

JAN 24 2018

A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

1 SECTION 1. Chapter 206E, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:
4 "§206E- Roads; county standards. (a) Every portion of
5 a private street, highway, or thoroughfare that has been used
6 continuously by the general public for a period of not less than
7 six months and is located within a development district shall
8 conform to construction and maintenance standards established
9 for county highways, pursuant to section 46-1.5(19)(A) and
10 section 265A-1, by the county in which the development district
11 is located. The owner of any portion of a private street,
12 highway, or thoroughfare that has been used continuously by the
13 general public for a period of not less than six months and is
14 located within a development district shall be responsible for
15 the costs of conforming and maintaining the private street,
16 highway, or thoroughfare to meet the construction and
17 maintenance standards established by that county.



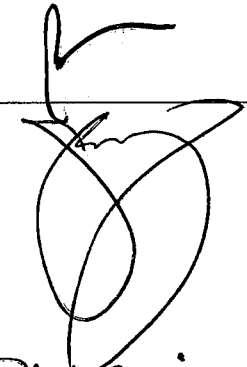
S.B. NO. 2953

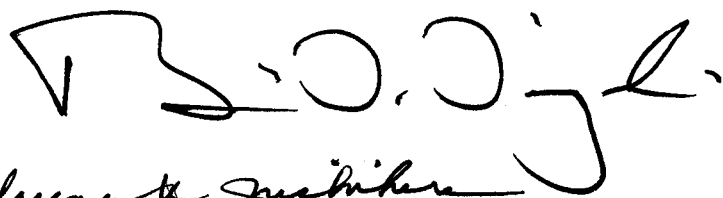
(b) Any person may bring a civil action in circuit court for injunctive relief against the owner in order to require the owner to comply with the requirements of subsection (a). If the decree is for the person who brings the action, the person shall be awarded reasonable attorney's fees together with the costs of suit."

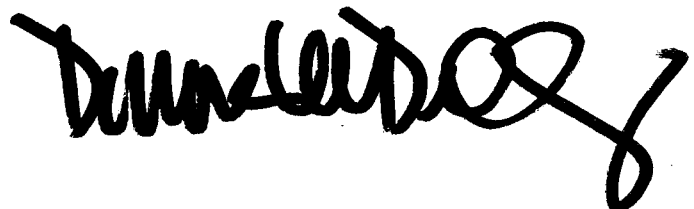
SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval and shall be repealed on June 30, 2023.

INTRODUCED BY: _____


Christine A. Snow


Claudia A. Smith





S.B. NO. 2953

Report Title:

HCDA; Private Street, Highway, or Thoroughfare; County Standards

Description:

Requires certain private streets, highways, or thoroughfares in a development district of the HCDA to conform to county construction and maintenance standards. Requires owners of private streets, highways, or thoroughfares in a development district to be responsible for the costs of conforming and maintaining the private roads to county standards. Authorizes private civil injunctive actions in the circuit courts to enforce compliance. Repeal on 6/30/2023.

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

