



University of Hawaii at Manoa

Environmental Center
A Unit of Water Resources Research Center
Crawford 317 • 2550 Campus Road
Honolulu, Hawaii 96822
Telephone (808) 956-7361

RL:0933

HB 49
RELATING TO LANDOWNER LIABILITY

Statement for
House Committee on
Water, Land Use and Hawaiian Affairs
Public Hearing - February 4, 1991

By
Jacquelin Miller, Environmental Center
Clifford Smith, Botany/Cooperative National Park Resources Studies
Charles Lamoureux, Botany/Academic Affairs

HB 49 addresses the problem of liability with regard to persons entering another's property for recreational purposes.

Our statement on this bill does not represent an institutional position of the University of Hawaii.

The purpose of this chapter (HRS 520) is to encourage landowners to make land and water areas available to the public for recreational purposes by limiting the owners liability toward persons entering their property for such purposes.

HB 49 would extend the coverage of HRS 520-3 and HRS 520-4 specifically to include land owned by any government entity. This would greatly facilitate the use of trails whose only present access is across lands owned by the county, state or federal governments. HB 49 appropriately excludes from the limitations on liability, action or inaction by a landowner that intentionally causes injury.

We concur with the intent of the amendments proposed in HB 49.