
A BILL FOR AN ACT

RELATING TO PROPERTY DEVELOPMENT.

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

1 SECTION 1. The purpose of this Act is to ensure that all
2 lots, parcels, structures, and units of structures located
3 within newly created subdivisions and all units located within
4 newly created condominium property regimes in the State have a
5 mailbox that can be utilized by the United States Postal Service
6 to deliver mail, should the United States Postal Service decide
7 to extend its delivery services to the location, and to require
8 a disclosure to buyers of residential real property alerting
9 them as to whether a property has, or does not have, a
10 deliverable United States Postal Service mailbox.

11 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended
12 by adding a new section to part I to be appropriately designated
13 and to read as follows:

14 "§46- Subdivisions; conditions of approval; erection of
15 mailboxes. (a) No later than June 30, 2024, each county shall
16 adopt ordinances that require the subdivider or developer to
17 perform the requirements in subsection (b) as a condition to the



1 county's approval of any subdivision that has not been approved
2 before July 1, 2024.

3 (b) Before the sale or lease of any lot, parcel,
4 structure, or unit of a structure located within the
5 subdivision, the subdivider or developer making the sale or
6 lease shall:

7 (1) Obtain the county's approval of:

8 (A) The street name for the street on which the lot,
9 parcel, or structure is located, if one has not
10 been assigned already; and

11 (B) The street address for the lot, parcel,
12 structure, or unit of the structure, as
13 applicable; and

14 (2) Erect and install within a reasonable distance from
15 the lot, parcel, structure, or unit, as applicable, a
16 mailbox assigned thereto for use by the United States
17 Postal Service to deliver mail, should the United
18 States Postal Service decide to extend its delivery
19 service to the subdivision.

20 (c) As used in this section:



1 "Approval" means the final approval granted to a proposed
2 subdivision where the actual division of land into smaller
3 parcels is sought; provided that where construction of a
4 building or buildings is proposed without further subdividing an
5 existing parcel of land, the term "approval" shall refer to the
6 issuance of the building permit.

7 "Mail" means any postcard, letter, flat, parcel, or any
8 other sealed article that has been properly addressed, postage
9 prepaid, and deposited with the United States Postal Service as
10 evidenced by the postmark, for processing and delivery.

11 "Mailbox" means any receptacle for mail that is erected and
12 installed in conformance with the standards set by the United
13 States Postmaster General and approved by the local postmaster.
14 "Mailbox" includes cluster box units.

15 "Street address" means an address that is unique to a lot,
16 parcel, structure, or unit of a structure, that is comprised of
17 a street name and number, unit number if applicable, city,
18 state, and postal code.

19 "Subdivider" means any person who divides land as specified
20 under the definition of subdivision or who constructs a building



1 or group of buildings containing or divided into three or more
2 dwelling units or lodging units.

3 "Subdivision" means the division of improved or unimproved
4 land into two or more lots, parcels, sites, or other divisions
5 of land and for the purpose, whether immediate or future, of
6 sale, lease, rental, transfer of title to, or interest in, any
7 or all such lots, parcels, sites, or division of land.

8 "Subdivision" includes resubdivision, and when appropriate to
9 the context, shall relate to the land subdivided. "Subdivision"
10 also includes a building or group of buildings, other than a
11 hotel, containing or divided into three or more dwelling units
12 or lodging units."

13 SECTION 3. Chapter 508D, Hawaii Revised Statutes, is
14 amended by adding a new section to be appropriately designated
15 and to read as follows:

16 "§508D- Disclosure; United States Postal Service
17 deliverable mailboxes. Prior to the sale of residential real
18 property, the property owner shall make a good faith declaration
19 as to the existence, or lack thereof, of a United States Postal
20 Service deliverable mailbox for the property being sold."



1 SECTION 4. Section 514B-33, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§514B-33 Condominium map. (a) A condominium map shall be
4 recorded with the declaration. The condominium map shall
5 contain the following:

- 6 (1) A site plan for the condominium property regime,
7 depicting the location, layout, and access to a public
8 road of all buildings and projects included or
9 anticipated to be included in the condominium property
10 regime, and depicting access for the units to a public
11 road or to a common element leading to a public road;
- 12 (2) Elevations and floor plans of all buildings in the
13 condominium property regime;
- 14 (3) The layout, location, boundaries, unit numbers, and
15 dimensions of the units[+] in the condominium property
16 regime;
- 17 (4) To the extent that there is parking in the condominium
18 property regime, a parking plan for the regime,
19 showing the location, layout, and stall numbers of all
20 parking stalls included in the condominium property
21 regime;



1 (5) Unless specifically described in the declaration, the
2 layout, location, and numbers or other identifying
3 information of the limited common elements, if any;
4 [and]

5 (6) A description in sufficient detail, as may be
6 determined by the commission, to identify any land
7 area that constitutes a limited common element[-]; and

8 (7) For any condominium map recorded after June 30, 2024,
9 a mailbox plan for the condominium property regime,
10 showing the location of all mailboxes for all units in
11 the condominium property regime.

12 (b) The condominium map may contain any additional
13 information that is not inconsistent with this chapter.

14 (c) As used in this section:

15 "Mail" means any postcard, letter, flat, parcel, or any
16 other sealed article that has been properly addressed, postage
17 prepaid, and deposited with the United States Postal Service as
18 evidenced by the postmark, for processing and delivery.

19 "Mailbox" means any receptacle for mail that is erected and
20 installed in conformance to the standards set by the United



1 States Postmaster General and approved by the local postmaster.

2 "Mailbox" includes cluster box units."

3 SECTION 5. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 6. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

Subdivisions; Approval Conditions; County Ordinance; Condominium Property Regimes; Condominium Maps; Street Addresses; Mailboxes

Description:

Requires each county to adopt, no later than June 30, 2024, ordinances applicable to subdivisions not approved by July 1, 2024, requiring as a condition of approval, the subdivider or developer to obtain a street address and install a mailbox for lots, parcels, structures, or units of a structure within the subdivision before the sale or lease thereof. Requires condominium maps recorded in the Bureau of Conveyances or registered in the Land Court after June 30, 2024, to include a mailbox plan for the condominium property regime, showing the location of all mailboxes for all units in the regime. Defines approval, mail, mailbox, street address, subdivider, and subdivision. Requires, prior to the sale of residential real property, the disclosure as to the existence of a United States Postal Service deliverable mailbox for the property. Effective 7/1/2050. (SD1)

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