

HB2250, HD1

TESTIMONY



**TESTIMONY TO THE JOINT COMMITTEES ON TRANSPORTATION AND ENERGY
AND PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS**

**Thursday, March 17, 2016, 3 p.m.
State Capitol, Conference Room 229**

TO: The Honorable Lorraine R. Inouye, Chair
The Honorable Mike Gabbard, Vice Chair
Members of the Transportation and Energy Committee

The Honorable Clarence K. Nishihara, Chair
The Honorable Will Espero, Vice Chair
Members of the Public Safety, Intergovernmental & Military Affairs Committee

TESTIMONY IN SUPPORT OF HB2250 HD1 RELATING TO HIGHWAYS

I am Stafford Kiguchi with Bank of Hawaii testifying in support of HB2250 HD1 dealing with private roads. This bill would appropriate revenues for repair work and resurfacing of Kalani Street, Auld Lane, and Rawlins Lane on Oahu. There are hundreds of roads that may be privately owned but where access is unrestricted and open to the public. In such situations, where property taxes are being paid by homeowners, there is an accompanying expectation that these roads would be appropriately maintained.

Bank of Hawaii is on title to a number of roads that were acquired when it purchased Hawaiian Trust and Bishop Trust companies back in the 1980s or early 1990s. It is believed that decades ago when the homes adjacent to these roads were developed and deeded to the homeowners by the trust companies as agent for the developers, these roads, by right, should have been dedicated to the city. However, for unknown reasons, that transfer never occurred and legal title appears to have remained in the trust companies and subsequently with Bank of Hawaii as successor in interest.

Many of these roads were likely built to city standards at the time, but over the years may not have been brought up to standards to conform to current codes. There are no remedies available to a non-government owner to address this dilemma. If there is a desire to bring such roads up to modern standards, there would potentially need to be an exercise of eminent domain of which only a government entity could do. Funding to help improve drainage, resurfacing and other maintenance would help ensure safe roads for the community. Thank you for the opportunity to testify.

Stafford Kiguchi (694-8580)
Executive Vice President, Bank of Hawaii

March 14, 2016

The Honorable Lorraine R. Inouye, Chair, the Honorable Clarence K. Nishihara, Chair, the Honorable Mike Gabbard, Vice Chair, the Honorable Will Espero, Vice Chair and other Members of the Senate Committee on Transportation and Energy, and other Members of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs, thank you for this opportunity to testify in strong support of HB 2250, HD1, which would appropriate revenues for repair work and resurfacing of Kalani Street, Auld Lane and Rawlins Lane.

My name is Hwa Ja Park, and our Park family has been living at 1009 Rawlins Lane for over 80 years, and throughout that time, the road condition has deteriorated greatly. Over the years, our family has tried to be good neighbors and we have filled in the more damaged areas with blacktop patch. More recently, with my husband and son no longer with me, I hired someone to fill in some of the bigger holes near the entrance of Rawlins Lane with concrete, but due to the enormous cost, I could not fill the entire lane.

We have tried to get abutting land owners to chip in to repave Rawlins Lane, but they have either passed away, are uninterested or do not have the monetary resources to do so. Rawlins Lane floods after heavy rainfall making it dangerous and sometimes impossible for the elderly like me and the young children pedestrians to pass safely. We have also asked the City for assistance, but they refused to maintain this roadway because it is considered a private road.

Please help us to improve this serious condition where we live by supporting and passing HB 2250, HD1.

Sincerely,

Hwa Ja Park