



LATE TESTIMONY

Hawaii Farm Bureau
F E D E R A T I O N

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JANUARY 26, 2012

HEARING BEFORE THE
SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND
MILITARY AFFAIRS

TESTIMONY ON SB 2397
RELATING TO FIRE SPRINKLERS

Room 224
2:50 PM

Chair Espero, Vice Chair Kidani, and Members of the Committee:

I am Brian Miyamoto, Chief Operating Officer and Government Affairs Liaison for the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

HFBF supports SB 2397, which would prohibit the requirement of installing or retrofitting of fire sprinklers for new or existing detached one- or two-family dwelling units in a structure used only for residential purposes. Such a requirement would add substantially to the cost of building or renovating homes. It would be especially costly in the case of farm dwellings, which may be in areas not served by public water systems or where the spacing of hydrants exceeds residential standards.

We further request that SB 2397 be amended to extend this prohibition of sprinkler requirements to non-residential agricultural and aquacultural buildings and structures located outside the urban zone. HFBF is supporting other bills introduced this session that would reduce the cost and construction time of low-risk, non-residential farm structures by exempting these structures from county building permit requirements. Due to their location and functions, these buildings and structures present a lower risk of property damage and personal harm from fire than do dwelling units. Their exemption from permit requirements is necessary to allow farmers to build, at reasonable cost, structures to protect their crops and equipment from thieves, vandals, and the weather. Prohibiting a requirement for sprinkler systems would remove one major potential cost of

constructing these structures, and would therefore further the State's goal of greater food self-sufficiency.

I can be reached at (808) 848-2074 if you have any questions. Thank you for the opportunity to testify.

THE GENTRY COMPANIES

LATTM TESTIMONY



January 26, 2012

The Honorable Will Espero, Chair
Senate Committee on Public Safety, Government
Operations and Military Affairs
State Capitol, Room 211
Honolulu, HI 96813

RE: S.B. 2397, Relating to Fire Sprinklers

Dear Senator Espero and Members of the Committee:

My name is Debbie Luning, Director of Government Affairs for Gentry Homes, Ltd., testifying in **strong support** of S.B. 2397, Relating to Fire Sprinklers. The purpose of this bill is to prohibit the counties from requiring the installation or retrofitting of automatic fire sprinklers or an automatic fire sprinkler system in any new or existing detached one- or two-family residential dwelling unit. We believe that mandatory installation of fire sprinklers in single family and duplex homes, while well-intentioned, will not necessarily achieve the desired results of saving lives due to home fires, and are therefore very supportive of this measure. Our concerns about mandating fire sprinklers are summarized below.

- 1) **The requirement to install fire sprinklers would apply only to newly constructed homes, not to older homes which are basically the source of the problem.** Homes built nowadays are much safer in terms of fire prevention because of the types of materials, construction design and methods that are used. Examples include safer electrical wiring, double wall drywall construction, fire-rated garages, draft stops, cementitious siding and integrated smoke detector alarm systems that are very sensitive. These features were not necessarily included in homes built over 15 years ago; yet, the mandates in these resolutions would not apply to older homes -- they would only apply to newly constructed homes.
- 2) **Fire sprinklers will be ineffective unless there is a direct source of heat that triggers the sprinklers.** Smoke and noxious gases are the biggest threats in a home fire, and asphyxiation by poisonous fumes in the air outweighs burning as cause of death by a 3:1 ratio. A fire sprinkler, unless triggered by heat, will be ineffective in these circumstances.

3) **Fire sprinklers will be ineffective unless they are regularly maintained.** One cannot merely install a fire sprinkler system; it has to be regularly maintained in order for the system to work effectively. It is our contention that many homeowners will be negligent in regularly maintaining their fire sprinkler systems, thereby rendering them ineffective.

4) **Insurance companies will not cover the cost of damage caused by false alarms.** This is a very real and very practical concern. Insurance companies will not cover the cost of water damage should the fire sprinkler go off accidentally or unexpectedly – there has to be an actual fire in order for them to do so. This could mean tens of thousands of dollars of damage that the homeowner will have to pay for out of his/her own pocket.

5) **Mandating the installation of fire sprinklers in new homes would affect affordability.** Whenever additional requirements are placed on the development of newly constructed homes, the cost of homes increase and more people get priced out of the housing market. If one of the goals of the Legislature and government is to provide more affordable homes for Hawaii's people, it doesn't make sense to place additional requirements that add to the cost of a home, especially when the requirement has not been proven to be necessary. We are by no means advocating placing people's lives at risk, but we do have concerns about mandating fire sprinklers which may not be needed in newly constructed homes.

For the reasons stated above, we are in strong support of this bill and urge its passage with the amendment proposed by the Building Industry Association of Hawaii. Thank you for the opportunity to provide comments.

Sincerely,

GENTRY HOMES, LTD.



Debra M. A. Luning
Director of Governmental Affairs and
Community Relations

NEIL ABERCROMBIE
GOVERNOR



LATE TESTIMONY

DWIGHT TAKAMINE
DIRECTOR

AUDREY HIDANO
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

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January 25, 2012

The Honorable Will Espero, Chair
Committee on Public Safety, Government
Operations, and Military Affairs
The State Senate
State Capitol, Room 231
Honolulu, Hawaii 96813

Dear Chair Espero:

Subject: S.B. 2397 Relating to Fire Sprinklers

I am Kenneth G. Silva, Chair of the State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD strongly oppose S.B. 2397.

During its Regular Session of 2011, the Twenty-Sixth Legislature enacted House Resolution No. 47, H.D. 1, which requested that the State Building Code Council (SBCC) submit a report no later than 20 days before the Regular Session of 2015 convenes of its findings, recommendations, and actions taken to adopt the requirement that automatic fire sprinklers be installed in new one- and two-family dwellings.

The SBCC is reviewing the 2009 editions of the International Building and Residential Codes, which require residential fire sprinklers in new one- and two-family dwellings as minimum requirements. The SBCC formed an investigative committee of stakeholders from public/private sectors, industry, and code regulators to explore issues relating to automatic fire sprinkler installations. The investigative committee's work is ongoing, and most infrastructure issues have been addressed.

However, issues relating to in-house systems must still be addressed. It would be a disservice to the community to enact an antisprinkler law based on one viewpoint without considering the research done by this committee, which represents all interests. The investigative committee's final report will be forwarded to the SBCC, who will decide what to adopt for the entire state.

The building codes are a comprehensive compilation of codes that address all aspects of the built environment. The resulting national codes reflect a consensus that balances safety; cost/benefit; and the most technologically advanced products, materials, and processes. Code revisions are enacted slowly, and many are a result of a fatality or serious injury. When building codes are adopted at the state and county levels, they must undergo the administrative rules

The Honorable Will Espero, Chair
Page 2
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process, including being discussed at public hearings to allow the public an opportunity to participate and provide input. This process should not be circumvented.

There is no requirement in the state or county building codes that mandates the installation of fire sprinklers in new one- and two-family residential dwellings. When homes undergoing the county building permit process do not meet fire department access road or fire fighting water supply requirements, the fire code allows sprinklers to be installed as an alternative to meeting the intent of the fire code. This bill may eliminate that alternative and would require the homeowner to meet road and water supply requirements, which is usually at a much greater cost, before a permit is issued.

The contention that new home prices will dramatically rise is inaccurate. On a national average, home fire sprinkler systems add 1% to 1.5% of the total building cost to new construction. In Hawaii, estimates were approximately \$1.50 per square foot. For example, a system, including permitting, installation, and materials, for a 2,500-square foot home would cost \$6,000 to \$7,000. At \$200 per square foot, the home would cost \$500,000. The residential sprinkler system would be 1.3% of the total price. The most economical time to install sprinklers is during new construction.

Smoke alarms and other building safety requirements have progressively reduced fire losses and deaths. However, they are only effective if the occupants are cognitively and physically capable of responding during a limited timeframe of rapid fire growth. National statistics have shown disproportionate fire deaths for the young and the elderly for decades, which is an example of the types of individuals unable or incapable of exiting a home fire in a timely manner. Fire resistive construction does not reduce the fuel load of today's modern furnishings, which have drastically reduced occupant escape time from three to four minutes once a fire starts.

Automatic fire sprinklers are a proven fire, life safety, and property protection measure with an outstanding performance record in reducing fire fatalities, injuries, and property losses.

The SFC and the HFD urge your committee's deferral of S.B. 2397.

Should you have any questions, please contact SFC Administrator Socrates Bratakos at 723-7151 or sbratakos@honolulu.gov.

Sincerely,



KENNETH G. SILVA
Chair

KGS/LR:cn

LATE TESTIMONY



National Fire Protection Association

Regional Fire Sprinkler Office 4718 Noreston, Shawnee, Kansas 66226
phone: (913) 238-2568 email: jhudson@nfpa.org

January 26, 2012

The Honorable Will Espero, Chair
Senate Committee on Public Safety, Government Operations, and Military Affairs
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: SB2397-OPPOSE

Dear Chair Espero and Members of the Committee:

I write to you and the Committee today to express my strong opposition to SB2397, a bill that hinders local fire authorities from determining the best fire protection policy for their communities. This is a serious public safety issue. I have outlined some thoughts on why I am opposing SB2397.

At the very least, codes are designed to be adopted and implemented in their totality to make certain that when all code requirements are conformed to, a house is in its safest code compliant state to protect the occupants of the structure. When one component, such as fire sprinklers, is not installed in the structure, other requirements and structural components, which may have been lessened because of pre-supposed sprinkler protection, are now increasingly vulnerable to the effects of fire and may drastically increase the danger to the lives of the occupants, firefighters, and other rescuers who may respond to an incident of fire in the home. Adopting this legislation, and reducing the requirement of the code by prohibiting this adoption, is in effect allowing **SUB-STANDARD HOMES** to be built in your Counties and communities.

Ignores Reduced Life Safety: Most importantly, this bill will withhold the life-saving benefits of home fire sprinklers from the citizens in Hawaii. Each year, approximately 3,000 people die in home fires in the United States – more than all of the fatalities from natural disasters annually. In 2008, roughly 83% of all civilian fire deaths and 89% of all civilian fire injuries resulted from home structure fires. Home fire sprinklers would have saved the vast majority of these fire victims because sprinklers play a significant role in limiting life and property loss when a fire happens. For people that have a reported fire in their home, the risk of dying decreases by about 80 percent when sprinklers are present.

Interrupts Local Fire Policy: Local fire authorities rely on an array of tools – including automatic fire sprinklers – to combat the threat of fire and provide their public safety service. Local fire protection policy is based on many issues, such as local fire department deployment capabilities, firefighter safety needs, response-time goals, and insurance services rating needs. Home fire sprinklers can impact the community from local fire protection policy to local firefighting tactics and strategies. If passed, this bill will remove a valuable tool that may be used by fire departments to meet their local needs in providing the best public safety service to their communities.

Discounts Local Hearings: Local fire authorities, Counties and municipalities that have determined they want to require residential fire sprinklers still must provide an open and public hearing process. This local

hearing process will allow discussion on all the technical details relevant to their proposal. The issue will be considered at the local level in a public forum, where pertinent issues to local conditions may be considered.

Neglects Firefighter Safety: Residential fire sprinklers provide great assistance to firefighters, especially in congested metropolitan areas and rural settings, where it takes a longer for firefighters to arrive on scene. Fire sprinklers reduce the chance of "flashover" and keep the fire at bay, while the firefighters arrive and set up for firefighting operations. Fire sprinklers buy time before the structure collapses. Studies show that with new construction techniques, called light-weight truss construction, homes do not have much time under fire conditions and can collapse on responding firefighters. Fire sprinklers will alleviate that risk. This is a problem because statistics indicate that 62% of firefighter deaths occur at residential properties and 92% of those occurring in one and two family homes.

Senator, there are so many more reasons than these few provided in this letter that underscore the importance of not prohibiting local jurisdictions from making their own decisions for the level of safety they want to provide their residents and their public safety officials and responders. I implore you, for the sake of public safety, please do not provide a tool that allows for the construction of **SUB-STANDARD HOMES** in your communities. Additionally, please don't disavow the communities in your State the right to make those decisions for themselves, please take the appropriate action to not move forward on SB2397.

Sincerely,



Jeffery L. Hudson
NFPA Regional Fire Sprinkler Specialist

LATE TESTIMONY


Hawaii
Aquaculture &
Aquaponics Association

THE SENATE
THE TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2012

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS

Senator Will Espero, Chair
Senator Michelle N. Kidani, Vice Chair

DATE: Thursday, January 26, 2012
TIME: 2:50 p.m.
PLACE: Conference Room 224
State Capitol
415 South Beretania Street

RE: Testimony in support of SB 2397 RELATING TO FIRE SPRINKLERS, with amendments

Dear Chair Espero, Vice Chair Kidani, and Committee Members:

The Hawaii Aquaculture and Aquaponics Association (HAAA), representing Hawaii's aquaculture and aquaponics industry statewide would like to testify in support of SB 2397, "Relating to Fire Sprinklers", with amendments. This bill as written would remove the requirement for installation or retrofitting of fire sprinklers for new or existing detached one- and two-family dwelling unit in a structure used only for residential purposes. The HAAA requests that this bill be amended to expand this exclusion to all nonresidential agricultural and aquacultural buildings and structures located outside the urban zone, as such buildings and structures are often located far from existing public water systems and fire hydrants of sufficient volume and pressure to meet requirements for the installation or retrofitting and operation of such fire sprinkler systems without adding unnecessary hardship to Hawaii's farming and ranching community.

The HAAA is currently supporting bills that would reduce the cost and construction time of low-risk farm structures by exempting such structures from county building permit requirements. SB 2397 with the requested amendments would further support the permitting relief that such an exemption would provide for Hawaii's farmers and ranchers. We therefore urge you to support of SB 2397 as amended, and ask that it be passed out of committee.

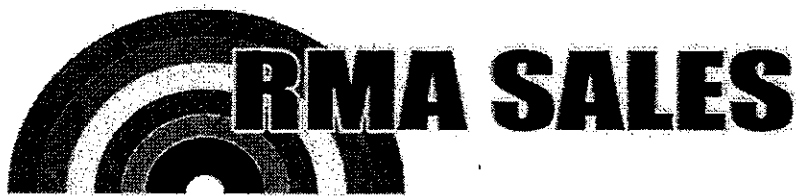
Thank you for the opportunity to comment.

Respectfully submitted,



Ronald P. Weidenbach
HAAA President

LATE TESTIMONY



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January 25, 2012

Senator Will Espero, Chair
Committee on Public Safety, Government Operations, and Military Affairs
State Capitol, Room 231
Honolulu, Hi 96813

Re: SB 2397, Relating to Fire Sprinklers

Honorable Chair Espero and Members of the Committee:

My name is Anthony Borge, General Manager of RMA Sales. RMA Sales is a small, locally owned and operated company that started business in 1961. We fabricate and distribute vinyl, aluminum window and door products/components as well as other related building materials to the construction trade. We currently employ a full-time staff of 16.

We are in support of SB 2397 that which prohibits the counties from requiring installation or retrofitting of automatic fire sprinkler systems in new or existing one or two family dwellings used for residential purposes.

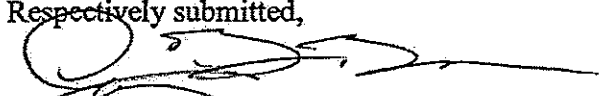
We firmly believe in the safety of our homes to protect the occupants not only from nature's elements and natural disasters, but fire hazards/accidents as well. The constant improvement in technology has provided homeowners with the tools, materials and devices to enhance in-home fire protection. Examples of these safety improvements to residential homes that have resulted in the reduction in household fires, injury and death include:

- Interconnected, hardwired smoke alarm systems
- Carbon monoxide detectors
- Improved fire ratings on building materials and furnishings

Fire sprinkler systems for residential use is another tool and option currently available to homeowners that should remain just that: **an option**. Mandating fire sprinkler systems in residential dwellings will significantly increase the cost of home ownership and fall short of the desired intent.

Thank you.

Respectively submitted,


Anthony Borge

LATE TESTIMONY

Testimony of Glenn Ida
Representing,
The Plumbers and Fitters Union, Local 675
1109 Bethel St., Lower Level
Honolulu, Hi. 96813

In Opposition of SB 2397

Before the Senate:
Committee on Committee on Public Safety, Government Operations,
and Military Affairs
Thursday, Jan. 26, 2012
2:50 PM, Conference Room 224

Aloha Chair Espero, Vice-Chair Kidani and Members of the Committee,

My name is Glenn Ida; I represent the 1300 plus active members and about 600 retirees of the Plumbers and Fitters Union, Local 675.

Local 675, is in **Opposition of SB 2397, SD2** which Prohibits counties from requiring installation or retrofitting of automatic fire sprinklers in new or existing one or two family dwelling units used only for residential purposes.

The requirement of fire sprinklers in multifamily occupancies started in the 1980's. An optional International Residential Code (IRC) Appendix extended those requirements to single-family homes in 2006, and in 2008 the members of the International Code Council approved fire sprinklers as a standard feature to be included in all new homes. The action was upheld on appeal and later reaffirmed at a 2009 public hearing before the ICC Residential Building Code Committee, which oversees the IRC. As a result the fire sprinkler requirement will be included in the 2012 edition of the International Residential Code (IRC).

I was advised by our Union's Training Coordinator, Mr. Harold McDermott, that he is a member on a sub-committee of the State's Building Codes Council discussing the issue of residential fire sprinklers along with other stakeholders which will provide a report before the requirement goes into effect. He estimated the cost for a system would be around \$4000.00 for a 1500Sq ft. home, but added that the homeowner would receive some savings on homeowner insurance. How do you put a price on a safety feature, which may save lives and property?

Local 675 believes that this Bill is premature and the work of the sub-committee be allowed to finish and give its recommendations to the State Building Code Council.

Therefore, Local 675 **Opposes SB 2397.**

Thank you for this opportunity to testify.

Glenn Ida, 808-295-1280

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 25, 2012 9:55 PM
To: PGM Testimony
Cc: [REDACTED]
Subject: Testimony for SB2397 on 1/26/2012 2:50:00 PM

Testimony for PGM 1/26/2012 2:50:00 PM SB2397

Conference room: 224
Testifier position: Support
Testifier will be present: No
Submitted by: Ronald P. Weidenbach
Organization: Hawaii Aquaculture and Aquaponics Association
E-mail: [REDACTED]
Submitted on: 1/25/2012

Comments:
Testimony in support with requested amendment