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## 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 53, Session Laws  
2 of Hawaii 2017, extended the prohibition on the counties'  
3 adoption of any codes or regulations requiring the installation  
4 of residential fire sprinklers in new one- and two-family  
5 dwellings, except to meet road access or fire fighting water  
6 supply requirements. Because of their reliability and  
7 effectiveness in suppressing a fire in its initial stages,  
8 national residential building codes have required residential  
9 fire sprinklers since 2009. Residential fire sprinklers have  
10 also been required since 2018 by the state residential code  
11 adopted by the state building code council. Residential fire  
12 sprinklers greatly reduce the spread of fire, lessening property  
13 damage by up to eighty per cent.

14           The legislature recognizes that the respective counties  
15 face unique challenges and issues relating to fire protection.  
16 Population density, proximity of structures, infrastructure,  
17 access, and fire protection resources are all considerations



1 when determining an area's fire protection needs. The  
2 intensity, severity, and spread of fire in a residential  
3 building are also greatly related to each building's materials.  
4 Although improvements have been made in building construction  
5 and design, the volatility and toxicity of the synthetic  
6 materials used in some new buildings allow untenable conditions  
7 to be reached more rapidly when a fire occurs.

8       The National Fire Protection Association's Fire Sprinkler  
9 Initiative recognizes that each area faces unique challenges and  
10 therefore supports local control over residential fire sprinkler  
11 requirements. The initiative's legislative adoption report  
12 notes that only two states, California and Maryland, have  
13 statewide requirements for residential fire sprinklers in new  
14 one- and two-family dwellings, while eighteen states allow  
15 requirements to be determined by local jurisdictions. The  
16 legislature believes that it is not in the best interest of  
17 public health and safety to prohibit any measure that may be  
18 considered and adopted at the local level to improve fire  
19 survivability and reduce fire losses.



1           Accordingly, the purpose of this Act is to allow each  
2 county to determine the proper requirements for residential fire  
3 sprinkler systems.

4           SECTION 2. Section 46-19.8, Hawaii Revised Statutes, is  
5 repealed.

6           ~~["**[§46-19.8] Fire sprinklers, residences.** No county shall  
7 require the installation or retrofitting of automatic fire  
8 sprinklers or an automatic fire sprinkler system in:~~

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

12           ~~(2) Nonresidential agricultural and aquacultural buildings  
13 and structures located outside an urban area,  
14 provided that this section shall not apply to new homes that  
15 require a variance from access road or firefighting water supply  
16 requirements." ]~~

17           SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken.



# H.B. NO. 144

1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *Stu*  
By Request  
JAN 17 2023



# H.B. NO. 144

**Report Title:**

State Fire Council Package; Residential Fire Sprinkler Systems

**Description:**

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

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

