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Testimony to the House Committee on Public Safety

Wednesday, March 13, 2013

9:30 a.m.

State Capitol - Conference Room 309

RE: S.B. 212, S.D. 1, RELATING TO THE STATE BUILDING CODE

Chair Aquino, Vice-Chair Ing, and members of the committee:

My name is Gladys Marrone, Government Relations Director for the Building Industry Association of Hawaii (BIA-Hawaii), the voice of the construction industry. We promote our members through advocacy and education, and provide community outreach programs to enhance the quality of life for the people of Hawaii. BIA-Hawaii is a not-for-profit professional trade organization chartered in 1955, affiliated with the National Association of Home Builders.

BIA-Hawaii **supports** S.B. 212, S.D. 1, which allows the counties three years to adopt their amendments to the state building code and permits the counties to apply their most recently adopted building code until the new amendments are adopted; the state building code may be used as a reference during this time frame.

Currently, under Chapter 107-28, counties are required to adopt their amendments to the model code two years after the State Building Code Council adopts the State Building Code. With new code books coming out every three years, the counties are continually making amendments to keep up with the current codes.

As an example, the State adopted the 2006 State Building Code, on April 16, 2010. According to the law, the City and County of Honolulu should have adopted their amendments to the International Building and Residential Codes by April 16, 2012. However, these amendments were not adopted until October 2012.

The next code in the cycle is the 2009 IRC/IBC. However, the Department of Permitting and Planning has announced it will skip the 2009 codes and go directly to reviewing the 2012 codes. National codes are still updated every three years, which allows the industry to continue to monitor and prepare for changes at the local level well in advance.

In January of 2012, Michigan passed a law to move to a 6-year cycle, as the original version of S.B. 212 proposed. Two states skipped a code cycle, and five other states are engaged in discussions to move to a 6-year cycle. One state passing a law does not constitute a trend. However, five states following suit in their discussions is the start of a trend.

Thank you for the opportunity to express to you our views.

13 March 2013

House Committee on Public Safety

Honorable Representatives Henry Aquino, Chair; Kaniela Ing, Vice Chair; and Members of the Committee

SUBJECT: TESTIMONY IN OPPOSITION to SB 212, Relating to the State Building Code

Dear Chair Aquino and Members of the Committee:

I am a practicing architect in the State of Hawaii. I am the Honolulu AIA's representative to the State Building Code Council ("SBCC"). This testimony is submitted as an individual and is not on behalf of AIA.

SB 212 states, "two years is not a reasonable or practical time for the counties to adopt their amendments." I'm sure the building officials from each of the four counties will speak for themselves, but at no time during the SBCC meetings have they expressed that opinion.

SB 212 also states, "Additionally, an unintended consequence of a two-year adoption cycle is the rapid rise in the cost of construction due to the constant change in building materials and standards." That is an incorrect statement for two reasons:

1. The new codes are NOT revised every two years. New codes are adopted when, in the opinion of the SBCC, adoption of a new edition of the code would be beneficial. The 2006 International Building Code ("IBC") and Residential Code ("IRC") are now in effect. The next code being evaluated is the 2012 edition of both codes. It is only after the SBCC adopts its recommended amendments to the State Building Code that the two-year requirement kicks in.
2. There is no evidence whatever to support the claim that new building code editions cause an increase in the cost of construction. This is simply a myth intended to scare the public.

SB 212 would allow each county to forgo adoption the new edition of the code and retain the existing county building code. This is exactly what Act 82 of the 2007 Session was intended to prevent. HRS 107 Part II was adopted specifically to standardize the building codes across the four counties, while allowing minor adjustments to reflect local conditions. Prior to adoption of the requirement for the state building code, Hawaii County was on the 1991 Uniform Building Code, Maui County on the 1997 UBC and Kauai and Honolulu on the 2003 IBC

I appreciate the continuing efforts of your committee to improve the business climate in Hawaii, but I respectfully urge you reject SB 212 and, instead, adopt HB 763 which makes important and constructive modifications to the SBCC.

Respectfully submitted,

ARCHITECTURAL DIAGNOSTICS, LTD.



Jim Reinhardt
Its President

SB212