

S.B. NO. 1308

JAN 23 2025

A BILL FOR AN ACT

RELATING TO PLANS.

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

1 SECTION 1. Section 502-17, Hawaii Revised Statutes, is
2 amended by amending subsections (d) and (e) to read as follows:

3 "(d) On receipt for recordation of a transfer or separate
4 description document concerning a lot in a subdivision, the
5 registrar shall accept and file the document with:

6 (1) A metes and bounds description, either solely or as
7 part of the document; and

8 (2) A county certified plat map, unless the land is being
9 deregistered pursuant to part II of chapter 501 [~~and~~

10 ~~(3) A letter from a licensed professional surveyor,~~
11 ~~certifying that the metes and bounds description~~
12 ~~conforms to the accompanying plat map].~~

13 The document shall otherwise comply with the requirements
14 for recordation under this section. Any parcel created or
15 subdivided before the effective date of the subdivision laws of
16 the respective counties is exempt from the provisions of this
17 subsection.

S.B. NO. 1308

1 (e) For checking the survey and plan as to form and
2 mathematical correctness, the department shall charge [~~\$2-an~~
3 ~~hour~~] a fee pursuant to chapter 40 of title 3, Hawaii
4 Administrative Rules, and shall require the owner of the land to
5 deposit the [~~estimated~~] cost thereof before [~~making such check.~~]
6 approving the survey and plan."

7 SECTION 2. Section 502-18, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "§502-18 **Description; lot subdivisions.** A metes and
10 bounds description of the exterior boundaries of the parcel or
11 parcels of land sought to be registered as a file plan shall be
12 written upon the plan, or printed or typewritten on unruled good
13 quality white paper 11 inches long by 8 1/2 inches wide and
14 shall be filed [~~in duplicate~~] with the file plan. The metes and
15 bounds description shall be dated and signed by the licensed
16 professional surveyor making the field survey, or under whose
17 supervision the field survey was executed. If the land sought
18 to be registered as a file plan is being deregistered pursuant
19 to part II of chapter 501, the metes and bounds description
20 shall be dated and signed by the licensed professional surveyor
21 making the file plan, or under whose supervision the file plan
22 was made. The boundaries of the land platted shall be described

S.B. NO. 1308

1 as running from left to right (clockwise) and the azimuth system
2 shall be used in designating the courses of the survey with zero
3 or 360 degrees at due South; 90 degrees at due West; 180 degrees
4 at due North; 270 degrees at due East. Any printed or
5 typewritten description filed separately with the file plan
6 shall be recorded in the registry system and the book and page
7 or document number thereof noted on the file plan. Expense of
8 recordation shall be charged to the owner. The initial point in
9 the description shall clearly show the connection with the
10 government triangulation system. All outside corners of the
11 tract shall be substantially marked by monuments in the ground,
12 where practicable; unless the land is being deregistered
13 pursuant to part II of chapter 501. In all cases where tracts
14 of land are subdivided into lots, with the intention of
15 conveying separate lots by lot number and reference to the plat,
16 it is necessary to show the true azimuths and lengths of all
17 principal lines and the lot areas. A sufficient number of
18 durable monuments shall be placed in the ground so as to
19 accurately identify each lot, unless the land is being
20 deregistered pursuant to part II of chapter 501. Any lands
21 being deregistered pursuant to part II of chapter 501 shall not
22 subdivide or consolidate when registering as a file plan[~~—and~~

S.B. NO. 1308

1 ~~only contiguous parcels shall be shown on the same plan].~~ Only
2 contiguous parcels shall be shown on the same plan unless the
3 department of accounting and general services of the State
4 determines that an exception would be appropriate."

5 SECTION 3. Section 502-19, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "§502-19 Plans on [~~tracing cloth,~~] tangible medium; size;
8 scale. All plans [~~must~~] shall be on [~~tracing cloth of good~~
9 ~~quality,~~] a tangible medium of good quality, approved by the
10 department of accounting and general services of the State, and
11 shall be of one of the following sizes, the figures indicating
12 inches: 10 x 15; 15 x 21; 21 x 32; 30 x 36; 36 x 42; or [~~42,~~
13 ~~48, or 54~~] 36 wide without restriction as to length; which plans
14 shall be prepared and drawn according to [~~some~~] one of the
15 following scales: 10, 20, 30, 40, 50, 60, 100, 200, 300, 400,
16 500, 600, 1000, 2000, 3000, 4000, [~~or~~] 5000, or 6000 feet to an
17 inch."

18 SECTION 4. Section 502-20, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "§502-20 **New maps for old.** The registrar, at [~~such~~] the
21 times when the original tracings of filed plans and land court
22 maps on file in the bureau of conveyances[~~]~~ are found to be in

S.B. NO. 1308

1 such condition that satisfactory [~~blueprint~~] copies thereof
2 cannot be made, shall forward any such map or plan to the
3 department of accounting and general services of the State, with
4 the request that another [~~tracing~~] copy of good quality thereof
5 be made. The department, on receipt of the request and map or
6 plan, shall prepare another [~~tracing~~] copy thereof, on a
7 tangible medium of good quality, and shall certify that same is
8 a true copy of the original on file in the bureau of
9 conveyances, and shall file the same [~~, together with two~~
10 ~~certified blueprint copies,~~] with the registrar. Any such
11 certified [~~tracing~~] copy of a map or plan shall thereafter be
12 regarded for all purposes as the original."

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect upon its approval.

16

17

INTRODUCED BY:

 _____

18

BY REQUEST

S.B. NO. 1308

Report Title:

DAGS; Plans; Land Survey; Subdivision; Maps

Description:

Removes outdated requirements for plans filed with the registrar's office; updates the statutory fee schedule to reflect those adopted in chapter 40 of title 3, HAR; grants additional discretion to the Department of Accounting and General Services to approve the format of plans; and updates permissible drawing scales used in plans.

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

JUSTIFICATION SHEET

DEPARTMENT: Accounting and General Services

TITLE: A BILL FOR AN ACT RELATING TO PLANS.

PURPOSE: To remove outdated requirements for plans filed with the Registrar's Office, including tracing cloths (mylars), letters certifying that metes and bounds descriptions conform to their accompanying plat map, and unnecessary copies of maps and descriptions; to update filing fees noted therein to conform to fee schedules adopted in chapter 40 of title 3, Hawaii Administrative Rules (HAR); to grant additional discretion to the Land Survey Division of the Department of Accounting and General Services in making determinations with regard to approving the format of plans; and to update the permissible scales used in making plans.

MEANS: Amend sections 502-17(d) and (e), 502-18, 502-19, and 502-20, Hawaii Revised Statutes (HRS).

JUSTIFICATION: Chapter 502, HRS, needs to be updated to reflect modern description and map making practices. Currently, plans filed with the Registrar's Office must be plotted on mylar tracings, which can be expensive to purchase and difficult to acquire. Permitting plans to be plotted on a tangible medium of good quality (e.g., simple bond paper) keeps costs down for the public, facilitates faster reviews and approvals, and provides flexibility to change as technology evolves. Additionally, at present, plans and metes and bounds descriptions are submitted in duplicate along with unnecessary certification letters. Copies and certification letters are useless expenses because in every case, the original submittals are necessarily modified after the Land Survey Division's review. Further, the division has properly adopted the fee schedule found in chapter 3-40, HAR, which

does not conform to the outdated fee called for in the statute. Moreover, the division requires more discretion with regard to approving plans that deal with unusual or special circumstances.

Impact on the public: These changes will eliminate paper waste and simplify the production of plans by getting rid of requirements for tracing cloth that are costly and scarce. Additionally, this bill will permit greater flexibility in the production of plans by increasing the number of permissible drawing scales and allowing non-contiguous parcels to be on a single plan where appropriate.

Impact on the department and other agencies: The bill will provide the division greater discretion to deal with special circumstances and reduce the number of plans that might otherwise have to be produced in a piecemeal fashion. It will also eliminate conflicts between the division's administrative rules and the fee schedule in chapter 502, HRS, and lengthy wait times attributable to applicants' difficulty in locating and acquiring expensive but presently required tracing cloth.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION:

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.