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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A  
FEASIBILITY STUDY ON IDENTIFYING AND FACILITATING THE  
REPAIR AND TRANSFER OF PRIVATE OR DISPUTED ROADS.

1           WHEREAS, there are roads in Hawaii whose ownership is  
2           disputed between the State, counties, or private entities or  
3           individuals; and  
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5           WHEREAS, the State or county agencies are often unwilling  
6           to maintain these roads because the maintenance activities may  
7           be construed as assuming ownership and jurisdiction over the  
8           disputed roads; and  
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10           WHEREAS, the safety of persons traveling over these "roads  
11           in limbo" is affected by the lack of maintenance to these roads;  
12           now, therefore,  
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14           BE IT RESOLVED by the House of Representatives of the  
15           Thirty-second Legislature of the State of Hawaii, Regular  
16           Session of 2024, the Senate concurring, that the Department of  
17           Transportation is requested to conduct a feasibility study on  
18           identifying and facilitating the repair and transfer of private  
19           or disputed roads; and  
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21           BE IT FURTHER RESOLVED that the feasibility study shall:

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23           (1)   Identify and develop an inventory of all private and  
24           disputed government roads;

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26           (2)   Consider establishing a priority list of roads that  
27           require more immediate attention than other roads  
28           based upon the condition of the roads and the volume  
29           of traffic on the roads;  
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- 1           (3) Consider drafting sample memoranda of agreement to
- 2           facilitate the State and each county in transferring
- 3           title of ownership of a private or disputed road to
- 4           the county once the State repairs the road and brings
- 5           it up to county standards;
- 6
- 7           (4) Examine a system for repairing private and disputed
- 8           roads through memoranda of agreement between the State
- 9           and each county; and
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- 11          (5) Explore the possibility of accessing federal funds to
- 12          alleviate the costs of repairing roads for which
- 13          ownership is private or disputed; and
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15           BE IT FURTHER RESOLVED that certified copies of this  
 16 Concurrent Resolution be transmitted to the Attorney General,  
 17 Director of Transportation, and Mayor of each county.

18  
 19  
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OFFERED BY:           *ce*   *jt*          

MAR - 8 2024

