

JAN 17 2020

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 by any
3 county of the State of any code or regulation that requires the
4 installation of residential fire sprinklers in one- and two-
5 family dwellings, except to meet firefighting road access or
6 water supply requirements. The legislature finds that due to
7 their reliability and effectiveness in suppressing a fire,
8 particularly in its initial stages, both national and state
9 building codes have required residential fire sprinklers since
10 2009.

11 The legislature also finds that a prohibition of the
12 adoption of any measure to require the installation of fire
13 sprinklers in residential dwellings is not in the best interest
14 of public health and safety. The legislature finds that fire
15 sprinklers enhance the fire survivability of community residents
16 by eighty per cent and greatly reduce the spread of fire,
17 thereby lessening property damage and loss.



1 The legislature further finds that the intensity, severity,
2 and spread of fire in residential buildings is directly related
3 to the contents and furnishings of those buildings. While
4 improvements have been made in building construction, design,
5 and materials, the volatility and toxicity of the synthetic
6 building materials used today allow fire to spread more rapidly.

7 The legislature further finds that according to the
8 National Fire Protection Association, nineteen states allow
9 local jurisdictions to adopt sprinkler requirements for new one-
10 and two-family homes and three jurisdictions require fire
11 sprinklers in new one- and two-family homes: California;
12 Maryland; and the District of Columbia.

13 The legislature recognizes that the counties of the State
14 face unique challenges and issues relating to fire protection,
15 including population density, proximity of structures,
16 infrastructure, access, and limited fire protection resources.
17 Therefore, the legislature finds that it is beneficial to the
18 State to establish individual county authority, or "home rule",
19 regarding fire sprinkler regulations.

20 Finally, in 2018, the state building code council, the
21 entity responsible for reviewing and adopting the latest



1 editions of national model building codes in the State, adopted
2 the state residential code, which requires that all State
3 construction of new one- and two-family dwellings install
4 residential fire sprinklers.

5 Accordingly, the purpose of this Act is to repeal section
6 46-19.8, Hawaii Revised Statutes, thereby authorizing the
7 counties of the State to adopt codes and regulations regarding
8 the installation of residential fire protection sprinkler
9 systems.

10 SECTION 2. Section 46-19.8, Hawaii Revised Statutes, is
11 repealed.

12 ~~["§46-19.8] Fire sprinklers; residences. [Section~~
13 ~~repealed June 30, 2027. L 2017, c 53, §1.] No county shall~~
14 ~~require the installation or retrofitting of automatic fire~~
15 ~~sprinklers or an automatic fire sprinkler system in:~~

- 16 ~~(1) Any new or existing detached one- or two-family~~
17 ~~dwelling unit in a structure used only for residential~~
18 ~~purposes; and~~
19 ~~(2) Nonresidential agricultural and aquacultural buildings~~
20 ~~and structures located outside an urban area;~~



S.B. NO. 2135

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

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken.

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

7

INTRODUCED BY: 
By Request



S.B. NO. 2135

Report Title:

State Fire Council Package; Fire Protection; Fire Sprinklers

Description:

Repeals section 46-19.8, Hawaii Revised Statutes, thereby allowing counties to regulate installation of residential fire protection sprinkler systems.

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

