

Honolulu Police Department's Traffic Division

Major Herbert Soria



Definition

- HRS 291C-1

“Private road or driveway” means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.



Legal Framework Overview

Key authority for enforcement on private streets and roadways:

- HRS §46-16: Grants counties authority to enforce traffic laws on qualifying private roads.
- Implies to private roads used **continuously** by the general public for a period not less than 6 months.
- Does not include private roadways used primarily for agriculture or ranching purposes.
- Counties do not assume maintenance responsibilities.

Criteria for Public-Access Roads

A private street qualifies when:

- It is used continuously by the general public for a period not less than 6 months.
- It is intended for public dedication and is open to travel.

HPD Enforcement Allowed

Examples of Permissible HPD Enforcement:

- Responding to criminal activity or calls for service.
- Towing of vehicles which block emergency access.
- Investigations of serious, critical or fatal Motor Vehicle Collisions.
- OVUII investigations and issuing traffic citations on qualifying streets/roads.

HPD Enforcement Not Allowed

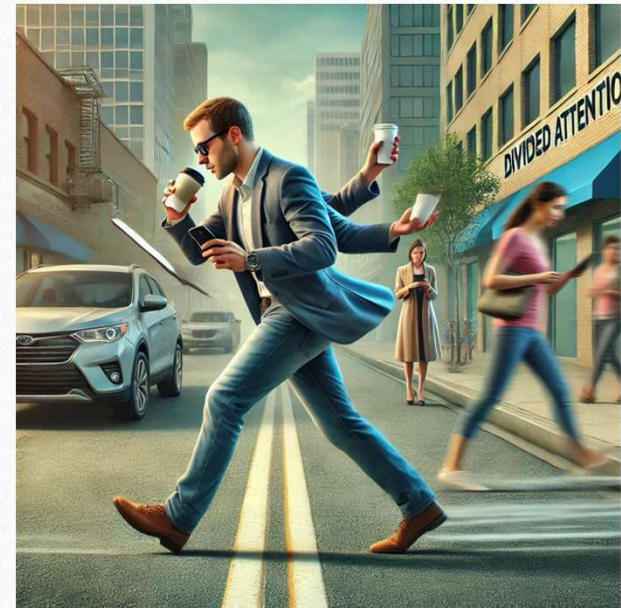
HPD Does Not Enforce:

- Private owned parking lots and property.
- Routines parking sweeps.
- Gated community rules.
- HOA covenants and regulations.
- Civil property disputes involving stalls, easements, or access.

Abandoned Vehicles

ROH §15-13.8 defines abandoned vehicles as:

- Any vehicle left unattended for over 24 hours.
- Must be located on a public or public-access private road.
- HPD will mark the vehicle tires with the date/time. If vehicle remains in same position after 24 hours, the officer will generate a complaint on the City & County Abandoned Vehicle page.
- A city representative will be dispatched.



Derelict Vehicle

Characteristics of Derelict Vehicles:

- Missing major parts.
- Severely damaged.
- Registration expired over 12 months.
- Missing VIN plates.



Thank you

Questions?