

JAN 18 2019

A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 SECTION 1. The legislature finds that Act 53, Session Laws
2 of Hawaii 2017, extended the prohibition of the adoption of any
3 codes or regulations by the counties that requires the
4 installation of residential fire sprinklers in one- or two-
5 family dwellings, except to meet firefighting road access or
6 water supply requirements. Because of their reliability and
7 effectiveness in suppressing a fire in its initial stages, both
8 national residential building codes have required residential
9 fire sprinklers since 2009.

10 The legislature also finds that it is against the best
11 interest of public health and safety to prohibit any local
12 measure that may reduce fire losses and improve the fire
13 survivability of community residents by eighty per cent.
14 Further, residential fire sprinklers greatly reduce the spread
15 of fire, thereby significantly lessening property damage and
16 loss. The legislature also finds that the intensity, severity,
17 and the spread of fire in residential buildings is directly



1 related to the contents and furnishings of buildings, and
2 although improvements have been made in building construction,
3 design, and materials, the volatility and toxicity of today's
4 synthetic materials allows untenable conditions to be reached
5 more rapidly.

6 The legislature further finds that the respective county
7 jurisdictions face unique challenges and issues relating to fire
8 protection, including population density, proximity of
9 structures, infrastructure, access, and limited fire protection
10 resources. Therefore, this Act recognizes and establishes
11 individual county authority, or "home rule," as the appropriate
12 application of requirements. Home rule is recognized,
13 acknowledged, and supported by the evidence presented by the
14 National Fire Protection Association's fire sprinkler
15 initiative. While California and Maryland have statewide
16 requirements for residential fire sprinklers in new one- and
17 two-family dwellings, eighteen states have no statewide
18 requirements, allowing local jurisdictions to require
19 residential fire sprinklers. Additionally, the state building
20 code council, which was created in 2007, is responsible for
21 reviewing and adopting the latest editions of national model



1 building codes for the State and it is the forum building code
 2 experts use to discuss the various fields of building design,
 3 construction, safety, and health. On November 13, 2018, the
 4 state building code council adopted the state residential code
 5 that requires all State construction of new one- and two-family
 6 dwellings to install residential fire sprinklers.

7 SECTION 2. Section 46-19.8, Hawaii Revised Statutes, is
 8 repealed.

9 ~~["§46-19.8] Fire sprinklers, residences. No county shall~~
 10 ~~require the installation or retrofitting of automatic fire~~
 11 ~~sprinklers or an automatic fire sprinkler system in:~~

12 ~~(1) Any new or existing detached one- or two-family~~
 13 ~~dwelling unit in a structure used only for residential~~
 14 ~~purposes; and~~

15 ~~(2) Nonresidential agricultural and aquacultural buildings~~
 16 ~~and structures located outside an urban area;~~

17 ~~provided that this section shall not apply to new homes that~~
 18 ~~require a variance from access road or firefighting water supply~~
 19 ~~requirements."]~~

20 SECTION 3. Statutory material to be repealed is bracketed
 21 and stricken.



S.B. NO. 156

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

2

INTRODUCED BY: *M. J. M.*
By Request



S.B. NO. 156

Report Title:

State Fire Council Package; Public Safety; Fire Protection; Sprinklers

Description:

Authorizes the counties to adopt codes and regulations that would require the installation of residential fire protection sprinkler systems and re-establishes the county "home rule" concept.

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

