

JAN 20 2023

A BILL FOR AN ACT

RELATING TO CONSTRUCTION WASTE.

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

1 SECTION 1. The legislature finds that diversion and
2 recycling of construction and demolition debris are best
3 practices that can offer substantial benefits to the State.
4 Through increased recycling and diversion of debris, the State
5 can reduce or eliminate nearly two thousand tons of construction
6 and demolition waste that are currently deposited in landfills
7 each day. Landfills throughout the State that accept
8 construction and demolition debris have less than one decade of
9 life remaining. Moreover, as much as forty per cent of this
10 waste is wood, paper, and other biogenic material that can be
11 recycled into fuel to reduce imported fossil fuels.

12 The legislature further finds, however, that there are few
13 incentives for public and private sector entities to invest in
14 recycling processes and equipment for construction and
15 demolition debris. The lack of investment constitutes a
16 significant opportunity for economic development and
17 environmental sustainability.



1 Accordingly, the purpose of this Act is to establish clear
2 and cost-effective guidelines to encourage and facilitate the
3 recycling of construction and demolition debris.

4 SECTION 2. Chapter 103D, Hawaii Revised Statutes, is
5 amended by adding a new section to part IV to be appropriately
6 designated and to read as follows:

7 "§103D- Construction and demolition; debris recycling.

8 (a) For a competitive procurement of construction or demolition
9 services by the State or any county, the offeror that:

10 (1) Uses the greatest amount of recycled material for
11 construction, measured by square footage;

12 (2) Recycles the greatest amount of material for
13 demolition, measured by tonnage; or

14 (3) Recycles the greatest amount of material for
15 construction and demolition, combined,

16 shall be selected as the priority offeror; provided that the
17 priority offeror's bid amount shall not be more than ten per
18 cent greater or less than all other bids.

19 (b) For the purposes of this section, "recycling" means
20 reuse or resale of construction or demolition waste material, or
21 conversion of construction or demolition waste material into new



S.B. NO.431

1 building materials, products, or fuel for transportation or
2 renewable gaseous fuel."

3 SECTION 3. Section 107-25, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§107-25 Hawaii state building codes; requirements. (a)

6 There is established the Hawaii state building codes applicable
7 to all construction in the State of Hawaii. The Hawaii state
8 building codes shall be based upon:

- 9 (1) The state fire code as adopted by the state fire
10 council;
- 11 (2) The Uniform Plumbing Code, as copyrighted and
12 published by the International Association of Plumbing
13 and Mechanical Officials, including its appendices;
- 14 (3) The International Building Code, the International
15 Residential Code, and the International Energy
16 Conservation Code, as published by the International
17 Code Council;
- 18 (4) The National Electrical Code, as published by the
19 National Fire Protection Association;



S.B. NO. 431

- 1 (5) Hawaii design standards implementing the criteria
2 pursuant to Act 5, Special Session Laws of Hawaii,
3 2005, as applicable to:
 - 4 (A) Emergency shelters built to comply with hurricane
5 resistant criteria, including enhanced hurricane
6 protection areas capable of withstanding a five
7 hundred-year hurricane event as well as other
8 storms and natural hazards; and
 - 9 (B) Essential government facilities requiring
10 continuity of operations; ~~and~~
- 11 (6) Code provisions based on nationally published codes or
12 standards that include but are not limited to
13 residential and hurricane resistant standards related
14 to loss mitigation standards in accordance with
15 section 431P-12, elevator, mechanical, flood and
16 tsunami, existing buildings, and onsite sewage
17 disposal[-]; and
- 18 (7) Code provisions based on the latest edition of the
19 International Green Construction Code, as published by
20 the International Code Council, to address material
21 resource conservation and efficiency; construction



S.B. NO. 431

1 material management; construction waste management and
2 waste management; and construction material reuse and
3 recycling.

4 (b) The state building codes shall include a requirement
5 that at least twenty-five per cent of nonhazardous construction
6 waste from the construction, deconstruction, or demolition of
7 public buildings and at least twenty per cent of nonhazardous
8 construction waste from the construction, deconstruction, or
9 demolition of private buildings shall be diverted from disposal
10 and made available for recycling, reuse, donation, or resale.
11 The codes shall specify the method for verification of
12 compliance with this subsection.

13 (c) All recycle, reuse, donation, and resale provisions
14 established by subsection (b) shall comply with the following
15 requirements:

16 (1) The location for collection, separation, and storage
17 of recyclable construction materials and construction
18 waste shall be identified;

19 (2) The type of construction materials and construction
20 waste to be diverted from disposal by efficient usage,



S.B. NO. 431

1 recycle, reuse, donation, or resale shall be specified
2 by type;

3 (3) The percentage of construction materials and
4 construction waste to be diverted shall not include
5 concrete foundations or concrete masonry unit walls
6 and shall be specified and calculated by mass; and

7 (4) Receipts or other documentation related to diversion
8 shall be maintained throughout the course of
9 construction, deconstruction, or demolition and made
10 available for inspection by an appropriate designee of
11 the State or county.

12 (d) For the purposes of this section:

13 "Construction" shall have the same meaning as in section
14 103D-104.

15 "Construction materials" and "construction waste" shall
16 include all material delivered to a construction site and
17 intended for installation, including related packaging."

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



S.B. NO. 431

1 SECTION 5. This Act shall take effect upon its approval.

2

INTRODUCED BY: 



S.B. NO. 431

Report Title:

Recycling; Construction Waste; State Building Codes; Requirements; International Green Construction Code

Description:

Requires recycling of construction and demolition materials and use of recycled materials to factor into priority offeror selections for competitive procurements of construction or demolition services by the State or any county. Requires the State Building Codes to incorporate the International Green Construction Code and set specified targets for the recycling, reuse, donation, and resale of nonhazardous construction waste.

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

