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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

SECTION 1. Chapter 264, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**"§264- Private streets; ownership.** (a) Notwithstanding any provision of law to the contrary, fee simple absolute title of a privately owned highway, road, alley, street, way, lane, bikeway, bridge, or trail held by a subdivider shall be deemed transferred to owners of property contiguous or adjacent thereto, or to the community association consisting of the owners of property contiguous or adjacent thereto, when:

(1) The subdivider has dissolved or ceased to exist for no less than five years; and

(2) There has not been a dedication of the privately owned highway, road, alley, street, way, lane, bikeway, bridge, or trail by deed of conveyance naming the State or county as grantee pursuant to section 264-1(c)(1).



1        (b) For the purposes of this section:

2        "Community association" means a nonprofit homeowners or  
3 community association existing pursuant to covenants running  
4 with the land.

5        "Subdivider" means a person, firm, corporation,  
6 partnership, association, trust, or other legal entity or  
7 combination thereof causing land to be subdivided or  
8 consolidated, which is the owner of the land or the duly  
9 authorized agent or lessee of the owner."

10       SECTION 2. New statutory material is underscored.

11       SECTION 3. This Act shall take effect on July 1, 3000.



**Report Title:**

Private Streets; Highways; Roads; Subdivider; Title; Fee Simple;  
Ownership; Community Association

**Description:**

Provides that fee simple absolute title of a privately owned highway, road, alley, street, way, lane, bikeway, bridge, or trail is deemed transferred to adjacent property owners or the community association if certain conditions are met. Effective 7/1/3000. (HD1)

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

