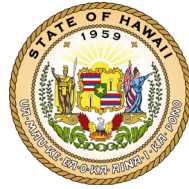


DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



ANNE E. PERREIRA-EUSTAQUIO
DIRECTOR

JOANN A. VIDINHAR
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STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
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HONOLULU, HAWAII 96813
www.labor.hawaii.gov
Phone: (808) 586-8844 / Fax: (808) 586-9099
Email: dlir.director@hawaii.gov

February 1, 2022

The Honorable Nadine Nakamura, Chair
Committee on Housing
House of Representatives
State Capitol, Room 442
Honolulu, Hawaii 96813

Dear Chair Nakamura:

Subject: House Bill (HB) 1477 Relating to Fire Protection

I am Steven Goble, Vice Chair of the Hawaii State Fire Council (SFC). The SFC has met with the Building Industry Association (BIA) of Hawaii regarding HB 1477, which requires builders to provide written cost estimates for residential fire sprinklers to potential buyers of all new one- and two-family dwellings. The BIA Hawaii has stated their members will have difficulty to comply with the residential fire sprinkler cost estimate requirement in HB 1477. Based on discussions with the BIA Hawaii, the SFC suggests the following revisions to HB 1477:

SECTION 1. The legislature finds that automatic fire sprinkler systems have a proven record of significantly reducing lost life, injury, and property damage. Automatic fire sprinklers are commonly installed in commercial and high-rise buildings, but eight out of ten fire deaths occur in the home, and sprinklers are found in only seven per cent of all homes damaged by a fire.

The legislature further finds modern construction materials have increased a home's risk to fire. Engineered

lumber is used as a composite joist or beam as part of today's modern, lightweight construction material. Compared with traditional wood materials in older homes, lightweight construction assemblies typically collapse in six minutes versus eighteen minutes for wood. Modern furnishings also reach dangerous temperatures much quicker than legacy furnishings. These place occupants and fire fighters in extreme peril when a fire occurs in a home without sprinklers.

The legislature further finds that smoke alarms and sprinklers can reduce the risk of death in a home by eighty-two per cent. Only the sprinkler head closest to the fire activates and eighty-five per cent of fires are contained by the operation of just one sprinkler. Residential fire sprinkler systems also require very little maintenance to ensure that they are operating properly.

Currently, California, Maryland, and the District of Columbia require residential sprinklers in all new one- and two-family dwellings. About twenty-two other states do not require sprinklers but allow local jurisdictions to require them. After California required residential sprinklers, the state has not experienced a decrease in the residential construction or sale of new homes.

The purpose of this Act is to provide potential home buyers of one- and two-family dwellings ~~with information on the benefits of~~ [they have the option to install] a residential fire sprinkler system [during construction] ~~and~~

~~a cost estimate for the design, materials, labor, and any associated fees. The information will include the benefits of a fire sprinkler system provided by the state fire council and the cost estimate will be prepared by the county building or fire official. The information will allow the potential home buyer to make an informed decision to accept or reject [the option to seek an estimate] the to installation of a [fire] sprinkler system in a new residence.~~

SECTION 2. Chapter 132, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

"PART . HOME BUYER FIRE PROTECTION

§132- Definitions. As used in this part:

"Builder" means any individual, trustee, partnership, corporation, or other entity contracting with an owner for the construction of a new dwelling.

"Buyer" means any individual, trustee, partnership, corporation, or other entity purchasing any estate or interest in a new dwelling.

"New dwelling" means a new one- or two-family residential dwelling not previously occupied and constructed for residential use.

§132- Disclosure of automatic fire sprinkler system information. ~~(a)~~ When [construction planning between builder and buyer for a new dwelling occurs, the builder shall inform the buyer that the buyer has the option to install a residential fire sprinkler system in

~~the dwelling] an application for a permit for a new dwelling is submitted, the building or fire official shall provide the applicant or the applicant's representative with a copy of written materials prepared and promulgated by the state fire council that detail the benefits of a residential fire sprinkler system.~~

~~(b) Prior to approval of the building permit for the new dwelling, the building or fire official shall provide a written cost estimate for the materials, labor, and any applicable permit fees for a residential fire sprinkler system to the applicant or the applicant's representative.~~

~~(c) Upon its receipt, the applicant or applicant's representative shall provide the written information described in subsections (a) and (b) to the owner.~~

~~(d) After reviewing the written cost estimate, the owner may choose to accept or reject the installation of a residential fire sprinkler system in the new dwelling. If accepted, the cost of the residential fire sprinkler system shall be the responsibility of the owner.~~

~~**§132 Residential fire sprinkler cost estimate form.** The state fire council shall develop a standard form for new construction for the buyer's acceptance or rejection of a residential fire sprinkler system.~~

~~The form shall include the written cost estimate provided by the building or fire official and on indication that written information on the benefits of a residential fire sprinkler system was provided by the state fire council.~~

~~—The state fire council may amend the form as needed.—~~

SECTION 3. Chapter 132, Hawaii Revised Statutes, is amended by designating sections 132-1 to 132-19, Hawaii Revised Statutes, as part I, entitled "General Provisions".

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

Eight out of ten deaths occur in a residential home. Studies have shown that installed fire sprinklers reduce death by upwards of 90%, regardless if smoke detectors were installed. The SFC believes it is beneficial to future homeowners to be provided this information during the planning and design phase in order to make an informed choice.

Public safety and property protection remain priorities of the SFC and information on installation of residential fire sprinkler systems in new one- and two-family homes fulfills this objective.

The SFC urge your committees' support on the passage of HB 1477.

Should you have questions, please contact SFC Administrative Specialist Gary Lum at 723-7169 or glum@honolulu.gov.

Sincerely,

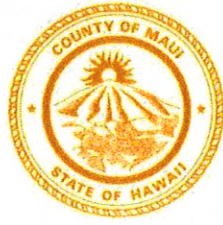


STEVEN GOBLE
Vice Chair

MICHAEL P. VICTORINO
Mayor

BRADFORD K. VENTURA
Fire Chief

GAVIN L.M. FUJIOKA
Deputy Fire Chief



DEPARTMENT OF FIRE & PUBLIC SAFETY
COUNTY OF MAUI
200 DAIRY ROAD
KAHULUI, HI 96732

February 1, 2022

The Honorable Nadine Nakamura, Chair
Committee on Housing
House of Representatives
State Capitol, Room 442
Honolulu, Hawaii 96813

Dear Chair Nakamura:

SUBJECT: HOUSE BILL (HB) 1477 RELATING TO FIRE PROTECTION

I am Bradford Ventura, member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC has met with the Building Industry Association (BIA) of Hawaii regarding HB 1477, which requires builders to provide written cost estimates for residential fire sprinklers to potential buyers of all new one- and two-family dwellings. The BIA Hawaii has stated their members will have difficulty to comply with the residential fire sprinkler cost estimate requirement in HB 1477. Based on discussions with the BIA Hawaii, the SFC suggests the following revisions to HB 1477:

SECTION 1. The legislature finds that automatic fire sprinkler systems have a proven record of significantly reducing lost life, injury, and property damage. Automatic fire sprinklers are commonly installed in commercial and high-rise buildings, but eight out of ten fire deaths occur in the home, and sprinklers are found in only seven per cent of all homes damaged by a fire.

The legislature further finds modern construction materials have increased a home's risk to fire. Engineered lumber is used as a composite joist or beam as part of today's modern,

lightweight construction material. Compared with traditional wood materials in older homes, lightweight construction assemblies typically collapse in six minutes versus eighteen minutes for wood. Modern furnishings also reach dangerous temperatures much quicker than legacy furnishings. These place occupants and fire fighters in extreme peril when a fire occurs in a home without sprinklers.

The legislature further finds that smoke alarms and sprinklers can reduce the risk of death in a home by eighty-two per cent. Only the sprinkler head closest to the fire activates and eighty-five per cent of fires are contained by the operation of just one sprinkler. Residential fire sprinkler systems also require very little maintenance to ensure that they are operating properly.

Currently, California, Maryland, and the District of Columbia require residential sprinklers in all new one- and two-family dwellings. About twenty-two other states do not require sprinklers but allow local jurisdictions to require them. After California required residential sprinklers, the state has not experienced a decrease in the residential construction or sale of new homes.

The purpose of this Act is to provide potential home buyers of one- and two-family dwellings ~~with information on the benefits of~~ [they have the option to install] a residential fire sprinkler system [during construction] ~~and a cost estimate for the design, materials, labor, and any associated fees.~~ The

~~information will include the benefits of a fire sprinkler system provided by the state fire council and the cost estimate will be prepared by the county building or fire official. The information will allow the potential home buyer to make an informed decision to accept or reject [the option to seek an estimate] the to installation of a [fire] sprinkler system in a new residence.~~

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§132- Disclosure of automatic fire sprinkler system information. ~~(a)~~ When [construction planning between builder and buyer for a new dwelling occurs, the builder shall inform the buyer that the buyer has the option to install a residential fire sprinkler system in the dwelling] ~~an application for a~~

~~permit for a new dwelling is submitted, the building or fire official shall provide the applicant or the applicant's representative with a copy of written materials prepared and promulgated by the state fire council that detail the benefits of a residential fire sprinkler system.~~

~~(b) Prior to approval of the building permit for the new dwelling, the building or fire official shall provide a written cost estimate for the materials, labor, and any applicable permit fees for a residential fire sprinkler system to the applicant or the applicant's representative.~~

~~(c) Upon its receipt, the applicant or applicant's representative shall provide the written information described in subsections (a) and (b) to the owner.~~

~~— (d) After reviewing the written cost estimate, the owner may choose to accept or reject the installation of a residential fire sprinkler system in the new dwelling. If accepted, the cost of the residential fire sprinkler system shall be the responsibility of the owner.~~

~~**§132— Residential fire sprinkler cost estimate form.** The state fire council shall develop a standard form for new construction for the buyer's acceptance or rejection of a residential fire sprinkler system.~~

~~— The form shall include the written cost estimate provided by the building or fire official and an indication that written information on the benefits of a residential fire sprinkler system was provided by the state fire council.~~

The Honorable Nadine Nakamura, Chair

Page 5

February 1, 2022

~~—The state fire council may amend the form as needed.—~~

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Eight out of ten deaths occur in a residential home. Studies have shown that installed fire sprinklers reduce death by upwards of 90%, regardless if smoke detectors were installed. The SFC believes it is beneficial to future homeowners to be provided this information during the planning and design phase in order to make an informed choice.

Public safety and property protection remain priorities of the SFC and information on installation of residential fire sprinkler systems in new one- and two-family homes fulfills this objective.

The SFC urge your committees' support on the passage of HB 1477.

If you have any questions, please contact SFC Administrative Specialist Gary Lum at (808) 723-7169 or glum@honolulu.gov.

Sincerely,



BRADFORD K. VENTURA
Fire Chief



**Testimony to the House Committee on Housing
Thursday, February 3, 2022, at 9:30 A.M.
Via Videoconference**

RE: HB 1477 Relating to Fire Protection

Chair Nakamura, Vice Chair Hashimoto, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **offers comments** on HB 1477, which requires builders to provide written cost estimates for residential fire sprinklers to potential buyers of all new one- and two-family dwellings. The state fire council shall provide written information on the benefits of a sprinkler system.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

This bill would add additional requirements to the home sale process, which would raise the cost of housing. The bill would also shift the responsibility to educate future home buyers of the costs and benefits of installing a new automatic fire sprinkler system in their new home from the State Fire Council to the individual builder.

In addition, this bill does not identify which agency would provide oversight for the enforcement of this new requirement, and the standard to determine a "willful violation" is merely that the person who is found in violation of this section knew or should have known about this requirement.

In the past we understand that BIA-Hawaii has provided, at no cost to the Honolulu Fire Department, booth space at their two home shows annually to educate consumers on the fire sprinkler issue. Shifting this responsibility to the new home buyer with additional bureaucratic procedures will add to the cost of a new home.

The Chamber respectfully requests that this Committee consider an amendment to the bill that requires the builder to inform the buyer of the option to install a residential fire sprinkler during construction.

Thank you for the opportunity to testify.



**HOUSE COMMITTEE ON HOUSING
State Capitol, Via Videoconference
415 South Beretania Street
9:30 AM**

February 3, 2022

RE: HB 1477, RELATING TO FIRE PROTECTION

Chair Nakamura, Vice Chair Hashimoto, and members of the committee:

My name is Daryl Takamiya, 2022 President of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

BIA-Hawaii offers the following comments regarding HB 1477, Relating to Fire Protection. This bill would require builders to provide written cost estimates for residential fire sprinklers to all buyers of new one- and two-family dwellings in Hawaii, along with written information about the benefits of fire sprinklers provided by the State Fire Council.

While we understand the intent of providing buyers with information about fire sprinklers, we have concerns about the cost estimate portion of this mandate. Providing potential buyers with a cost estimate would require much more analysis than just providing a document outlining benefits of a fire sprinkler system. There is no one-size-fits-all cost structure for a fire sprinkler system, as there are many components that can cause the cost to vary, such as water pressure, location, and the design of the home itself. We have no objection to providing buyers with information about fire sprinkler systems, but it would be unrealistic to be able to provide buyers with a flat cost estimate.

As the Legislature is aware, the cost of housing in Hawaii is extremely high, with Oahu's median price of homes being currently over \$1 million. Adding more mandates to the cost of building will only serve to further raise this price. Approximately 153,967 U.S. households are priced out of buying a home for every \$1000 increase in price (NAHB).

Thank you for the opportunity to share our concerns.