

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

AMENDMENT AND COMPILATION OF
CHAPTER 3-40
HAWAII ADMINISTRATIVE RULES

SUMMARY

1. §§3-40-1, 3-40-2, 3-40-3, 3-40-4, 3-40-5 and 3-40-6 are amended.
2. Chapter 40 is compiled.

TITLE 3

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

CHAPTER 40

RULES GOVERNING PUBLIC USE OF THE LAND SURVEY
DIVISION MAPS, DESCRIPTIONS, AND RECORDS, AND SCHEDULE
OF FEES FOR SERVICES, MAPS, AND OTHER RECORD DATA

- §3-40-1 Purpose and applicability
- §3-40-2 Definitions
- §3-40-3 Public use of land survey division maps,
descriptions, documents, and other material
- §3-40-4 Conduct
- §3-40-5 Certification of authenticity
- §3-40-6 Fees for maps and services

Historical Note: Chapter 40 of Title 3 is based on rules governing the Fee Schedule of the Division of Land Survey, and includes the rules governing the Public Use of State Survey Records. [Eff. 11/20/64; R JUNE 01 1981]

§3-40-1 Purpose and applicability. (a) The purpose of these rules is to prescribe the procedures for the use of public records, maps, and other materials in the custody of the land survey division, department of accounting and general services, and the fees for reproduction and special services.

(b) These rules shall apply to all persons using the records and other materials in the custody of the land survey division, including employees of the State of Hawaii or its political subdivisions. [Eff. 6/1/81; am and comp August 30, 1997] (Auth: HRS §§26-6, 26-38) (Imp: HRS §§26-6, 26-38)

§3-40-2 Definitions. As used in these rules, unless the context specifically or otherwise indicates, the following definitions apply:

"Calculation books" means books used by individual members of the staff of the land survey division to perform calculations and other functions related to job assignments.

"CSF No. ____" means copy surveys furnished of all maps and descriptions prepared from the inception of the office of the surveyor general and continuing to the present land survey division, that have been assigned numbered designations.

"Field book registered no. ____" means books used by the surveyors to record field data obtained from surveys performed by government surveyors or private surveyors for the government that have been assigned numbered designations.

"____ File carton no. ____" means a special carton for each respective island that is used to store and identify maps and descriptions of government subdivisions such as homestead subdivisions, houselots, agricultural lots, and industrial lease lots, that has been assigned numbered designations.

"____ File folder no. ____" means a special file folder for each respective island that is used to store and identify maps and descriptions of government subdivisions such as houselots, agricultural lots, and industrial lots that has been assigned numbered designations.

"File Plan" means a plan of land prepared in the form of a file plan that is accepted for recordation by the registrar of the state bureau of conveyances in sections 502-17, 502-18, and 502-19, HRS.

"Folder no. ____" means a folder used by the division to file correspondence, job requests, and other documents.

"Land court" means the land court of the State as defined in chapter 501, HRS.

"Land survey division" is a division of the department of accounting and general services located in room 210 of Kalanimoku building, 1151 Punchbowl Street, Honolulu, and its contents.

"HSS Plat ____" means Hawaii state survey plat maps usually twenty-one inches by thirty-two inches in size that have been assigned numbered designations indicating official acceptance as maps in the custody of the land survey division since statehood.

"HTS Plat ____" means Hawaii territory plat maps usually twenty-one inches by thirty-two inches in size that have been assigned numbered designations indicating official acceptance as maps in the custody of the land survey division during territorial status.

"Registered map no. ____" means official government survey maps and maps from private sources that have been assigned numbered designations indicating official acceptance as maps in the custody of the land survey division from 1871 to present.

[Eff. 6/1/81; am and comp August 30, 1997] (Auth: HRS §§26-6, 26-38) (Imp: HRS §§26-6, 26-38)

§3-40-3 Public use of land survey division maps, descriptions, documents, and other material. (a) All persons shall be serviced by authorized members of the staff of the land survey division. Admittance to the storage vault shall be restricted to authorized personnel only.

(b) The use of maps, records, and other material in fragile condition shall be regulated at the discretion of the state land surveyor.

(c) All persons including land survey division staff members shall exercise all possible care to prevent damage to items being used.

(d) No person shall remove any maps, records, and other material from the land survey division premises. Only the state land surveyor or the assistant state land surveyor is authorized to waive this rule.

(e) The printing of reproducible media, such as sepia, xerox vellum, or mylar, of registered maps, plat maps, land court maps, or file plan maps is not permitted. [Eff. 6/1/81; am and comp August 30, 1997] (Auth: HRS §§26-6, 26-38) (Imp: HRS §§26-6, 26-38)

§3-40-4 Conduct. (a) No person shall handle maps, folders, field books, or other material without proper authorization.

(b) Eating or drinking while handling or viewing any material or documents is prohibited. [Eff. 6/1/81; comp August 30, 1997] (Auth: HRS §§26-6, 26-38) (Imp: HRS §§26-6, 26-38)

§3-40-5 Certification of authenticity. Except as provided in section 3-40-3, certified copies of maps and descriptions, documents, and other materials in the custody of the land survey division may be made. The state land surveyor, assistant state land surveyor, or a land survey division staff member designated in writing by the comptroller or the state land surveyor are authorized to sign the certification. [Eff. 6/1/81; am and comp August 30, 1997] (Auth: HRS §92-21) (Imp: HRS §92-21)

§3-40-6 Fees for maps and services.

(a) The following fees shall be charged for diazo and other reproductions of maps, descriptions, field notes and correspondence that are under the custody of the land survey division.

- (1) For a diazo blueline copy of a plan of land, \$3 for the first square foot plus fifteen cents for each additional square foot or fraction thereof based on the size of the plan, effective July 1, 1997; \$4.50 for the first square foot plus fifteen cents per additional square foot, effective January 1, 1998; \$6 for the first square foot plus fifteen cents per additional square foot, effective January 1, 1999;
- (2) Xerographic copy of any record up to eight and one-half inches by thirteen inches, \$1 per page;

- (3) Certification of only those products under the custody of the land survey division will be provided at \$1.50 per certification, effective July 1, 1997; \$2 per certification, effective January 1, 1998;
- (4) Other reproductions including maps having no reproducible media or use of other reproduction materials shall be accommodated only by special arrangement.

(b) Fees charged for services relating to the discharge of duties as set forth by the land court of the State shall be at the current rate as established by rule 107 of the rules of the land court.

(c) Fees charged for services related to the checking and processing of file plan maps submitted to the bureau of conveyances for recordation shall be at the current rate as established by rule 107 of the rules of the land court. Completed maps shall not be released unless all fees due are paid in full.

(d) Whenever applicable by statute, the above fees will not be charged to federal, state, or county governments. [Eff. 6/1/81; am and comp August 30, 1997] (Auth: HRS §§92-21, 501-218, 502-17) (Imp: HRS §§92-21, 501-218, 502-17)

Chapter 40, Title 3, Administrative Rules, were adopted on _____, following a public hearing held on 5/15/97 after public notice was given in Honolulu Advertiser on April 3, 1997 and in Maui News, Garden Island, West Hawaii Today and Hawaii Tribune-Herald, Ltd., on April 8, 1997.

These rules shall take effect ten days after filing with the Office of the Lieutenant Governor.

/s/ Sam Callejo
Sam Callejo
Comptroller

APPROVED:

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
GOVERNOR
STATE OF HAWAII

Dated: 8/17/97

APPROVED AS TO FORM:

/s/ Pat Ohara
Deputy Attorney General

August 20, 1997
Filed