



**MAUNA KEA**  
RESORT

**Resort Rules and Regulations for  
Vehicles,  
Golf Carts and Low Speed Vehicles (LSV's)**

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## **PREAMBLE**

These Rules and Regulations (as may be hereafter amended from time to time, the “Rules”) are established to promote the health, safety, welfare and enjoyment of the Mauna Kea Resort by hotel guests, owners, club members, residential guests and the general public.

## **MAUNA KEA RESORT**

The Mauna Kea Beach Hotel, Mauna Kea Golf Course, the Westin Hapuna Beach Resort and Hapuna Golf Course together comprise the Mauna Kea Resort and the Hapuna Resort, (collectively the “Resort Property”) as developed and/or is owned and/or operated by MKR, its affiliates and their respective successors and assigns. The Resort Property currently is comprised of the real property designated as Tax Map Key Nos (3)6-2-002-004, (3)6-2-002-019, (3)6-2-002-027 (por.), (3)6-6-002-037, (3)6-6-002-046, and (3)6-6-002-047.

### **A. Roads and Paths**

The Mauna Kea Resort consists of two (2) entry roads (the “Entry Roads”) which means those certain roadways and access easements providing access from the Queen Ka’ahumanu Highway to Mauna Kea Beach Hotel designated as Mauna Kea Beach Drive and to the Westin Hapuna Beach Resort designated as Kauna’oa Drive. In addition these include the Uplands entry road (the “Entry Road”) which means the portion of Road Lot “A”, as shown in File Plan 2094, from the north intersection of Queen Ka’ahumanu Highway to the most southerly intersection of what is designated as ‘Amaui Drive.

The Mauna Kea Resort also consists of golf course and beach access paths, maintenance roads and easements which are contained within the designated Tax Map Keys and are included in the Resort Property.

### **B. Parking Areas**

Mauna Kea Beach Hotel maintains a main parking lot which includes designated resort club member spaces. The Mauna Kea Golf Course parking area includes forty (40) designated beach spaces for public use and designated platinum resort club member spaces.

The Westin Hapuna Beach Resort maintains designated homeowner parking spaces plus a gated parking garage. In addition, Hapuna Golf Course maintains a parking area to be used by golfers, fitness center members, owners, club members and hotel guests.

### **C. Communities**

The lots, residences and condominium developments within the Mauna Kea Resort include: (i) Mauna Kea Fairways (also known as The Fairways at Mauna Kea South), (ii) The Fairways at Mauna Kea North, (iii) The Villas at Mauna Kea, (iv) The Bluffs at Mauna Kea, (v) The High Bluffs at Mauna Kea, (vi) Kauna’oa at Mauna Kea, (vii) Moani Heights at The Uplands, (viii) Apa’apa’a Heights at The Uplands, (ix) The Kumulani at The Uplands, (x) Wai’ula’ula at Mauna Kea Resort, and (xi) The Hapuna Beach Residences (the “Communities”). The owners of residential lots, residences and condominiums, their respective family members, guests, invitees and tenants are subject to and governed by these Rules set forth by MKR, its affiliates and their respective successors and assigns and, further, by the respective Protective Covenants, Conditions and Restrictions (the “CC&Rs”) and Agreements put forth by each Community within Mauna Kea Resort.

## **GENERAL RULES**

### **1. RESORT ENTRY**

#### **a. Hotel Guests**

- 1) All hotel guests will provide name to security personnel at initial entry
- 2) Guest will be checked against the guest arrival list
- 3) Guest will be provided with a mirror hang tag identifying them as a hotel guest
- 4) Guest will display hang tag at all times while staying on the resort

#### **b. Homeowners**

- 1) All homeowners must register vehicles (cars, trucks, etc.) with Club office annually
- 2) Homeowner will receive new decal in exchange for old decal returned to Club office
- 3) Homeowner must provide make, model, color and license plate number and a copy of vehicle registration for each owned vehicle
- 4) Homeowner will be given a decal which must be affixed to the lower left-hand corner of the driver side windshield
- 5) Homeowner must display only current decal at all times when present on the resort; any old decals must be removed from vehicle and returned to Club office
- 6) Decals are not transferrable to any third party including vendors or guests and can only be displayed on owned vehicles
- 7) Homeowner must register rental vehicles with Club office which will provide a temporary hang tag indicating date of departure; hang tag must be displayed at all times while staying on the resort

#### **c. Club Members – Kama'aina**

- 1) All club members must register vehicles (cars, trucks, etc.) with Club office annually
- 2) Club member will receive new decal in exchange for each old decal returned to Club office
- 3) Club members must provide make, model, color and license plate number and a copy of vehicle registration for each owned vehicle
- 4) Club members will be given a decal which must be affixed to the lower left-hand corner of the driver side windshield
- 5) Club members must display only current decal at all times when present on the resort; any old decals must be removed from vehicle and returned to Club office
- 6) Club members are restricted from supplying resort decals or temporary hang tags to any third party
- 7) Club members must register rental vehicles with Club office which will provide a

temporary hang tag indicating date of departure; hang tag must be displayed at all times while staying on the resort

**d. Residential Guests**

1) Registered

- a) All registered residential guests will provide name to security personnel at the Hapuna at Mauna Kea Resort entry gate
- b) Registered residential guests will be checked against the residential guest list
- c) Registered residential guests will proceed to Mauna Kea Residences office to check in and pick up welcome packet
- d) Registered residential guests will receive hang tag indicating date of departure; hang tag must be displayed at all times while staying on the resort

2) Not Registered

- a) All residential guests who do not register or are not qualified to register for resort access and pay applicable guest fee will not receive vehicle identification for gate entry
- b) All unregistered residential guest must identify with security personnel by providing their name and community each time they pass through either entry gate

**e. Vendors**

- 1) A vendor is defined as a supplier of goods or services and on the Mauna Kea Resort would include property managers, housekeeping, pool, pond or landscaping services and building and miscellaneous trade contractors
- 2) All vendors contracted by homeowners for ongoing/recurring services (i.e. property and/or rental management, landscape, pool, pond, etc.), other than employees of the resort property, are required to display a Vendor Pass for entry to both Mauna Kea Beach Hotel and The Westin Hapuna Beach Resort
- 3) The vendor pass is acquired through the Security office located at the loading dock at The Westin Hapuna Beach Resort, is effective for three (3) months and must be renewed at each expiration
- 4) Vendors must provide identification which includes name, company name, address and contact phone number plus make, model, color and license plate number for vehicle
- 5) Homeowners and Club Members are restricted from supplying resort decals or temporary hang tags to any vendor or guest

**f. General Public**

- 1) Access for the general public is facilitated through both entry gates for public beach parking at Kauna'oa Bay, Mau'mae Beach and golf. Valet parking service is available for dining, retail and golf.

- 2) The general public is required to state the purpose of the visit upon entry so that the security personnel can advise availability with respect to beach parking and then direct all guests to the appropriate areas for service

## **2. PARKING**

### **a. Mauna Kea Beach Hotel**

#### **1) Main Parking Lot**

- a) A current access key card is required for entry through both parking lot gates. Club members have access to designated parking spaces in the main parking lot.
  - i. Club members – a photo identification card
  - ii. Hotel guests – guest key card
- b) Valet parking is required if member or guest does not have a valid access key card
- c) Members and guests are responsible for obtaining and maintaining the correct access key card for their use

#### **2) Golf Course Clubhouse**

##### **a) Beach**

- I. The beach parking spaces are reserved for public use and resort security has control over the assignment of these spaces
- II. All guests must stop at the entry gate to inquire as to availability of space and permission to gain access
- III. When those forty (40) reserved spaces have been filled security personnel have the authority to deny entry for guests requesting public beach parking access

##### **b) Golf**

- I. Guests who are entering to play golf or visit the golf pro shop have access to the designated golf parking spaces
- II. Guests should state purpose of visit to security personnel at entry gate so that they can be directed to the appropriate area for parking

##### **c) Homeowner**

- I. All homeowners have access to the designated homeowner parking spaces
- II. A valid homeowner decal or temporary owner rental vehicle hang tag must be displayed when using these spaces

##### **d) Platinum Member**

- I. All platinum members have access to the designated platinum member parking spaces

- II. A valid platinum member decal or temporary platinum member rental vehicle hang tag must be displayed when using these spaces

**b. Westin Hapuna Beach Resort**

**1) Homeowner**

- a) All homeowners have access to the designated parking spaces located outside the parking garage
- b) A valid homeowner decal or temporary homeowner rental vehicle hang tag must be displayed when using these spaces

**2) Parking Garage**

- a) A current access key card is required for entry into the parking garage
  - I. Club members – a photo identification card
  - II. Hotel guests – access key card
- b) Valet parking is required if member or guest does not have a valid access key card
- c) Members and guests are responsible for obtaining and maintaining the correct access key card for their use
- d) Members and guests have use of the two (2) electric charging stations on floor 8 and parking spaces on floors 7 and 8
- e) A valid member decal or temporary member rental vehicle hang tag must be displayed when using these spaces

**3) Golf Course Clubhouse**

- a) Parking is available for all golfers, club members, homeowners and hotel guests at the Golf Course Clubhouse

**3) Entry Roads**

- a. All posted signs must be observed with regard to speed limits, road conditions, stop, yield, construction, maintenance and wildlife.
- b. Extreme caution must be exercised when crossing speed bumps and golf cart and pedestrian crosswalks
- c. Pedestrians are not allowed to walk on roadway

## **GOLF CARTS & LOW-SPEED VEHICLES (LSV's)**

### **1. GOLF CARTS**

A *golf cart* is defined as a motorized vehicle designed for operation on a golf course. Under current National Highway Traffic Safety Administration interpretations and regulations, a vehicle is classified as a golf cart when it is incapable of exceeding 20 miles per hour. Golf carts are not allowed on public roadways in the State of Hawaii.

### **2. PRIVATE GOLF CARTS - RESORT**

No private golf carts, unlicensed vehicles or similar types of motorized vehicles may be used or operated by Mauna Kea Resort homeowners, owner's family members, guests, invitees or tenants on the roadways or other areas within the Resort Property which includes Entry Roads, golf course, golf course and beach paths, and maintenance roads (except as specifically referenced in community CC&Rs or other binding agreements).

### **3. LOW-SPEED VEHICLES (LSV's)**

*Low-speed vehicle (LSV)* means a motor vehicle (1) that is 4-wheeled,(2) whose speed attainable in 1 mile is more than 20 miles per hour and not more than 25 miles per hour on a paved level surface, and (3) whose GVWR is less than 3,000 pounds. (Code of Federal Regulations: 49 CFR 571.3 (63 FR 33194). Examples of LSV's would be GEM Cars (Global Electric Motorcars) or NEV (Neighborhood Electric Vehicles).

- a. LSV's are treated as motor vehicles under both Federal & State law and must follow all traffic and safety rules applicable to licensed automobiles:
  - 1) Can be driven only on the Entry Roads
  - 2) Cannot be driven on golf courses, golf course or beach paths, maintenance roads or easements anywhere on the Resort Property
  - 3) Cannot be parked at the beach lawn, Mauna Kea Front Circle, golf cart parking at Mauna Kea Golf Course, sidewalks or curbs or in any area that would obstruct access/egress to buildings and access ways
  - 4) Must be licensed, registered and insured
  - 5) Must be registered annually and identified with a current vehicle decal at all times
  - 6) Shall not be occupied by more than the number of persons for which the cart was designed
  - 7) Should not be left unattended with the ignition on or keys in the ignition
- b. Operators must obey all traffic signs and laws and parking restrictions applicable to licensed automobiles
- c. Owners, owner's family members, guests, invitees and tenants are required to follow all guidelines and limitations of use and owners are responsible for conveying this information to the foregoing and are fully accountable for any violations
- d. Driver must be at least sixteen (16) years of age and have in their possession a valid driver's license



## **VIOLATIONS**

In the event of any violation of these Rules & Regulations and Agreements where applicable with respect to the use of the Entry Roads, paths, easements and parking areas located on the Resort Property by the owner, owner's family members, guests, invitees or tenants, the golf cart or LSV owner shall be subject to the following penalties:

- 1st Violation: Written warning to owner and Association Board
- 2nd Violation: \$250 fine
- 3rd Violation: \$500 fine and suspension of club membership (if any)

In event that golf cart or LSV is parked in violation of the aforementioned Rules and Regulations, and cannot be identified, Mauna Kea Resort and its representatives reserve the right to relocate the specific vehicle. Owner agrees to indemnify and hold harmless Mauna Kea Resort and its representatives from and against any and all claims, damages and losses as well as any actions from or arising out of the relocation of any golf cart or LSV.

Failure to pay fines can result in revocation of club membership by the Resort.

Mauna Kea Resort reserves the right in its sole and absolute discretion to modify the above penalties and/or to impose additional or other penalties for violation of these Rules & Regulations.