

Amendment and Compilation of Chapter 3-40
Hawaii Administrative Rules

(Date of Adoption)

SUMMARY

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

HAWAII ADMINISTRATIVE RULES

TITLE 3

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

CHAPTER 3-40

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 6/1/81]

§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 8/30/97; comp] (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.

"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.

"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.

"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 8/30/97; am and comp] (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.

[Eff 6/1/81; am and comp 8/30/97; am and comp] (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 8/30/97; comp] (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 8/30/97; comp] (Auth: HRS §92-21) (Imp: HRS §92-21)

§3-40-6 Fees for maps and services. (a) The following fees shall be charged for reproductions of maps, descriptions, field notes and correspondence that are under the custody of the land survey division. Completed reproductions shall not be released unless all fees due are paid in full.

- (1) For a copy of a plan of land, \$6 for the first square foot plus fifteen cents per additional square foot;
- (2) For a copy of any record up to eleven inches by seventeen inches, \$1 per page;
- (3) For a scanned copy of any maps, descriptions, field notes or correspondence recorded on a compact disc or digital versatile disc, \$2 per disc;
- (4) Certification of only those products under the custody of the land survey division will be provided at \$2 per certification;
- (5) Other reproductions including maps having no reproducible media or use of other reproduction materials shall be accommodated only by special arrangement.

(b) The following fees shall be charged for services related to the checking and processing of land court maps, referred by the land court for check and report. Completed maps shall not be released unless all fees due are paid in full.

- (1) For verifying and checking map on the ground, for lots of one acre or less, \$125; an addition of \$5 an acre or fraction thereof for all areas over one acre and up to one hundred acres; an addition of \$2.50 an acre or fraction thereof for all areas over one hundred acres and up to one thousand acres; and addition of \$1.25 an acre or fraction thereof for all areas over one thousand acres;

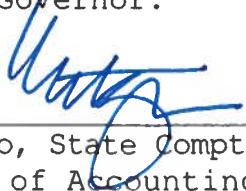
- (2) Any expense incurred for air transportation, rental of ground transportation, and per diem for the survey crew shall be charged to the applicant;
- (3) For checking survey and map as to form and mathematical correctness but not on the ground, \$15 an hour;
- (4) For processing subdivisions and designation of easements of registered land, and for checking same as to form and mathematical correctness but not on the ground, \$15 an hour.

(c) Fees charged for services related to the checking and processing of file plans submitted to the bureau of conveyances for recordation shall be \$15 an hour. 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 8/30/97; am and comp] (Auth: HRS §§92-21, 501-218, 502-17) (Imp: HRS §§92-21, 501-218, 502-17)


Amendments to and compilation of chapter 3-40,
Hawaii Administrative Rules, on the Summary Page dated
_____ were adopted on _____, following a
public hearing held on November 10, 2021,
after public notice was given in
the public meetings calendar for the State of Hawaii on
10/08/2021, _____, and _____.

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



Curt Otaguro, State Comptroller
Department of Accounting and
General Services

APPROVED:



DAVID IGE
Governor
State of Hawaii

Dated: 8/13/2022

APPROVED AS TO FORM:



Deputy Attorney General

Filed