

SPEED Task Force

State Building Code Council Permitted Interaction Group

Exploring Building Code Council reform for the State of Hawaii



September 30, 2026

Building Code Council PIIG

Convened four times:

- **June 17**
 - Legislative history, efforts on appropriations, SBCC funding mechanisms utilized nationwide
- **July 14**
 - County, Private sector policy proposals
- **August 20**
 - Reviewed policy priority poll, explored adoption cycle options and energy-code tradeoffs
- **September 1**
 - Final review on policy poll tiebreaker, discussion regarding statewide six-year approach and county energy-code discretion

Problems identified



- **SBCC**
 - Have historically operated with limited staff, funding, and administrative support
 - Limited public understanding and operational ownership contribute to chronic underinvestments
- **Counties**
 - Each county amends and adopts the state code for local use. Applicants are faced with different local codes and interpretations.
- **Permit Review Time**
 - Long reviews can leave projects exposed to code changes.

Four Proposals

Members were polled on their policy priorities:

- **6-year building code adoption cycle**
 - State and counties would adopt every other model-code edition, with a point-in-time rule for permits.
- **County choice on energy code compliance**
 - Counties to decide whether energy code compliance is mandatory for privately owned buildings.
- **Disband the State Building Code Council**
 - Treat the governance change separately from county code adoption.
- **Accept secure digital signatures**
 - Require permitting agencies to accept properly authenticated digital signatures on construction documents.

Poll Results



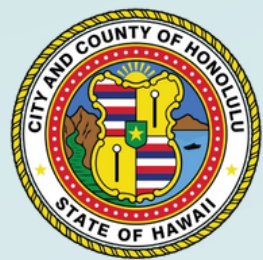
Proposal	State	County	Private	Total
Establish a Six-Year Building Code Adoption Cycle		5	6	11
Authorize the SBCC to issue binding statewide code interpretations, establish process for counties to seek variances				0
Extend the period a permit application is protected from code changes from one year to two years	1		4	5
Establish an expedited appeals process for critical infrastructure and priority projects while limiting the authority of individual branch chiefs to block projects			4	4
Require permitting agencies to publish plain-language summaries of code amendments and permitting requirements (Requires appropriations)	1		1	2
Require official building code interpretations to be published on a statewide database (Requires appropriations)	2		2	4
Recognize secure digital signatures for construction documents, limit wet signatures to circumstances where legally necessary	2	2	2	6
Allow counties to use third-party permit reviewers to assist with permit reviews			5	5
Restore and make permanent the GET subcontractor exemption to reduce tax pyramiding		1		1
Require government plan checkers to meet minimum competency and certification standards (Requires appropriations)		1	1	2
Require permitting agencies to conduct regular statewide educational sessions on recent code changes, interpretations	1			1
Develop a special inspector workforce pipeline via community-college and industry training programs (Requires appropriations)	1	4		5
Disband the SBCC while retaining automatic state and county adoption of building codes (Maui County proposal)	1	4	1	6
Establish permitting surcharges to fund the SBCC		1		1
Streamline code interpretation by entering into an agreement with the International Code Council to license and publish both state and county codes (Requires appropriations)	2	2	1	5
Make International Energy Conservation Code standards voluntary rather than mandatory. Amend HRS 46-19.5 energy conservation standards for building design & construction to be optional for privately-owned buildings, mandatory for state/county (Honolulu County proposal)	1	5	3	9

Poll Results



Top #1, 11 votes:

Establish a 6-Year Building Code Adoption Cycle. - 6 *Private*, 5 *County*



Top #2, 9 votes:

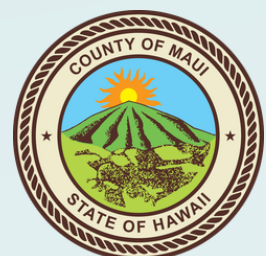
Make International Energy Conservation Code standards voluntary rather than mandatory. Amend HRS 46-19.5 energy conservation standards for building design & construction to be optional for privately-owned buildings, mandatory for State/County.

(Honolulu County proposal) - 3 *Private*, 5 *County*, 1 *State*



Top #3 (tie), 6 votes:

Recognize secure digital signatures for construction documents, limit wet signatures to circumstances where legally necessary - 2 *Private*, 2 *County*, 2 *State*



Disband the SBCC while retaining automatic state and county adoption of building codes (Maui County proposal) - 1 *Private*, 4 *County*, 1 *State*

Recommendation: 6-Year Code Cycle



- Current framework generally requires the SBCC to adopt/amend a nationally published code within two years of its official publication, followed by a two-year county adoption deadline.
- PIG participants reported repeated review of model codes issued on three-year cycles consumes already-limited staff time, requires continued training, and may leave the State and counties operating on different editions.
- *Note:* Governor's ongoing Emergency Proclamation has suspended the SBCC's authority.

Recommendation: 6-Year Code Cycle

- **Proposal:** Require both the SBCC and counties to adopt *every other* edition of the model codes, resulting in a six-year code adoption cycle.
 - Provides maximum alignment and synchronization between state and local jurisdictions, ensuring design professionals are not operating on disjointed timelines across different islands.
- **Tradeoff:** Retaining older standards for longer periods and could delay safety, resilience, accessibility, or energy-efficiency improvements. Use of older codes may also affect scoring, eligibility, or competitiveness under federal mitigation programs and may influence Building Code Effectiveness Grading Schedule assessments used in insurance-related applications.
- **Point-In-Time Applicability** could protect permit applicants from later code changes during an extended review.

Recommendation: Energy code compliance



Honolulu County Proposal: Permitting each county to make energy code standards **optional for private projects within its jurisdiction.**

- *Background:* Honolulu County received complaints regarding the increase in cost of construction when applying requirements to certain projects. Review of additional code requirements increase review time and added enforcement efforts.

PIG members weighed lower up-front construction costs against building health, safety, and meeting Hawai'i's clean-energy and decarbonization goals.

Bottom line: Because counties are best positioned to assess their local conditions, development needs, and administrative capacity, they should have greater flexibility in implementing codes within their jurisdictions.

Recommendation: Disbanding the State Building Code Council

Which level of government has true responsibility for the building codes?

- Unclear state/county responsibilities, limited awareness of the SBCC's role and purpose may have contributed to chronic underfunding.
- Current framework was intended where counties help shape state amendments through their recommendations and use the state code as the basis for local adoption.

Question: Should the State strengthen and retain the SBCC, or return primary responsibility to the counties?

Recommendation: Disband the State Building Code Council

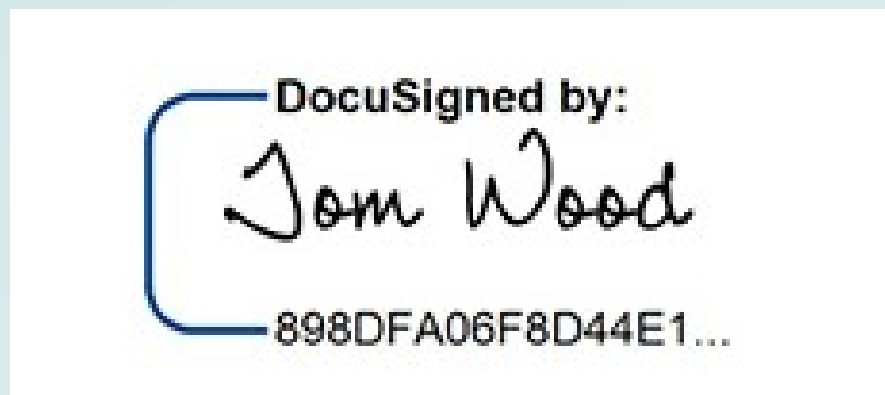
Maui County Proposal: Remove sections of HRS Chapter 107 governing the formation and duties of the council. Retain automatic state and county adoption of building codes.

- Benefits:
 - Saves state administrative resources and removes a layer of state-level review to increase efficiency.
 - Aligns responsibility with the counties that already administer and enforce the codes.

Tradeoff: Disbanding SBCC would shift work to counties, who will need capacity for amendments, publication, review, training, and coordination.

Recommendation: Allow Secure Digital Signatures

Current state law does not expressly require permitting agencies to accept them, resulting in inconsistent county practices and continued wet-signature requirements for certain documents.

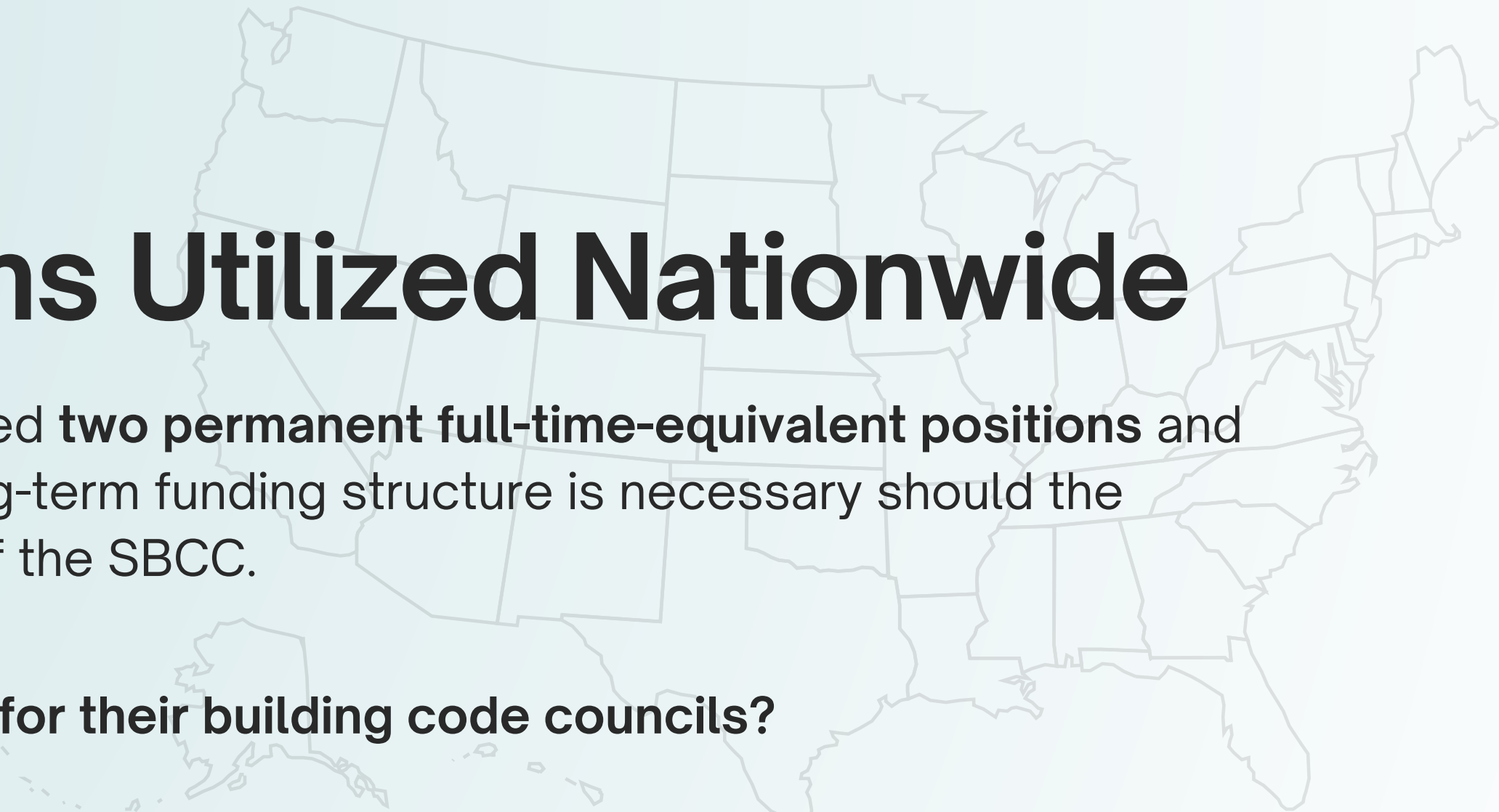


Example of a secure digital signature

County Concerns: A recent audit conducted on Hawaii County's Department of Works' building permits revealed an underdeveloped digital signature mechanism, contributing to added processing times.

Proposal: Require every county permitting agency to accept secure, properly authenticated digital signatures.

Funding Mechanisms Utilized Nationwide



FY 2026-2027's supplemental budget included **two permanent full-time-equivalent positions** and **\$326,882** in operating funds. However, a long-term funding structure is necessary should the State decide to retain the current structure of the SBCC.

How do states secure self-sustaining funds for their building code councils?

- **Washington State:** charges \$6.50 per residential permit; \$25 per commercial permit; plus \$2 for each additional residential unit. Local jurisdictions remit collections to a dedicated state building code council account.
- **Oregon:** established separate percentage-based surcharges of up to 12% to support state administration, code enforcement, and training.
- **Minnesota:** Utilizes a valuation-based surcharge with declining marginal rates for higher-value projects. Municipalities collect the surcharge and retain a limited share for administration.

Other Proposals Discussed

- Streamlining Code interpretation by entering into an agreement with the International Code Council to license and publish both state and county codes (\$)
- Establish permitting surcharges to perpetually fund the SBCC
- Allow counties to use third-party reviewers to assist with reviews

Q&A