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January 24, 2022

The Honorable Karl Rhoads, Chair
Committee on Judiciary
State Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chair Rhoads:

Subject: Senate Bill (SB) 448 Relating to Public Safety

I am Steven Goble, Vice Chair of the State Fire Council (SFC). The SFC strongly supports SB 448, which repeals Section 46-19.8, Hawaii Revised Statutes, and allows the counties to regulate the installation of residential fire protection sprinkler systems.

The current statute prevents the four counties from incorporating a key component of model building codes particular to their counties or "home rule." The proper forum for national, model building codes to be reviewed, vetted, and adopted at the state level is the State Building Code Council (SBCC), which is represented by a broad spectrum of stakeholders, including the building industry, architects, structural engineers, building, and fire code officials.

According to the National Fire Protection Association's (NFPA) latest U.S. data, 92% of all civilian structure fire deaths resulted from home structure fires. Few fatal home fires involve installed features of homes. Instead, they usually involve the actions and errors of the occupants in combination with the flaws and vulnerabilities of products brought into the home. Research conducted by the National Institute of Standards and Technology has shown that home fires become deadly in as few as three minutes. New and old homes alike are filled with these newer contents and furnishings, which provide less margin for success for smoke alarms and add to the need for fire sprinklers. Modern, lightweight home construction products, especially wood truss roof systems and wood joists, can rapidly fail under fire conditions, which is an extreme risk to fire fighters who respond to a fire. Automatic fire sprinkler systems have proven to be a solution to saving lives and property from fire. Death rates and property loss are substantially reduced when these systems are installed and properly maintained.

A comparison of fires in the City and County of Honolulu from 2006 to 2019 revealed 41 fatalities in non-sprinklered structures and only 1 in a structure equipped with sprinklers. Similarly, there were 207 injuries in non-sprinklered with only 12 persons injured in sprinklered structures, and \$332,131,913 versus \$21,709,215 estimated damage loss to structures in non-sprinklered to sprinklered structure fires.

The International Residential Code has had a residential fire sprinkler provision since 2009. California and Maryland require sprinklers in new one- and two-family dwellings statewide along with the District of Columbia. Eighteen other states do not have a statewide residential fire sprinkler mandate, but allow local jurisdictions to require them. Twenty-six states prohibit fire sprinklers through legislation or the code adoption process.

Eighty-five percent of fire deaths occur in the home. Working smoke alarm reliability ranges from 50% to 78%, depending on the study, and may alert occupants in time to escape, but do nothing to suppress a fire. The reliability of a residential fire sprinkler system is 96.6%. A fire sprinkler system is designed to extinguish or hinder a fire until fire fighters arrive. It will do this 84% of the time with only one activated sprinkler head using 15 gallons per minute (gpm) in contrast to a fire department hose stream which delivers 150-250 gpm.

There is no equivalent alternative as effective in stopping fires as an automatic fire sprinkler system. Although modern homes have safety building provisions, they are also constructed of lightweight structural components that are susceptible to collapse within a short time from exposure to fire. While gypsum board helps protect floor joists from collapse in a fire, joists unprotected by gypsum board are found in balconies and covered recreation or laundry areas below the second floor. The addition of modern furnishings also contribute to rapid fire acceleration and spread in residences that result in reduced escape times for homeowners and their family.

There is little to no maintenance for a residential fire sprinkler system. A separate domestic and fire sprinkler system is maintained by a visual pressure gauge check and an annual flow test, which can be accomplished using a garden hose. A combined system will not need a flow test since the system operates in conjunction with the domestic system.

The SBCC is continuing its research into the limitations on the use of a 5/8" meter for residential fire sprinkler systems as the NFPA states it will meet the requirements of some homes. This is the standard domestic size meter used on the neighbor islands, which could mean there would be no additional water meter upgrade or cost. We are assured the majority of homes being built will not require a one-inch meter to supply a residential fire sprinkler system.

The Honorable Karl Rhoads, Chair
Page 3
January 24, 2022

Life, safety, property conservation, and environmental protection are priorities for the SFC. Allowing the passage of this bill to restrict the installation of an automatic fire sprinkler in new one- and two-family homes increases the risk to the public, property, environment, and fire fighters.

The SFC strongly urges your committees' support on the passage of SB 448.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Goble', with a long horizontal flourish extending to the right.

STEVEN GOBLE
Vice Chair

SG/GL:



**SENATE COMMITTEE ON JUDICIARY
State Capitol, Via Videoconference
415 South Beretania Street
9:30 am**

January 28, 2022

RE: SB 448, Relating to Public Safety

Chair Rhoads, Vice Chair Keohokalole, 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 is in strong opposition to SB 448, which proposes to repeal section 46-19.8, Hawaii Revised Statutes, thereby allowing counties to mandate the installation of a residential fire sprinkler system in all new one and two-family dwellings.

In 2017, the Legislature extended for ten years the law that prohibited the counties from mandating the installation of automatic fire sprinklers in all new one and two-family dwellings (Act 53, 2017 SLH).

The information provided in the bill does not include the following information:

- Builders provide various options for new homes and renovations/remodeled homes. Fire sprinklers are provided at the owner's request, and depending on the location, could cost a considerable amount of money.
- Most of the fire damage and loss occur in homes built prior to upgrades and revisions to the building codes that require the installation of fire walls, smoke detectors and other construction techniques and materials that are intended to minimize losses due to fires.
- Only two states have mandatory fire sprinkler requirements: California and Maryland. In the case of Maryland, fire sprinklers are required because most of the state is rural and not serviced by any municipal fire department. Wildfires in California likely prompted the mandate for fire sprinklers in all new one and two-family dwellings, and as a result, California has one of the highest home prices in the nation.



Simply put, BIA-Hawaii is not anti-sprinkler, but pro-affordable housing, and pro-consumer choice. **As of December 2021, the median new home price on Oahu was \$1,060,000.** Adding the cost of an automatic fire sprinkler system in a new one or two-family dwelling will further raise the cost of housing in Hawaii.

We are in strong opposition to SB 448, and appreciate the opportunity to provide our comments on this matter.

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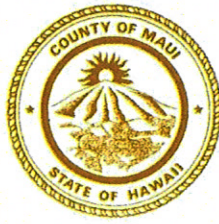
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info@biahawaii.org

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

January 24, 2022

The Honorable Karl Rhoads, Chair
Committee on Judiciary
State Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chair Rhoads:

SUBJECT: SENATE BILL (SB) 448 RELATING TO PUBLIC SAFETY

I am Bradford K. Ventura, member of the State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC strongly supports SB 448, which repeals Section 46-19.8, Hawaii Revised Statutes, and allows the counties to regulate the installation of residential fire protection sprinkler systems.

The current statute prevents the four counties from incorporating safe building codes particular to their counties or "home rule." The proper forum for national, model building codes to be reviewed, vetted, and adopted at the state level is the State Building Code Council (SBCC), which is represented by a broad spectrum of stakeholders, including the building industry, architects, structural engineers, building, and fire code officials.

According to the National Fire Protection Association's (NFPA) latest U.S. data, 92% of all civilian structure fire deaths resulted from home structure fires. Few fatal home fires involve installed features of homes. Instead, they usually involve the actions and errors of the occupants in combination with the flaws and vulnerabilities of products brought into the home. Research conducted by the National Institute of Standards and Technology has shown that home fires become deadly in as few as three minutes. New and old homes alike are filled with these newer contents and furnishings, which provide less margin for success for smoke alarms and add to the need for fire sprinklers. Modern, lightweight home construction products, especially wood truss roof systems and wood joists, can rapidly fail under fire conditions, which is an extreme risk to fire fighters who respond to a fire. Automatic fire sprinkler systems have proven to be a solution to saving lives and property from fire. Death rates and property loss are substantially reduced when these systems are installed and properly maintained. A comparison of fires in the City and County of Honolulu from 2006 to 2019 revealed 41 to 1 fatalities; 207 to 12 persons

injured, and \$332,131,913 to \$21,709,215 estimated damage loss to structures in nonsprinklered to sprinklered structure fires.

The International Residential Code has had a residential fire sprinkler provision since 2009. California and Maryland require sprinklers in new one- and two-family dwellings statewide along with the District of Columbia. Eighteen other states do not have a statewide residential fire sprinkler mandate, but allow local jurisdictions to require them. Twenty-six states prohibit fire sprinklers through legislation or the code adoption process.

Eighty-five percent of fire deaths occur in the home. Working smoke alarm reliability ranges from 50% to 78%, depending on the study, and may alert occupants in time to escape, but do nothing to suppress a fire. The reliability of a residential fire sprinkler system is 96.6%. A fire sprinkler system is designed to extinguish or hinder a fire until fire fighters arrive. It will do this 84% of the time with only one activated sprinkler head using 15 gallons per minute (gpm) in contrast to a fire department hose stream which delivers 150-250 gpm.

There is no equivalent alternative as effective in stopping fires as an automatic fire sprinkler system. Although modern homes have safety building provisions, they are also constructed of lightweight structural components that are susceptible to collapse within a short time from exposure to fire. While gypsum board helps protect floor joists from collapse in a fire, joists unprotected by gypsum board are found in balconies and covered recreation or laundry areas below the second floor. The addition of modern furnishings also contributes to rapid fire acceleration and spread in residences that result in reduced escape times for homeowners and their family.

There is little to no maintenance for a residential fire sprinkler system. A separate domestic and fire sprinkler system is maintained by a visual pressure gauge check and an annual flow test, which can be accomplished using a garden hose. A combined system will not need a flow test since the system operates in conjunction with the domestic system.

The SBCC is continuing its research into the limitations on the use of a 5/8" meter for residential fire sprinkler systems as the NFPA states it will meet the requirements of some homes. This is the standard domestic size meter used on the neighbor islands, which could mean there would be no additional water meter upgrade or cost. We are assured the majority of homes being built will not require a one-inch meter to supply a residential fire sprinkler system.

Life, safety, property conservation, and environmental protection are priorities for the SFC. Allowing the passage of this bill to restrict the installation of an automatic fire sprinkler in new one- and two-family homes increases the risk to the public, property, environment, and fire fighters.

The SFC strongly urges your committees' support on the passage of SB 448.

The Honorable Karl Rhoads, Chair

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January 24, 2022

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

Sincerely,



BRADFORD K. VENTURA
Fire Chief

HONOLULU FIRE DEPARTMENT
CITY AND COUNTY OF HONOLULU

638 South Street
Honolulu, Hawaii 96813-5007
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

RICK BLANGIARDI
MAYOR



SHELDON K. HAO
FIRE CHIEF

JASON SAMALA
DEPUTY FIRE CHIEF

January 25, 2022

The Honorable Karl Rhoads, Chair
Committee on Judiciary
The State Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chair Rhoads:

Subject: Senate Bill (SB) 448 Relating to Public Safety

My name is Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD), and I strongly support SB 448, which repeals Section 46-19.8, Hawaii Revised Statutes, and allows the counties to regulate the installation of residential fire protection sprinkler systems.

The current statute prevents the four counties from incorporating safe building codes particular to their counties or "home rule." The proper forum for national, model building codes to be reviewed, vetted, and adopted at the state level is the State Building Code Council (SBCC), which is represented by a broad spectrum of stakeholders, including the building industry, architects, structural engineers, building, and fire code officials.

According to the National Fire Protection Association's (NFPA) latest U.S. data, 92% of structure fire deaths resulted from home structure fires. Home fires usually involve the actions and errors of the occupants in combination with the flaws and vulnerabilities of products brought into the home, not installed features of the home. Research conducted by the National Institute of Standards and Technology reveals that home fires become deadly in as little as three minutes. New and old homes alike are filled with these newer contents and furnishings, which provide less opportunity for the smoke alarm's success, and add to the necessity for fire sprinklers. Modern, lightweight home construction products, especially wood truss roof systems and wood joists, can rapidly fail under fire conditions, which is an extreme risk to fire fighters who respond to a fire. Automatic fire sprinkler systems have proven to be a solution to saving lives and property from fire. Death rates and property loss are substantially reduced when these systems are installed and properly maintained. A comparison of fires in the City and

County of Honolulu from 2006 to 2019 revealed a decrease in fatalities from 41 to 1; injured persons from 207 to 12; and estimated damage loss to structures in nonsprinklered to sprinklered structure fires from an estimated \$332,131,913 to \$21,709,215.

The International Residential Code has had a residential fire sprinkler provision since 2009. California and Maryland require sprinklers in new one- and two-family dwellings statewide along with the District of Columbia. Eighteen other states do not have a statewide residential fire sprinkler mandate, but allow local jurisdictions to require them. Twenty-six states prohibit fire sprinklers through legislation or the code adoption process.

Eighty-five percent of fire deaths occur in the home. Working smoke alarm reliability ranges from 50% to 78%, depending on the study, and may alert occupants in time to escape, but do nothing to suppress a fire. The reliability of a residential fire sprinkler system is 96.6%. A fire sprinkler system is designed to extinguish or hinder a fire until fire fighters arrive. It will do this 84% of the time with only one activated sprinkler head using 15 gallons per minute (gpm) in contrast to a fire department hose stream which delivers 150-250 gpm.

There is no equivalent alternative as effective in stopping fires as an automatic fire sprinkler system. Although modern homes have safety building provisions, they are also constructed of lightweight structural components that are susceptible to collapse within a short time from exposure to fire. While gypsum board helps protect floor joists from collapse in a fire, joists unprotected by gypsum board are found in balconies and covered recreation or laundry areas below the second floor. The addition of modern furnishings also contribute to rapid fire acceleration and spread in residences that result in reduced escape times for homeowners and their family.

There is little to no maintenance for a residential fire sprinkler system. A separate domestic and fire sprinkler system is maintained by a visual pressure gauge check and an annual flow test, which can be accomplished using a garden hose. A combined system will not need a flow test since the system operates in conjunction with the domestic system.

The SBCC is continuing its research into the limitations on the use of a 5/8" meter for residential fire sprinkler systems, as the NFPA states it will meet the requirements of some homes. This is the standard domestic size meter used on the neighbor islands, which could mean there would be no additional water meter upgrade or cost. We are assured the majority of homes being built will not require a one-inch meter to supply a residential fire sprinkler system.

The Honorable Karl Rhoads, Chair
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January 25, 2022

Life, safety, property conservation, and environmental protection are priorities for the HFD. Allowing the passage of this bill to restrict the installation of an automatic fire sprinkler in new one- and two-family homes increases the risk to the public, property, environment, and fire fighters.

The HFD strongly urges your committee's support on the passage of SB 448.

Should you have questions, please contact me at 808-723-7101 or shao@honolulu.gov.

Sincerely,



for SHELDON K. HAO
Fire Chief

SKH/GL:cn

Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director



Kazuo S. K. L. Todd
Fire Chief

Eric H. Moller
Deputy Fire Chief

County of Hawai'i
HAWAII FIRE DEPARTMENT
25 Aupuni Street • Suite 2501 • Hilo, Hawai'i 96720
(808) 932-2900 • Fax (808) 932-2928

January 24, 2022

The Honorable Karl Rhoads, Chair
Committee on Judiciary
State Senate
State Capitol, Room 204
Hawaii, Hawaii 96813

Dear Chair Rhoads:

Subject: Senate Bill (SB) 448 Relating to Public Safety

I am Kazuo S. K. L. Todd, the Fire Chief of the Hawaii Fire Department. I strongly support SB 448, which repeals Section 46-19.8, Hawaii Revised Statutes, and allows the counties to regulate the installation of residential fire protection sprinkler systems.

The current statute prevents the four counties from adopting residential sprinkler codes. It is my opinion that the state should not forbid counties from determining safety requirements within their jurisdiction. The current rule is equivalent to mandating that local counties cannot enforce seatbelt use of drivers, or stating that construction workers are disallowed the use of hard hats. It removes the right of local counties to attempt to save lives, and prevent loss of property.

It is my opinion that the State should set the minimum requirements that are held to for building codes on a statewide level. This is the purpose of the State Building Code Council. Conversely, the State should not limit Counties from attempting to be safer than the minimum requirements. This in my opinion is the right of the Counties, and the domain of their home rule.

Sincerely,

A handwritten signature in black ink, appearing to read "Kazuo S. K. L. Todd".

KAZUO S. K. L. TODD
Fire Chief
Hawai'i Fire Department



Hawaii Council of Community
Associations

www.hawaiicouncil.com

January 21, 2022

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice-Chair
Senate Committee on Judiciary

Re: SB448 Relating to Public Safety. Testimony in Opposition
Friday, January 28, 2022 at 9:30 a.m.

Chair Rhoads, Vice-Chair Keohokalole and Members of the Judiciary Committee:

I am Jane Sugimura, President of the Hawaii Council of Associations of Apartment Owners (HCCA).

HCCA opposes this bill because the cost of retrofitting fire sprinklers is very expensive and unless the Counties are willing to subsidize some or all of the cost to retrofit existing residential units, then requiring the homeowners to retrofit would be unreasonably burdensome – especially during this challenging time when we are all dealing with the effects of the COVID pandemic, e.g., supply-chain increase in the cost of goods and inflation and the recovery of our local economy.

HCCA was part of the task group involved in the passage of the Fire Safety Ordinance in the City & County of Honolulu that mandates the installation of fire sprinklers in high-rise residential buildings unless the building passed a life safety evaluation as specified in the ordinance. The ordinance was passed in 2018 and an unintended consequence of the ordinance is that the insurance premiums for all unsprinklered buildings have increased 30%-40% and we are informed that the increases will occur on an annual basis until fire sprinklers are installed notwithstanding the ordinance allows a passing score on a life safety evaluation to avoid having to install fire sprinklers. This means that that a high-rise building that passes the life safety evaluation, will face annual insurance premium increases unless they install fire sprinklers, which was never the intent to the original enactment.

So unless this bill is amended to provide for government subsidies to homeowners who are required to retrofit their homes with fire sprinklers, HCCA stands in opposition to the bill.

Thank you for allowing me to testify on this bill.

A handwritten signature in black ink, appearing to read "Jane Sugimura", is written over the typed name and title. The signature is fluid and cursive, with a large loop at the end.
Jane Sugimura
President

1050 Bishop Street #366, Honolulu, Hawaii 96813

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LATE

**TESTIMONY TO THE SENATE COMMITTEE ON JUDICIARY
State Capitol, Via Videoconference
415 South Beretania Street
9:30 AM**

January 28, 2022

RE: S.B. 448, RELATING TO PUBLIC SAFETY

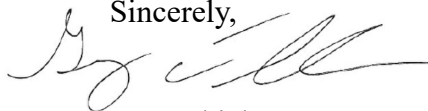
Chair Rhoads, Vice Chair Keohokalole, & members of the committee:

I am writing in **STRONG OPPOSITION** to SB448 that would repeal section 46-19.8 HRS

The legislature has actually passed into law the prohibition on mandatory fire sprinklers on two occasions. The first was in 2012 and the more recent version was in 2017. The reason this bill was able to pass twice and the reason it should stay in effect now is quite simple. Hawaii has a severe ongoing home affordability crisis. The costs of building continue to outpace inflation due to regulatory burden. Confronted with this undeniable fact the legislature wisely joined the vast majority of other States in approving this type of legislation.

Furthermore, proponents of mandatory fire sprinklers have failed to provide any proof of need for these improvements in new home construction locally. They rely instead on it's presence in a National **model** code and national statistics to make their case. The simple reason that only **two States** in the entire Country have approved fire sprinklers is because they simply do not make sense. I would urge you to please respect the wisdom of this decision and allow this twice passed law to stand.

Sincerely,



Greg Thielen
President/RME