

SB2657 SD1

Measure Title: RELATING TO RENEWABLE ENERGY.

Report Title: Solar Energy Device; Warranty

Description: Requires a contractor that installs a solar energy device to notify the private entity that installation might void the roofing warranties or guarantees. Unless the private entity forgoes the roofing warranty or guarantee, requires a contractor that installs a solar energy device to obtain written approval from the roof manufacturer and follow written instructions for waterproofing roof penetrations from the roof manufacturer. Requires a roofing manufacturer that waterproofs roof penetrations related to the installation of a solar energy device to honor the roof warranty or guarantee. Requires the solar energy device contractor's standard labor and workmanship warranty to apply to roof penetrations if the contractor waterproofs the penetrations. (SD1)

Companion:

Package: None

Current Referral: ENE, CPN

Introducer(s): GABBARD, English, Espero, Galuteria, Ihara, Kahele, Ruderman, Taniguchi

SB2657

Submitted on: 2/20/2014

Testimony for CPN on Feb 21, 2014 10:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Christian Porter	Community Association Institute	Support	No

Comments: SUPPORT WITH AMENDMENT: We support the Bill, however, the sentence on page 2, lines 13 - 16 which state:"If the contractor who installs the solar energy device waterproofs the penetrations in accordance with this section, the contractor's or lessor's standard labor and workmanship warranty shall apply to the penetrations." - should be DELETED as this should never happen as it is less than the roof warranty, could void the roof warranty and should not be an option for any volunteer board for the association. Thank you for your consideration.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

SB2657

Submitted on: 2/19/2014

Testimony for CPN on Feb 21, 2014 10:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Bruce Howe	Hawaiiana Management Co., Ltd.	Oppose	Yes

Comments: This bill transfers responsibility from a roofing contractor to a solar contractor for the roof warranty. That is a very dangerous infringement of an association's warranty contract with the roofing contractor. As written, this bill provides only that a copy the solar contractor's warranty to the homeowner be provided to the association. Since the warranty goes to the homeowner rather than the association, the association has no privity of contract to allow it to enforce the warranty with respect to the common roof. Roof warranties often cover both labor and materials for a period of up to 20 years. Other contractors generally provide a 1 year warranty on their labor and sometimes on the materials. It is a tremendous disservice to the association to force it to accept such an inferior warranty. Also, with the glut of solar vendors at this time, it is likely that many will have a short life compared to the life of a roof warranty which is often backed by the roofing manufacturer, a national corporation with a long history and probably a more stable future. For these reasons, feel strongly that this bill should be defeated or that the solar contractor be required to use the roofing contractor to deal with all penetrations to assure that the roofing warranty be maintained as originally issued. The latter outcome could be accomplished by striking out the last two sentences of section two of the bill. Thank you for your consideration.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

SB2657

Submitted on: 2/19/2014

Testimony for CPN on Feb 21, 2014 10:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Cheryl Lewis	Roofing Contractors Association of Hawaii	Support	No

Comments: Please deliver on behalf of Tim Lyons, Executive Director of the Roofing Contractors Association of Hawaii. Thank you.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

SB2657

Submitted on: 2/19/2014

Testimony for CPN on Feb 21, 2014 10:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov