

JAN 24 2007

A BILL FOR AN ACT

RELATING TO FIRE PROTECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to clarify the fire
2 inspection responsibilities of the State and the various
3 counties as they relate to state-owned airport facilities.

4 SECTION 2. Section 132-5, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§132-5 Right of entry for inspection; unlawful to**
7 **obstruct.** The county fire chief or the chief's designees [~~may~~],
8 at all reasonable hours may enter any buildings, structures, or
9 premises within the fire chief's jurisdiction, except the
10 interior of private dwellings, to make any inspection,
11 investigation, or examination [~~which~~] that is authorized to be
12 made under this chapter. The county fire chief or the chief's
13 designees may enter any private dwelling whenever the fire chief
14 or the chief's designees have reason to believe that dangerous
15 conditions creating a fire hazard exist in the dwelling. The
16 county fire chief or the chief's designees may enter any private
17 dwelling when a fire has occurred in the dwelling. It shall be
18 unlawful to obstruct, hinder, or delay any person having the



1 right to make the inspection, investigation, or examination in
2 the performance of duty.

3 The county fire chief or the chief's designees shall make
4 an inspection of all state-owned or county-owned buildings and
5 facilities, except state-owned airport facilities, the frequency
6 of which shall be made in accordance with section 132-6, and
7 shall make a report to the authorities responsible for the
8 maintenance of any state-owned or county-owned building or
9 facility when it is found that a building or facility does not
10 meet minimum standards of fire and safety protection."

11 SECTION 3. Section 132-6, Hawaii Revised Statutes, is
12 amended by amending subsection (a) to read as follows:

13 "(a) Each county fire chief [~~shall~~], in person or by
14 officers or members of the fire chief's fire department
15 designated by the fire chief for that purpose, shall inspect all
16 buildings, premises, and public thoroughfares, except the
17 interiors of private dwellings[~~]~~ and state-owned airport
18 facilities, for the purpose of ascertaining and causing to be
19 corrected any conditions liable to cause fire[~~]~~ or any
20 violation of any law, ordinance, rule, or order relating to fire
21 hazard or to the prevention of fires."



S.B. NO. 1963

1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.

4

INTRODUCED BY: _____ 



Report Title:

Fire Protection

Description:

Clarifies that the responsibility of the county fire chief or designees does not extend to inspection of state-owned airports.

