

---

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

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. Due to the high costs of construction and the  
17 State's and counties' general policies of providing more



1 affordable housing in transit-oriented development areas and  
2 other areas, the legislature believes that enforcement and  
3 application of the building codes need to include considerations  
4 of changing technologies, improved materials and methods, and  
5 improved approaches to protecting public health and safety to  
6 meet the needs of communities statewide. To facilitate the  
7 construction of affordable public and private projects in the  
8 State, the legislature believes that it would benefit the State  
9 to find the most efficient way to lower building costs, while  
10 still ensuring that public health and safety are protected.

11 The purpose of this Act is to provide greater flexibility  
12 to the State in the use and application of Hawaii state building  
13 codes.

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

16 **"§107-25 Hawaii state building codes; requirements. (a)**

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

20 (1) The state fire code as adopted by the state fire  
21 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[7]  
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) The State may use alternative building codes for the  
7 design and construction of a state project; provided that:

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

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

15 (3) The alternative code shall be approved and adopted by  
16 the state building code council; and

17 (4) The alternative code corresponds to an applicable code  
18 of trade or area of construction provided for in  
19 paragraphs (a) (2) - (4).

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 on July 1, 2050.



**Report Title:**

State Building Codes; Alternative Codes

**Description:**

Allows state projects to be designed and constructed using an alternative code that is the most cost effective for a project, subject to certain conditions, including protection of public health and safety. Effective 7/1/2050. (SD2)

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

