

SB 682

Report Title:

RELATING TO FIRE PROTECTION

Measure Title:

Clarifies the authority of the county fire chief to examine building plans and documentation to ensure that they are in compliance with the fire code and life safety standards.
Requires the approval of plans and issuance of permits before work may begin.

NEIL ABERCROMBIE
GOVERNOR



DWIGHT TAKAMINE
DIRECTOR

AUDREY HIDANO
DEPUTY DIRECTOR

STATE OF HAWAII
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January 30, 2012

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

Dear Chair Espero:

Subject: S.B. 682 Relating to Fire Protection

I am Robert Westerman, Vice Chair of the State Fire Council (SFC) and Fire Chief of the Kauai Fire Department (KFD). The SFC and the KFD support S.B. 682, which seeks to amend the existing statute requirements for submitting building plans to the Fire Chief for approval.

The purpose of this bill is to clarify and update a county Fire Chief's authority to review construction, alteration, and other installation plans and specifications for buildings or properties to meet the minimum fire code requirements. The current statute used language that was applicable over 30 years ago, and building occupancies and classifications have since changed. In addition, each county Fire Chief's authority varies, depending on agreements with their respective building officials.

It further clarifies that other agencies have jurisdiction in the permit approval process. All aspects of the county's permitting process must be fulfilled in order for a building permit to be approved and issued. This bill does not impose an additional layer of plans review, nor will it delay or curtail home construction and remodeling projects.

This bill does not impose any additional requirements for state projects. Hawaii Revised Statutes 107-31 states:

"State building code; compliance. The design of all state building construction shall be in compliance with the state building code within one year of its effective date."

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Furthermore, unless the building code directs or references the fire code, building code requirements are followed for all new construction, alteration, or additions. Sections 1.3.3.3 and 1.3.3.6.3 of the Hawaii state fire code, which was approved by Governor Linda Lingle on January 1, 2010, respectively state:

"When a conflict occurs in the requirements for design and construction for new construction of the buildings between this code and the building code, the building code shall apply.

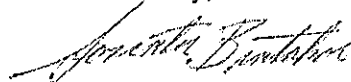
Exception: This code does apply to new construction when this code is specifically referenced from the building code."

"Repairs, renovations, alterations, reconstruction, change of occupancy, and additions to buildings shall conform to the building code."

The SFC and the KFD urge your committee's support on the passage of S.B. 682.

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

Sincerely,

 SFC Administrator

 ROBERT WESTERMAN
Chair

RW/LR:cc