

JAN 18 2024

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 83, Session Laws
2 of Hawaii 2012, as amended by Act 53, Session Laws of Hawaii
3 2017, prohibits the counties from adopting any codes or
4 regulations requiring the installation of fire sprinklers in new
5 one- and two-family residential dwellings, except to meet road
6 access or firefighting water supply requirements. Because of
7 their reliability and effectiveness in suppressing a fire in its
8 initial stages and lessening property damage by up to eighty per
9 cent, national residential building codes have required fire
10 sprinklers in residential dwellings since 2009.

11 The legislature notes that the intensity, severity, and
12 spread of fire in a residential building are related directly to
13 each building's materials. Although improvements may have been
14 made in building construction and design, the volatility and
15 toxicity of the synthetic materials used in some new buildings
16 allow untenable conditions to be reached more rapidly when a
17 fire occurs. The legislature recognizes that the respective



1 counties face unique challenges and issues relating to fire
2 protection, including population density, proximity of
3 structures, infrastructure, access, and fire protection
4 resources.

5 According to the National Fire Protection Association's
6 Fire Sprinkler Initiative's legislative adoption report, only
7 two states, California and Maryland, have statewide requirements
8 for fire sprinklers in new one- and two-family residential
9 dwellings, while eighteen states allow requirements to be
10 determined by local jurisdictions. The legislature believes
11 that it is not in the best interest of public health and safety
12 to prohibit any measures that may be considered and adopted by
13 the counties to improve fire survivability and reduce fire
14 losses by regulating the use of fire sprinklers in residences.

15 The legislature acknowledges that the state building code
16 council is responsible for reviewing and adopting the latest
17 editions of national model building codes for the State and
18 serves as the forum for discussion by building code experts from
19 the various fields of building design, construction, safety, and
20 health. The legislature further acknowledges that on
21 November 13, 2018, the state building code council adopted the



1 state residential code which requires the installation of fire
2 sprinklers in all newly constructed one- and two-family
3 residential dwellings in the State.

4 Accordingly, the purpose of this Act is to allow each
5 county to determine the proper requirements for fire sprinkler
6 systems in residences.

7 SECTION 2. Section 46-19.8, Hawaii Revised Statutes, is
8 repealed.

9 ~~["§46-19.8] Fire sprinklers; residences. No county shall~~
10 ~~require the installation or retrofitting of automatic fire~~
11 ~~sprinklers or an automatic fire sprinkler system in:~~

12 ~~(1) Any new or existing detached one or two family~~
13 ~~dwelling unit in a structure used only for residential~~
14 ~~purposes; and~~

15 ~~(2) Nonresidential agricultural and aquacultural buildings~~
16 ~~and structures located outside an urban area;~~

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

20 SECTION 3. Act 53, Session Laws of Hawaii 2017, is
21 repealed.



S.B. NO. 2229

1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken.

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

4

INTRODUCED BY: 
By Request



S.B. NO. 2229

Report Title:

State Fire Council Package; Counties; Residences; Fire Sprinkler Systems

Description:

Repeals section 46-19.8, Hawaii Revised Statutes, to allow the counties to determine the proper requirements for fire sprinkler systems in residences.

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

