involving water supply or service;

9 provided that the county enacts appropriate impact fee  
10 ordinances or the board adopts rules to effectuate the  
11 imposition and collection of the fees within their respective  
12 jurisdictions. No county shall impose an impact fee for any  
13 development, or portion thereof, conducted within an urban land  
14 use district, as established under section 205-2."

15 SECTION 2. Section 264-13, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "**§264-13 Easements, etc., along state highways.**

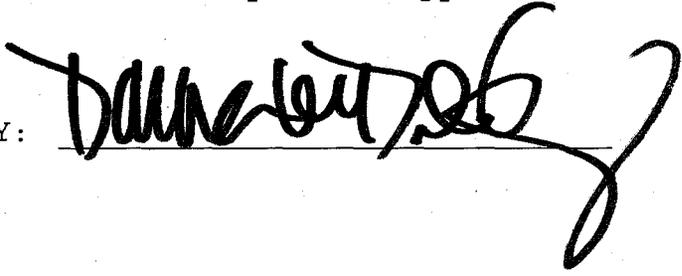
18 Notwithstanding any law to the contrary, the governor or the



1 director of transportation as the governor's designee, may  
2 dispose of easements within and access rights along the state  
3 highway rights-of-way under such terms and conditions which, in  
4 the director's opinion, are in the best interest of the public.  
5 Any fees assessed by the department of transportation for the  
6 disposal of easements within and access rights along the state  
7 highway rights-of-way to be used for the installation of  
8 infrastructure improvements where there is a negligible impact  
9 on the public land value shall be based upon the appraised value  
10 of the state highway or rights-of-way, as assessed by a  
11 qualified appraiser, and shall be nominal."

12 SECTION 3. New statutory material is underscored.

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

14 INTRODUCED BY: 

**Report Title:**

Impact Fees; Urban Land Use Districts; Department of Transportation; Easements

**Description:**

Prohibits the imposition of impact fees in urban land use districts. Requires the department of transportation to charge nominal fees, based on appraised values, for the disposal of easements within and access rights along the state highway rights-of-way to be used for the installation of infrastructure in roadways.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

