Council Chair Gladys C. Baisa

Vice-Chair Robert Carroll

Council Members Elle Cochran Donald G. Couch, Jr. Stacy Crivello Don S. Guzman G. Riki Hokama Michael P. Victorino Mike White



Director of Council Services David M. Raatz, Jr., Esq.

COUNTY COUNCIL COUNTY OF MAUI 200 S. HIGH STREET WAILUKU, MAUI, HAWAII 96793 www.mauicounty.gov/council

January 28, 2014

TO: The Honorable Ryan I. Yamane, Chair House Committee on Transportation

muchul P Vitin Michael P. Victorino, Treasurer FROM: Hawaii State Association of Counties

SUBJECT: HEARING OF JANUARY 29, 2014; TESTIMONY IN SUPPORT OF HB 1610, RELATING TO TRANSPORTATION

Thank you for the opportunity to testify in **support** of this important measure. The purpose of this measure is to enable government agencies to maintain roads whose ownership and jurisdiction are in dispute between the State and the counties without incurring liability or assuming ownership or jurisdiction over those roads.

I am aware that the President of the Hawaii State Association of Counties ("HSAC") has submitted testimony, on behalf of HSAC, in support of this measure, which is in the HSAC Legislative Package. As the Treasurer of HSAC, I concur with the testimony submitted by the President, and urge you to support this measure.

ocs:proj:legis:14legis:14testimony:hb1610_paf14-016_kcw

From:	mailinglist@capitol.hawaii.gov
Sent:	Tuesday, January 28, 2014 9:41 AM
То:	TRNtestimony
Cc:	hsac.treasurer@mauicounty.us
Subject:	Submitted testimony for HB1610 on Jan 29, 2014 10:00AM
Attachments:	HB1610_paf14-016a_kcw.pdf

<u>HB1610</u>

Submitted on: 1/28/2014 Testimony for TRN on Jan 29, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
HSAC Treasurer	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
Sent:	Monday, January 27, 2014 8:36 AM
То:	TRNtestimony
Cc:	david.goode@co.maui.hi.us
Subject:	Submitted testimony for HB1610 on Jan 29, 2014 10:00AM

HB1610

Submitted on: 1/27/2014 Testimony for TRN on Jan 29, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
David Goode	County of Maui	Support	No

Comments: Aloha Chairs and Committee Members, The County of Maui Department of Public Works SUPPORTS this bill that is also part of the HSAC package. The issue of roads in limbo is more than 40 years old and this bill is a necessary step in getting this issue resolved. If the bill becomes law, our department will be submitting a list of roads to our county council for acceptance by the County. Mahalo for the consideration of this testimony. Sincerely, David Goode Director Department of Public Works County of Maui

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Council Chair Gladys C. Baisa

Vice-Chair Robert Carroll

Council Members Elle Cochran Donald G. Couch, Jr. Stacy Crivello Don S. Guzman G. Riki Hokama Michael P. Victorino Mike White



COUNTY OF MAUI

200 S. HIGH STREET WAILUKU, MAUI, HAWAII 96793 www.mauicounty.gov/council

January 27, 2014

TO: Honorable Ryan I Yamane, Chair Committee on Transportation

FROM: Robert Carroll Council Vice Chair

Robertarroll

DATE: Wednesday, January 29, 2014

SUBJECT: SUPPORT OF HB 1610, RELATING TO TRANSPORTATION

I support HB 1610 for the reasons cited in testimony submitted by the Hawaii State Association of Counties President, and urge you to support this measure.

Director of Council Services David M. Raatz, Jr., Esq.

From:	mailinglist@capitol.hawaii.gov
Sent:	Monday, January 27, 2014 4:42 PM
То:	TRNtestimony
Cc:	robert.carroll@mauicounty.us
Subject:	Submitted testimony for HB1610 on Jan 29, 2014 10:00AM
Attachments:	hb_1610_transport14_scan.pdf

<u>HB1610</u>

Submitted on: 1/27/2014 Testimony for TRN on Jan 29, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
robert carroll	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Hawai'i State Association of Counties (HSAC) Counties of Kaua'i, Maui, Hawai'i & City & County of Honolulu

January 27, 2014

TESTIMONY OF MEL RAPOZO PRESIDENT, HAWAI'I STATE ASSOCIATION OF COUNTIES ON HB 1610, RELATING TO TRANSPORTATION Committee on Transportation Wednesday, January 29, 2014 10:00 A.M. Conference Room 309

Dear Chair Yamane and Committee Members:

Thank you for this opportunity to submit testimony in strong support of HB 1610, relating to transportation. My testimony is submitted in my capacity as President of the Hawai'i State Association of Counties (HSAC).

HB 1610 is part of the 2014 HSAC Legislative Package and enables government agencies to maintain "Roads-in-Limbo" without incurring liability or assuming ownership or jurisdiction. Roads whose ownership and jurisdiction are in dispute between the State and the Counties lack in maintenance, which affects the safety for those who traverse over those roads.

There has been resistance to maintain such roads as it may be construed as assuming ownership and liability. However, proper maintenance of such routes is critical for the safety of both residents and visitors traversing on these roads. In addition, it allows emergency services to safely and efficiently respond to calls from those in distress and in need of immediate attention.

For the reason stated above, HSAC is in strong support of HB 1610 and asks for your favorable support.

Again, thank you for this opportunity to submit testimony.

Sincerely,

MEL RA

President, HSAC

AB:aa

4396 Rice Street, Suite 209, Līhu'e, Kaua'i, Hawai'i 96766, (808) 241-4188

From:	mailinglist@capitol.hawaii.gov
Sent:	Tuesday, January 28, 2014 8:02 AM
То:	TRNtestimony
Cc:	abunda@kauai.gov
Subject:	Submitted testimony for HB1610 on Jan 29, 2014 10:00AM
Attachments:	HB_1610_MR_ab.pdf

<u>HB1610</u>

Submitted on: 1/28/2014 Testimony for TRN on Jan 29, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Bunda	Individual	Support	No

Comments: Attached is testimony in support of HB 1610 submitted by Mel Rapozo, President, Hawaii State Association of Counties (HSAC).

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

DENNIS "FRESH" ONISHI Council Member District 3



PHONE: (808) 961-8396 FAX: (808) 961-8912 EMAIL: donishi@co.hawaii.hi.us

HAWAI'I COUNTY COUNCIL 25 Aupuni Street, Hilo, Hawai'i 96720

25 Aupuni Street, Hilo, Hawai 1 90

January 27, 2014

The Honorable Ryan I. Yamane, Chair and Members of the Committee on Transportation

Dear Representative Yamane and Members of the Committee,

Thank you for the opportunity to submit testimony in **strong support** of House Bill 1610.

For too long, disputes between the State and the counties over jurisdiction and liability regarding "roads in limbo" have allowed those roads to deteriorate.

This bill allows either the State or the respective county to maintain of so-called "roads in limbo" without accepting liability or ownership for the road. By doing so, the bill recognizes that the safety of the people of Hawai'i is a higher priority than the dispute over who owns which road.

Hawai'i County alone has 408.9 miles of "roads in limbo," or 122.6 miles of roads that exist and 286.3 miles of rights-of-way that are shown on tax maps but have not been built. The cost to maintain these roads will only increase over time.

This bill has received approval from the Hawai'i County Council, the Maui County Council, the Kaua'i County Council and the Honolulu City and County Council prior to inclusion in the Hawai'i State Association of Counties' legislative package. Please recommend approval of this important bill.

Sincerely,

Dennis "Fresh" Onishi Vice President, Hawai'i State Association of Counties Hawai'i County Council Member

Hawai'i County is an Equal Opportunity Provider and Employer.

From:	mailinglist@capitol.hawaii.gov
Sent:	Monday, January 27, 2014 4:01 PM
To:	TRNtestimony
Cc:	donishi@co.hawaii.hi.us
Subject:	Submitted testimony for HB1610 on Jan 29, 2014 10:00AM
Attachments:	HB1610_TRN.PDF

<u>HB1610</u>

Submitted on: 1/27/2014 Testimony for TRN on Jan 29, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Dennis "Fresh" Onishi	Hawaii State Association of Counties	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

TESTIMONY OF ROBERT TOYOFUKU ON BEHALF OF THE HAWAII ASSOCIATION FOR JUSTICE (HAJ) IN OPPOSITION TO H.B. NO. 1610

DATE: January 29, 2014 TIME: 10:00am

To: Chairman Ryan Yamane and Members of the House Committee on Transportation:

My name is Bob Toyofuku and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) in OPPOSITION to H.B. No. 1610 relating to Transportation.

The purpose of this measure is to grant immunity to state or county agencies if they maintain a "road in limbo." HAJ opposes this measure because it will not accomplish its goal of adequate maintenance for roads in limbo and the immunity provided is far too broad for the stated purpose.

ONE HUNDRED YEARS AGO the 1913 Legislature considered HB 280 which attempted to address the Territory – County dispute over roadway jurisdiction and maintenance obligation by giving roads to the counties for ownership and maintenance. All of the counties have resisted to this day, notwithstanding periodic legislation (such as Act 190 in 1963) by the State to force ownership and maintenance on the counties. As a result there are hundreds of miles of roads in limbo throughout the State.

The single biggest issue and over-riding factor, by far, is funding. Many roads in limbo have not been adequately maintained for at least 50 years (since Act 190 in 1963 purported to give State roads to the counties) and some for more than a hundred years going back to when the kingdom was overthrown and all government lands ceased to be under single ownership. Because these roads have been allowed to deteriorate for so long, there certainly are liability concerns related to them. However, because they are in such bad shape the cost to rebuild them to meet current standards is enormous and any type of comprehensive resolution will have to address funding. Immunity will not solve the problem. Counties may not want and may not be able to afford to assume the cost of rebuilding and maintaining roads in limbo whether or not they are given immunity.

First, if the problem is in fact that neither the State nor the counties are willing to maintain these roads for fear that their actions will be construed as proof of ownership, then it is a simple matter to provide that no maintenance by any governmental agency can be used in any way as proof of ownership. The following or similar language will accomplish that purpose:

No action by a government agency to maintain or repair a road whose ownership is in dispute between the State and the county may be used to establish the agency's ownership or jurisdiction over the disputed road or be deemed to have assumed ownership or jurisdiction over the road.

Second, the current language is much too broad as it not only addresses the concern that repair work may be deemed an exercise of ownership rights but also extends to improper or unsafe workmanship. For example, if workers negligently forget to replace a stop sign and two cars, each rightfully believing they have the right of way, collide in an intersection there would be immunity granted by the sweeping language on page 2, line 22 and continuing on page 3, lines 1 through 3 as well as on page 3, lines 10 through 15. Similarly, if workers negligently use the wrong material and a bridge collapses killing a family driving over the bridge, there would be complete immunity. It

is not necessary to give immunity for unsafe roadway repair work and this violates government's basic responsibility to provide for the safety and welfare of its citizens.

Realistically, this measure will not solve the roads in limbo problem. A process to resolve the issue or a penalty large enough to force action is required. HAJ suggests that the State and counties be allowed ten (10) years to resolve the issue themselves or by binding arbitration if they are unable to reach agreement. After 10 years, both the State and counties shall be jointly and severally liable. This gives them more than adequate time to resolve the matter, imposes a substantial penalty to encourage action, and removes the current burden on citizens who are now caught in the middle of the finger pointing between the State and counties. Citizens needing action or redress are told by the county to see the State; and when they see the State they are told to see the counties. Government has failed to resolve this issue for over a hundred years and will continue to drag their feet for another hundred years if allowed to do so.

For these reasons, HAJ opposes this measure and asks that this bill be amended as suggested and the immunity related language be deleted or that the bill be held.

Thank you for the opportunity to testify on this measure. Please feel free to contact me should there be any questions.

From:	mailinglist@capitol.hawaii.gov
Sent:	Tuesday, January 28, 2014 7:29 AM
То:	TRNtestimony
Cc:	toyofuku@hiadvocates.com
Subject:	Submitted testimony for HB1610 on Jan 29, 2014 10:00AM
Attachments:	HB 1610 Roads in Limbo Opposition TRN.doc

<u>HB1610</u>

Submitted on: 1/28/2014 Testimony for TRN on Jan 29, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Bob Toyofuku	Hawaii Association for Justice	Oppose	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

NEIL ABERCROMBIE GOVERNOR



GLENN M. OKIMOTO DIRECTOR

Deputy Directors FORD N. FUCHIGAMI RANDY GRUNE AUDREY HIDANO JADINE URASAKI

IN REPLY REFER TO:

STATE OF HAWAII DEPARTMENT OF TRANSPORTATION 869 PUNCHBOWL STREET HONOLULU, HAWAII 96813-5097

> January 29, 2014 10:00 a.m. State Capitol, Room 309

HB 1610 RELATING TO TRANSPORTATION

House Committee on Transportation

The Department of Transportation (DOT) **supports** the intent of this bill to continue the efforts that Act 288, Session Laws of 1993 started in addressing the 1989 Legislative Reference Bureau Report, "Roads in Limbo: An Analysis of the State-County Jurisdictional Dispute." Pursuant to Senate Concurrent Resolution 49 of the 2012 Session, the current "Roads in Limbo" Working Group discussed the Roads in Limbo issue and made findings and recommendations in its report to the Legislature, which included the recommendation that the Legislature pass legislation to protect government agencies maintaining disputed roads pending resolution of the dispute.

This bill assists government agencies through proposed amendments to section 46-15.9 and chapter 662, Hawaii Revised Statutes. The bill provides government agencies with protection from liability when those agencies begin to maintain roads that are disputed between the State and the counties. However, the bill as currently drafted does not provide protection to the State from being held liable as the "owner" of the disputed road even if it is the county that is maintaining or repairing the road. The DOT suggests that the new section 622- be amended to provide such liability protection to the State when the maintenance or repair is being performed by the county.

Government agencies have been reluctant to assume maintenance of "Roads in Limbo" because the agency's maintenance activities may be characterized as evidencing ownership or jurisdiction of a disputed road, subjecting the agency to liability. Providing an interim period in which the government agency can perform maintenance activities without the fear of liability will encourage agencies to begin to maintain these disputed roads, which are in dire need of repair and maintenance.

Finally, as a housekeeping matter, the DOT notes that the amendment to section 46-15.9, Hawaii Revised Statutes, should be placed under Section 2 of this bill, followed by the new proposed section 662- , Hawaii Revised Statutes, in Section 3 of this bill.

Thank you for the opportunity to provide testimony.

From: Sent: To: Cc: Subject: Attachments:	David.J.Rodriguez@hawaii.gov Tuesday, January 28, 2014 1:12 PM TRNtestimony Janice.F.Arakaki@hawaii.gov; Coleen.F.Yoshina@hawaii.gov; charlene.ito@hawaii.gov; sheri.yoshizawa@hawaii.gov; Lynette.H.Marushige@hawaii.gov; Veronica.AM.Cheong@hawaii.gov; Galen.Wong@hawaii.gov; Jean.Oshita@hawaii.gov; jon.k.matsuo@hawaii.gov; CherylAnn.A.Cantere@hawaii.gov; Dean.Nakagawa@hawaii.gov TRN Jan 29 @ 10am HB1811 ACT46.pdf; HB2147 Concessions.pdf; HB1702 Kapalama.pdf; HB1610 2014 Roads in Limbo.pdf; HB1509 Mobile Device.pdf; HB1706 Bikeways.pdf; HB1771 Civil Air Patrol.pdf; HB1667 Veterans Exemption.pdf; HB1586 SMA.pdf
Follow Up Flag:	Follow up
Flag Status:	Flagged

The DOT submits testimony for the following agenda: http://www.capitol.hawaii.gov/session2014/hearingnotices/HEARING_TRN_01-29-14_.HTM

Thank you for the opportunity to provide testimony.

David J. Rodriguez Special Assistant Department of Transportation 869 Punchbowl Street, Suite 504 Honolulu, Hawaii 96813 (808) 587-2165



TESTIMONY OF THE DEPARTMENT OF THE ATTORNEY GENERAL TWENTY-SEVENTH LEGISLATURE, 2014

ON THE FOLLOWING MEASURE: H.B. NO. 1610, RELATING TO TRANSPORTATION. BEFORE THE: HOUSE COMMITTEE ON TRANSPORTATION



DATE:	Wednesday, January 29, 2014	TIME:	10:00 a.m.
LOCATION:	State Capitol, Room 309		
TESTIFIER(S):	David M. Louie, Attorney General, or Randolph R. Slaton, Deputy Attorney G	eneral	

Chair Yamane and Members of the Committee:

The Department of the Attorney General supports this bill.

This bill provides protection from liability for government agencies maintaining a road whose ownership or jurisdiction is the subject of a dispute between the State and the counties. Specifically, the bill provides that the government agency that assumes maintenance or repair activities of the disputed road will not be held liable for injuries or damages sustained in connection with use of the disputed road and will not be deemed to be the owner of or to have jurisdiction over the road as a result of the maintenance or repair.

The disputed roads issue has a long and complicated history, as set forth in a report prepared by the Legislative Reference Bureau (LRB) in 1989 entitled <u>Roads in Limbo: An</u> <u>Analysis of the State-County Jurisdictional Dispute</u>. One of the recommendations made by the LRB was that the Legislature implement a "temporary liability shield" to allow the counties sufficient time to bring the roads up "at least to a non-dangerous condition." Although section 46-15.9(b) and (c), Hawaii Revised Statutes (HRS), which was enacted in 2008, provides that counties may repair or maintain disputed roads and that there is no presumption of ownership as a result of such activities, there is no temporary protection from liability (nor is there any source of funding for additional maintenance or repair work).</u>

More recently, in the 2012 Legislative Session, Senate Concurrent Resolution No. 49 directed the Director of the Department of Transportation (DOT) to form a "Roads in Limbo" Working Group, consisting of the DOT director, the Chairperson of the Board of Land and Natural Resources, the Mayor of each county, and the director of each county department or Testimony of the Department of the Attorney General Twenty-Seventh Legislature, 2014 Page 2 of 2

division of public works or facilities maintenance, or their designees. Senate Concurrent Resolution No. 49 directed the Working Group to "expeditiously resolve the issue of roads in limbo statewide for the greater good of the residents." In its December 2012 report to the Legislature, entitled <u>Findings and Recommendations From the "Roads in Limbo" Working</u> <u>Group</u>, the Working Group recommended legislation to protect the government agencies from liability while they work on improving the condition of the disputed roads and resolving the ownership issue. Bills were introduced in the Twenty-Sixth Legislature but no bill relating to this issue was enacted. This bill is a result of the recommendations of the "Roads in Limbo" Working Group.

We note that in a situation where the county has begun to maintain or repair the disputed road, and a person suffers injury or damage while using the road, perhaps even due to the maintenance or repair activities by the county, a court could still hold the State liable by finding the State to be the owner of the disputed road. We recommend the following revision to the wording of the proposed new section in chapter 662, HRS, to clarify that the State shall not be liable to any person for injury or damage sustained in connection with the use of a disputed road:

"**§662-** No liability for maintenance or repair of disputed roads. Neither the State, nor any state agency nor any county, shall be liable to any person for injury or damage sustained in connection with the use of a road that is under dispute between the State and county concerning ownership or jurisdiction. Neither the State nor any state agency nor any county shall be deemed to have assumed ownership or jurisdiction over the disputed road due to the maintenance or repair of the disputed road. In regard to the maintenance or repair or any such road, neither the State nor any state agency shall be deemed to be the principal, agent, or independent contractor of any county, and no county shall be deemed to be the principal, agent, or independent contractor of the State or any state agency."

Adding this protection gives both the State and the counties sufficient time to improve the condition of the disputed roads and to resolve the ownership issue.

We respectfully ask the Committees to pass this bill with the recommended amendment.



From:	mailinglist@capitol.hawaii.gov
Sent: To:	Tuesday, January 28, 2014 6:07 PM TRNtestimony
Cc:	anne.e.lopez@hawaii.gov
Subject:	Submitted testimony for HB1610 on Jan 29, 2014 10:00AM
Attachments:	HB1610_ATG_01-29-14_TRN.pdf

HB1610

Submitted on: 1/28/2014 Testimony for TRN on Jan 29, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Lopez	Department of the Attorney General	Support	Yes

Comments: Randolph R. Slaton, Deputy Attorney General, will be present at the hearing on HB1610 to testify.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Council Chair Gladys C. Baisa

Vice-Chair Robert Carroll

Council Members Elle Cochran Donald G. Couch, Jr. Stacy Crivello Don S. Guzman G. Riki Hokama Michael P. Victorino Mike White



Director of Council Services David M. Raatz, Jr., Esq.

COUNTY COUNCIL COUNTY OF MAUI 200 S. HIGH STREET WAILUKU, MAUI, HAWAII 96793 www.mauicounty.gov/council

January 28, 2014

TO: The Honorable Ryan I. Yamane, Chair House Committee on Transportation

FROM: Gladys C. Baisa Busa ladys (Council Chair 🧭

SUBJECT: HEARING OF JANUARY 29, 2014; TESTIMONY IN SUPPORT OF HB1610, RELATING TO TRANSPORTATION

Thank you for the opportunity to testify **in support** of this important measure. The purpose of this measure is to enable governmental agencies to maintain roads whose ownership and jurisdiction are in dispute between the State and a county without incurring liability or assuming ownership of jurisdiction over those roads.

This measure is in the Hawaii State Association of Counties Legislative Package; therefore, I offer this testimony on behalf of the Maui County Council.

I support this measure for the following reasons:

- 1. There is understandable resistance to maintaining roads when ownership or jurisdiction is in question, as such maintenance may be construed as assuming ownership or liability. This measure will encourage both the State and the counties to perform roadway maintenance and repairs, thereby improving public safety and protecting taxpayers.
- 2. County workers may need to perform repairs on roads in limbo in times of emergency. Performing such repairs should not result in the respective counties taking ownership or jurisdiction of the roads.

For the foregoing reasons, I support this measure.

ocs:proj:legis:14legis:14testimony:SB2110_paf14-012a_mkz



From:	mailinglist@capitol.hawaii.gov
Sent:	Tuesday, January 28, 2014 10:21 AM
То:	TRNtestimony
Cc:	county.council@mauicounty.us
Subject:	Submitted testimony for HB1610 on Jan 29, 2014 10:00AM
Attachments:	HB1610_paf14-012a_mkzscj.pdf

<u>HB1610</u>

Submitted on: 1/28/2014 Testimony for TRN on Jan 29, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Council Chair	Maui County Council	Support	No

Comments:

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Hawai'i State Association of Counties (HSAC) Counties of Kaua'i, Honolulu, Maui, & Hawai'i



Dear Chair Yamane and Committee Members:

Thank you for allowing me the opportunity to submit testimony in support of H.B. 1610 Relating to Transportation in my capacity as Councilmember of the City and County of Honolulu.

HSAC is in full support of H.B. 1610, which allows government agencies to maintain "Roads-in-Limbo" without incurring liability or assuming ownership or jurisdiction. Roads whose ownership and jurisdiction are in dispute between the State and the Counties lack in maintenance, which affects the safety for those who traverse over those roads.

There has been resistance to maintain such roads as it may be construed as assuming ownership and liability. However, proper maintenance of such routes is critical for the safety of both residents and visitors traversing on these roads. In addition, it allows emergency services to safely and efficiently respond to calls from those in distress and in need of immediate attention.

For these reasons, I respectfully ask for your favorable passage of H.B. 1610 Relating to Transportation and thank the Committee for allowing me to provide testimony.

Sincerely,

Stanley Chang Secretary, HSAC



From:	mailinglist@capitol.hawaii.gov
Sent:	Tuesday, January 28, 2014 11:49 AM
To:	TRNtestimony
Cc:	senos@honolulu.gov
Subject:	Submitted testimony for HB1610 on Jan 29, 2014 10:00AM
Attachments:	H.B. 1610 Testimony (1-28-14).doc.pdf

<u>HB1610</u>

Submitted on: 1/28/2014 Testimony for TRN on Jan 29, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen Enos	Individual	Support	No

Comments:

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