

JAN 18 2019

A BILL FOR AN ACT

RELATING TO THE STATE FIRE CODE.

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

1 SECTION 1. The legislature finds that the state fire code
2 is among the building codes and standards that comprise the
3 state building code. The state building code also includes the
4 building, residential, plumbing, electrical, energy, and
5 elevator codes. Pursuant to chapter 107, Hawaii Revised
6 Statute, the state fire code is first adopted by the state fire
7 council and is then adopted by the state building code council,
8 a body composed of experts representing designers, contractors,
9 industry representatives, county building, fire, and other state
10 regulatory code officials. The state building code council is
11 administratively attached to the department of accounting and
12 general services. Currently, the department of accounting and
13 general services is required to adopt administrative rules
14 pursuant to chapter 91, Hawaii Revised Statutes, after the
15 building codes are adopted by the state building code council.
16 Section 132-3, Hawaii Revised Statutes, requires the state fire
17 code to be adopted after public hearings are conducted pursuant



1 to chapter 91. The other building codes that make up the state
2 building code are exempt from the requirement to conduct public
3 hearings. Instead, these other building codes are adopted
4 pursuant to chapter 92, Hawaii Revised Statutes, which requires
5 stakeholders to meet and discuss the various building codes in
6 an open forum. These state codes form a consistent basis for
7 the adoption of building codes for designers, contractors, and
8 the counties.

9 The purpose of this Act is to repeal the requirement for
10 the state fire code to be adopted after public hearings pursuant
11 to chapter 91, Hawaii Revised Statutes, and instead require the
12 state fire code to be adopted pursuant to chapter 92, Hawaii
13 Revised Statutes, in conformance with all the other state
14 building codes.

15 SECTION 2. Section 132-3, Hawaii Revised Statutes, is
16 amended to read as follows:

17 **"§132-3 Adoption of state fire code.** The state fire
18 council shall, [~~after public hearings pursuant to chapter 91,~~]
19 in accordance with chapter 92, adopt a state fire code setting
20 forth minimum requirements relative to the protection of persons
21 and property from fire loss including without limitation: (1)



1 the storage, handling, and use of hazardous substances,
2 materials, and devices; and (2) the control of conditions
3 hazardous to life or property in the design, use, or occupancy
4 of buildings and premises. The state fire code shall become
5 part of the Hawaii state building codes as provided in section
6 107-25. The state fire council shall meet annually to review
7 and amend the state fire code."

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

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

11

INTRODUCED BY:



By Request



S.B. NO. 145

Report Title:

State Fire Council Package; State Fire Code; Process for Adoption

Description:

Amends the process for adoption of the state fire code to conform with other Hawaii state building codes.

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