

A Bill for an Act Relating to Safety Glazing Materials.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 321, Hawaii Revised Statutes, is amended by amending part XII to read as follows:

## **“PART XII. SAFETY GLAZING OF GLASS**

**Sec. 321-131 Definitions.** In interpreting this part, the following words shall have the following meanings:

‘Safety glazing material’ means any glazing material such as tempered glass, laminated glass, wire glass or rigid plastic, which meets the test requirements of American national standards institute standard Z-97.1-1966 and such further requirements as may be adopted by the department of health after notice and hearing as required by chapter 91 and which are so constructed, treated, or combined with other materials as to minimize the likelihood of cutting and piercing injuries resulting from human contact with the glazing material.

‘Hazardous locations’ means those installations, to be glazed or reglazed, in commercial and public buildings, known as framed or unframed glass entrance doors; and those installations, to be glazed or reglazed, in residential buildings and other structures used as dwellings, commercial buildings, and public buildings, known as sliding glass doors, storm doors, shower doors, bath tub enclosures, and fixed glazed panels greater than twelve inches in width immediately adjacent to entrance and exit doors which because of their location present a barrier in the normal path traveled by persons going into or out of these buildings, and because of their size and design may be mistaken as means of ingress or egress, and any other installation, to be glazed or reglazed, wherein the use of other than safety glazing materials would constitute an unreasonable hazard as the director of health may determine after notice and hearings as required by chapter 91, whether or not the glazing in such doors, panels, enclosures and other installations is transparent.

‘Immediately adjacent to’ means the first fixed glass panel on either side of and on the same elevation as the door itself, excluding any glass panel more than thirty inches above floor level and any transom.

**Sec. 321-132 Labeling required.** (a) Each light of safety glazing material installed in a hazardous location within the State shall be labeled by such means as etching, sandblasting, firing of ceramic material or by a transparent label affixed on the safety glazing material, or by other suitable means. The label shall identify the labeler, whether manufacturer, fabricator, or installer, and state that safety glazing material has been utilized in such installation. When a transparent or other than permanent label is used the label shall specify that the label shall not be removed. The label must be legible and visible after installation.

(b) Such safety glazing labeling shall not be used on other than safety glazing materials.

**Sec. 321-133 Safety glazing materials required.** It shall be unlawful within the State to knowingly fabricate, assemble, glaze, reglaze, install, consent or cause to be installed glazing materials other than safety glazing materials in, or for use in, any hazardous location.

**Sec. 321-134 Employees not covered.** No liability under this chapter shall be created as to workmen who are employees of a contractor, subcontractor, or other employer responsible for compliance with this part.

**Sec. 321-135 Penalty.** Whoever violates any provision of this part shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

**Sec. 321-136 Local ordinances.** This part shall supersede any local or county ordinance or parts thereof relating to the subject matter hereof, except where the director of the department of health approves such ordinance or parts thereof as meeting the intent of this part.

**Sec. 321-137 Notices, posting requirement.** Each licensed glass and glazing contractor, fabricator, and building material supply house selling glass and glazing materials shall post in a conspicuous place at each of its places of business, warning notices setting forth the requirements of this part."

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.\*

SECTION 3. This Act shall take effect upon its approval but shall not apply to glass contracts or subcontracts entered into before May 28, 1971.

(Approved May 19, 1972.)

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\*Edited accordingly.