

**Testimony of the Board of Professional Engineers, Architects, Surveyors, and
Landscape Architects**

**Before the
House Committee on Housing
Wednesday, February 8, 2023
9:30 a.m.
Conference Room 312 and Videoconference**

**On the following measure:
H.B. 217, RELATING TO HOME RENOVATIONS**

Chair Hashimoto and Members of the Committee:

My name is Sheena Choy, and I am the Executive Officer of the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects (Board). The Board opposes this bill.

The purpose of this bill is to update the cost valuations of work on buildings for the work to qualify for an exemption from the requirement that plans and specifications for construction projects be prepared by a licensed engineer or architect.

Section 2 of this bill amends subsections (a) and (b) of Hawaii Revised Statutes (HRS) section 464-13 by increasing all four of the existing cost valuation exemptions. The bill does not justify how these cost increases were calculated.

The Board is concerned that this amendment will raise the cap on the cost valuations of work on buildings for renovation projects serviced by an unlicensed professional to allow for larger scaled projects, such as major renovations, that will jeopardize the health, safety, or welfare of consumers. The Board would have no recourse to take action against an unlicensed person who provides substandard plans.

The Board notes that HRS section 464-13 may not be the appropriate section to amend if the intent is to allow larger construction projects to proceed without the need to hire licensed design professionals. The intent of this section, created in 1931, was to allow smaller-scale repairs without the requirement of a licensed design professional's seal, where the work involved was to be relatively small in cost and in scope.

Before amending HRS chapter 464 as this bill proposes to do, the Board encourages further discussion between the proponents of this measure and other major stakeholders.

Thank you for the opportunity to testify on this bill.



Hawaii Solar Energy Association
Serving Hawaii Since 1977

Testimony of The Hawaii Solar Energy Association (HSEA) Regarding HB217, Relating to Home Renovations, Before the House Committee on Housing

Wednesday, February 8, 2023

Aloha Chair Hashimoto, Vice-Chair Aiu, and committee members:

The Hawaii Solar Energy Association (HSEA) **supports HB217**, which updates the cost valuations for work on buildings that is exempted from statutory design professional certification requirements.

HSEA members include the majority of locally owned and operated renewable energy companies doing business in the state along with leading global cleantech manufacturers and service providers that invest and sell in our market. We employ thousands of residents in diverse green economy jobs that are innovating, designing, and building Hawaii's pathway to a renewable energy future. We advocate for policies that help Hawaii achieve critical climate and resilience goals by enabling residents and businesses to invest in and benefit from the transition to clean energy. Rooftop solar PV is the leading contributor to Hawaii's clean energy portfolio, making up 44.6% of all renewable energy in the state.¹ These investments provide resilient power that reduces energy cost burden for all and contributes to energy security and reliability as we decarbonize our economy and electric grid.

Permitting delays and the imposition of stamp or certification requirements on smaller projects adds unnecessary cost, time, and risk to Hawaii's renewable energy transition. This impacts all residents and businesses in Hawaii, particularly those that have not yet been able to install or participate in a solar and energy storage project. As costs come down and systems become more available and accessible to underserved members of our community, permitting delays have emerged as a primary obstacle to progress.

HB217 addresses ongoing permitting challenges by updating fixed dollar thresholds that exempt small private projects from statutory design professional standards. The thresholds have not been updated since they were first established in 1979. Since that time, the U.S. dollar has inflated by over 300% with one dollar in 1979 equaling over \$4 today. Adjusting these

¹ See Hawaiian Electric's "Key Performance Metrics, Renewable Portfolio Standard compliance" available at <https://www.hawaiianelectric.com/about-us/key-performance-metrics/renewable-energy>.



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thresholds to account for some of this inflation makes common sense and will reduce construction costs across all sectors in Hawaii.

HSEA **supports HB217** and respectfully urges the committee to advance this measure.

Thank you for the opportunity to testify.

Sincerely,

/s/ Rocky Mould

Rocky Mould
Executive Director



February 7, 2023

LATE

TO: Honorable Troy Hashimoto, Chair
Committee on Housing

FROM: Reid Mizue, AIA
President / Legislative Advocacy Committee Co-Chair
American Institute of Architects, Hawaii State Council

SUBJECT: **Re: House Bill 217**
Relating to Home Renovations

The American Institute of Architects

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Dear Chair Hashimoto and Members of the Committee,

My name is Reid Mizue, President, AIA Hawaii Council submitting **COMMENT** on House Bill 217, allowing only minor and simple renovations on dwellings to qualify for an exemption (based on updated cost valuations) from the requirements that plans and specifications for construction projects be prepared by a licensed engineer or architect. Our main concern is Life Safety and Building Code regardless of estimated cost valuations on specific residential projects state in the bill.

Life Safety role of licensed design professionals (Architects Engineers) related to design of occupiable residential structures...even small renovations.

As licensed architects (and engineers), design professionals are educated to design for, insured for, and licensed by the State of Hawaii to design buildings inclusive of residential structures to current building code. Building code is in place, updated, and adhered to by design professionals specifically for measures of life safety. Architects, Civil, Structural, Mechanical, and Electrical engineers are all examples of licensed design professionals that create the design documents (drawings and specifications) which represent the inclusion of properly designed, safe, and code compliant residential structures.

Further, non-licensed draftspersons, engineering technicians are NOT educated, trained for, or licensed in the State of Hawaii to design code compliant structures.

Exemptions not allowed based on construction type language does not address Life Safety in most residential structures.

Although HB 217 indicates that legislators acknowledge the importance of Life Safety, the language does not make mention of structures related to wood framing, nor does the bill include measures for non-exemptions from County inspections to observe post-construction Contractor/Builder completion, electrical work, energy code scope, and fire safety measures.

- The bulk of Hawaii's inventory of single & two-storied residential dwellings and structures are of wood construction. Wood framed structures have building codes requiring items such as load-path criteria, foundations, steel straps, and stud framing spacing, plywood sheathed shear wall, truss work, and beam requirements that support Life Safety considerations for safe living conditions; conditions that resist wind load, wind uplift, lateral forces, and the general support of a wood framed residential structure. Any residential renovation / addition of said wood-framed structure includes the requirement for design professional to properly indicate the aforementioned requirements.
- HB 217 needs to clarify the definition of "Home" and Residential "R" occupancies allowed by altering HRS 464-13

Exemptions based on estimated costs skirt Life Safety in residential structures.

- Risks such as injury, property damage, infringement on a neighboring property or catastrophic loss. There would be no recourse on this because the draftsman/technician is unregulated, and unlicensed (By the Board of EASLA).
- In recent news a residential structure collapsed on the North Shore, Oahu as well as an unpermitted retaining wall collapse in Windward Oahu causing a death and injuries. If homeowners are allowed to construct renovations using less than the amounts indicated in HB 217, the homeowner will be able to skirt the licensed professional requirement and build non-engineered / non-code compliant structures potentially causing injury/loss of life due to a catastrophic collapse.

Thank you for this opportunity to **COMMENT** on House Bill 217.
Sincerely,



Reid Mizue, AIA
American Institute of Architects, Hawaii State Council

HB-217

Submitted on: 2/3/2023 8:10:51 PM

Testimony for HSG on 2/8/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Support	Written Testimony Only

Comments:

I support this Bill.

HB-217

Submitted on: 2/6/2023 2:23:39 PM

Testimony for HSG on 2/8/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Neil Erickson	Individual	Support	Written Testimony Only

Comments:

While this bill is a good start with good intentions, it seems that it does not go far enough to help. With the current cost of construction, the additional fee mandated by adding an architect or engineer discourages a lot of property owners from obtaining permits.

A better solution might be to allow homeowners the opportunity to renovate to any dollar value as long as compliant with the State Building Code for Residential Construction (IRC & amendments). This could be carried further to allow NEW construction to be exempt as well, with the same requirement for compliance. The IRC was designed for this very reason and compliance is fairly prescriptive. Thank you.

HB-217

Submitted on: 2/7/2023 9:17:01 AM

Testimony for HSG on 2/8/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

I support HB217 that updates the cost valuations of work on buildings for the work to qualify for an exemption from the requirement that plans and specifications for construction projects be prepared by a licensed engineer or architect.

The current cost valuations for work on buildings, which are established by statute, are outdated –they have not been updated since 1979. An increase is long overdue.

Moreover, simple renovations should not require the approval of a licensed professional engineer or licensed architect. This work can be done proficiently **and safely** by a professional draftsman, engineering technician, or architectural technician.

HB217 is common sense and much needed.

Please pass this measure. Mahalo