

**DEPARTMENT OF THE CORPORATION COUNSEL**  
COUNTY OF MAUI  
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April 24, 2003

MEMO TO: Don Couch, Executive Assistant  
Mayor's Office

F R O M: Moana M. Ramaya, Deputy Corporation Counsel 

SUBJECT: **Letter from Kailana Flores**

On April 21, 2003, you requested advice on responding to Kailana Flores' letter. Ms. Flores' letter states that her son was injured by a golf ball that shattered her windshield while she was driving on Honoapiilani Highway.

In terms of ownership, the Kaanapali Golf Course is a privately-owned golf course while Honoapiilani Highway belongs to the State of Hawaii. The County of Maui exercises no control over either property.

Any response to Ms. Flores should advise her of the ownership of each property and a suggestion that she take this matter up with either entity. As a courtesy to Ms. Flores, the County may forward Ms. Flores' complaint to the State of Hawaii's Department of Transportation and Kaanapali Golf Course with a request for a response.<sup>1</sup>


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<sup>1</sup>We do not recommend that County take any unilateral action, such as installing fencing or signage, that would usurp or interfere with the authority and jurisdiction of the State of Hawaii over state highways or conflict with the overall responsibility that the private property owner (Kaanapali Golf Course) has over the design and operation of its golf course. Such unauthorized unilateral action may unnecessarily entangle the County in any future golf-related incidents and expose the County to liability.

Don Couch  
Executive Assistant  
Office of the Mayor  
April 24, 2003  
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If you have any questions or inquiries, please do not hesitate to contact me.

APPROVED FOR TRANSMITTAL:

  
BRIAN T. MOTO  
Corporation Counsel

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