

STAND. COM. REP. NO.

430

Honolulu, Hawaii

FEB 18 , 2021

RE: H.B. No. 486

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 486, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose of this measure is to enable government agencies to maintain roads whose ownership or jurisdiction is in dispute between the State and the counties by:

- (1) Specifying that the maintenance or repair of disputed roads by any agency shall not be deemed to be an indication that the agency has assumed ownership or jurisdiction of the disputed road; and
- (2) Authorizing the State to transfer ownership of roads in favor of counties by quitclaim if requested by the county.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that many roads in the State remain in disrepair due to unclear jurisdictional authority or ownership of



those roads between the State and counties. As such, many roads are unmaintained and unsafe for drivers. This measure would allow a government agency to maintain or repair a road, without requiring that agency to claim jurisdiction or ownership of that road, thereby giving these agencies an incentive to maintain or repair these roads without the inference of ownership.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 486, H.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,



DAVID A. TARNAS, Chair



