

JAN 20 2017

A BILL FOR AN ACT

RELATING TO CONTRACTOR REQUIREMENTS.

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

1 SECTION 1. The legislature finds that automatic fire
2 sprinkler systems have a proven record of significantly reducing
3 life loss, injury, and property damage, and are commonly
4 installed in most commercial and high rise buildings. Eight out
5 of ten fire deaths occur in the home, and installing both smoke
6 alarms and sprinklers reduces the risk of death in a home fire
7 by eighty-two per cent. Only the sprinkler head closest to the
8 fire will activate and eighty-five per cent of fires are
9 contained by the operation of just one sprinkler.

10 The legislature also finds that the modern home is more
11 susceptible to severe fire damage and collapse than older homes
12 due to:

13 (1) Engineered lumber now being used as a composite joist
14 or beam as part of today's modern, lightweight
15 construction material. Compared with traditional wood
16 materials in older homes, lightweight construction



- 1 assemblies collapse in six minutes versus eighteen
2 minutes for wood;
- 3 (2) Modern furnishings burning quicker and hotter than
4 traditional furnishings. These place not only
5 occupants but also firefighters in extreme peril when
6 a fire occurs in a home without sprinklers; and
- 7 (3) Open plan design contributing to rapid fire spread.
8 Higher ceiling heights and open plan designs provide
9 larger volumes of oxygen to promote fire spread.
10 These plan designs also provide less
11 compartmentalization and promote fire spread.

12 The legislature further finds that California, Maryland,
13 and the District of Columbia require residential sprinklers in
14 all new one- and two-family dwellings. Eighteen states do not
15 require sprinklers, but allow local jurisdictions to require
16 them. Jurisdictions that have sprinklers in new one- and two-
17 family dwellings have not seen any decrease in the sale of new
18 homes, while experiencing fewer fire-related deaths, injuries,
19 and property loss.

20 The purpose of this Act is to require contractors that
21 build new one- and two-family dwellings to provide buyers with:



1 (1) Written materials prepared by the state fire council
2 on the life-saving benefits of a fire sprinkler
3 system; and

4 (2) Written materials on the costs associated with the
5 installation and maintenance of a residential fire
6 sprinkler system.

7 SECTION 2. Chapter 444, Hawaii Revised Statutes, is
8 amended by adding three new sections to be appropriately
9 designated and to read as follows:

10 "§444-A Disclosure of residential fire sprinkler system
11 information. At the time of or before agreeing to final pricing
12 for construction of a new dwelling with a buyer, a contractor
13 shall provide the buyer with a copy of written materials
14 prepared and adopted by the state fire council, which detail the
15 benefits of a residential fire sprinkler system. At the same
16 time, a builder shall provide the buyer with a written cost
17 estimate form indicating the costs associated with the
18 installation, water meter, permitting, and maintenance of a
19 residential fire sprinkler system. The buyer shall acknowledge
20 receipt of the written materials in writing. The contractor
21 shall file the cost estimate form with the department within



1 thirty days of the form being acknowledged and signed by the
2 owner or buyer. Upon request of the buyer, the builder shall,
3 at the buyer's expense, install a residential fire sprinkler
4 system.

5 As used in this section:

6 "Builder" means any individual, trustee, partnership,
7 corporation, or other entity contracting with an owner for the
8 construction of a new one- or two-family dwelling.

9 "Buyer" means any individual, trustee, partnership,
10 corporation, or other entity purchasing any estate or interest
11 in a new one- or two-family dwelling.

12 "Contractor" means a state-licensed B general building
13 contractor whose principal contracting business is in connection
14 with any structure built for residential purposes, requiring in
15 its construction the use of more than two unrelated building
16 trades or crafts, or to do or superintend the whole or any part
17 thereof.

18 "New dwelling" means a new one- or two-family dwelling, not
19 previously occupied, and constructed for residential use.

20 §444-B Residential fire sprinkler cost estimate form. The
21 professional and vocational licensing division of the department



1 shall develop a standard form for new construction for the
2 buyer's acceptance or denial of a residential fire sprinkler
3 system. The form shall include the cost estimate provided by
4 the contractor and indicate whether or not written information
5 on the benefits of a residential fire sprinkler system was
6 provided to the home buyer by the contractor. The completed
7 form shall be filed with the professional and vocational
8 licensing division. The form or forms may be amended from time
9 to time by the department.

10 §444-C Violation; penalties. Upon a finding that any
11 licensee has wilfully violated section 444-A, the licensee shall
12 be fined in accordance with section 444-23(c). For purposes of
13 this section, a wilful violation occurs when the person
14 committing the violation knew or should have known that the
15 conduct was of the nature prohibited by section 444-A."

16 SECTION 3. In codifying the new sections added by section
17 2 of this Act, the revisor of statutes shall substitute
18 appropriate section numbers for the letters used in designating
19 the new sections in this Act.

20 SECTION 4. New statutory material is underscored.



S.B. NO. 471

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

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INTRODUCED BY: *M.M.P. W.*
By Request



S.B. NO. 471

Report Title:

State Fire Council Package; Fire Protection

Description:

Requires contractors building new one- and two-family dwellings to provide buyers with written information on the costs associated with the installation and maintenance of a residential fire sprinkler system as well as information from the State Fire Council on the benefits of such a system.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

