

---

# A BILL FOR AN ACT

RELATING TO BUILDING CODES.

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

1       SECTION 1. Building codes are standards or procedures  
2 developed by standards organizations and adopted into law by  
3 state and local governments. The Hawaii state building codes  
4 apply to all construction in the State and are based on the  
5 state fire code, Uniform Plumbing Code, International Building  
6 Code, International Residential Code, International Energy  
7 Conservation Code, National Electrical Code, Hawaii design  
8 standards, and other code provisions based on nationally  
9 published codes or standards. These building codes standardize  
10 practices and provide minimum standards for public health and  
11 safety, and are for the building industry to follow and state  
12 and local governments to enforce.

13       The legislature finds that while building codes address  
14 public health and safety and environmental concerns, building  
15 codes must also address cost efficiencies and investment value  
16 in construction. Given the high costs of construction and the  
17 State's and counties' general policies of providing more



1 affordable housing in transit-oriented development (TOD) areas  
2 and other areas, the legislature recognizes the need for  
3 building codes to take into consideration new technologies,  
4 improved materials and methods, and better approaches to public  
5 health and safety to meet the needs of communities statewide.  
6 To facilitate the construction of affordable public and private  
7 projects in the State, the legislature believes that it is in  
8 the best interests of the State to keep building costs as low as  
9 possible, while ensuring public health and safety.

10 The purpose of this Act is to provide greater flexibility  
11 in the use and application of Hawaii state building codes, while  
12 ensuring public health and safety.

13 SECTION 2. Section 107-25, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 "**§107-25 Hawaii state building codes; requirements.** (a)

16 There is established the Hawaii state building codes applicable  
17 to all construction in the State of Hawaii. The Hawaii state  
18 building codes shall be based upon:

- 19 (1) The state fire code as adopted by the state fire  
20 council;



- 1           (2)   The Uniform Plumbing Code, as copyrighted and  
2                   published by the International Association of Plumbing  
3                   and Mechanical Officials, including its appendices;
- 4           (3)   The International Building Code, the International  
5                   Residential Code, and the International Energy  
6                   Conservation Code, as published by the International  
7                   Code Council;
- 8           (4)   The National Electrical Code, as published by the  
9                   National Fire Protection Association;
- 10          (5)   Hawaii design standards implementing the criteria  
11                   pursuant to Act 5, Special Session Laws of Hawaii,  
12                   2005, as applicable to:
- 13                (A)   Emergency shelters built to comply with hurricane  
14                       resistant criteria, including enhanced hurricane  
15                       protection areas capable of withstanding a five  
16                       hundred-year hurricane event as well as other  
17                       storms and natural hazards; and
- 18                (B)   Essential government facilities requiring  
19                       continuity of operations; and
- 20          (6)   Code provisions based on nationally published codes or  
21                   standards that include but are not limited to



1 residential and hurricane resistant standards related  
2 to loss mitigation standards in accordance with  
3 section 431P-12, elevator, mechanical, flood and  
4 tsunami, existing buildings, and onsite sewage  
5 disposal.

6 (b) State projects may be designed and constructed using a  
7 code that is the most cost effective for a state project,  
8 including the use of an alternative code that corresponds to the  
9 applicable code of trade or area of construction as provided in  
10 subsection (a) (2), (3), or (4); provided that:

11 (1) The alternative code shall be more cost effective than  
12 the applicable code of trade or area of construction  
13 specified in subsection (a);

14 (2) The prescriptive design of the alternative code shall  
15 be used; provided that it does not negatively affect  
16 the performance of the project or public safety and  
17 health; and

18 (3) The alternative code is approved and adopted by the  
19 council.

20 No county shall deny a permit for construction or alteration to  
21 facilities for any state project that uses an alternative code



1 pursuant to this subsection. Notwithstanding the provisions of  
2 any alternative code, the same standard of care applicable to  
3 the design and construction services procured for state  
4 facilities shall apply to any project using an alternative code  
5 under this subsection."

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

State Building Codes; Alternative Codes

**Description:**

Allows state projects to be designed and constructed using an alternative code that is most cost effective to a project, subject to certain conditions, including health and safety.  
(SD1)

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

