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# A BILL FOR AN ACT

RELATING TO THE LOSS MITIGATION GRANT PROGRAM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1           SECTION 1. During the special session of 2005, the  
2 legislature directed the department of defense to develop Hawaii  
3 public shelter and residential safe room design criteria. The  
4 legislature also amended the definition of "wind resistive  
5 devices" in section 431:22-101, Hawaii Revised Statutes, to  
6 include the safe room design criteria developed by the  
7 department of defense. The public shelter and residential safe  
8 room design criteria have been developed. Pursuant to section  
9 431:22-104 (b), Hawaii Revised Statutes, the description,  
10 specifications, guidelines, and requirements for wind resistive  
11 devices are developed at the insurance commissioner's sole  
12 discretion. The purpose of this bill is to make safe rooms  
13 eligible for grants under section 431:22-104 by including  
14 residential safe rooms within the meaning of section 431:22-  
15 104 (b) and encourage private development of safe rooms.

16           SECTION 2. Section 431:22-101, Hawaii Revised Statutes, is  
17 amended by amending the definition of "wind resistive devices"  
18 to read as follows:

1        "Wind resistive devices" means devices [~~and~~], techniques,  
2 and residential safe rooms, as identified and determined in  
3 accordance with section 431:22-104(b), that increase a  
4 building's or structure's resistance to damage from wind forces.  
5 [~~The term shall also include safe rooms that are defined and~~  
6 ~~built pursuant to design standards of the department of~~  
7 ~~defense's civil defense division that are adopted pursuant to~~  
8 ~~chapter 91.~~]"

9        SECTION 3. Section 431:22-104, Hawaii Revised Statutes is  
10 amended by amending subsection (b) to read as follows:

11        "(b) Grants shall be awarded for the installation of the  
12 following:

13        (1) Uplift restraint ties at roof ridges and roof framing  
14 members to wall or beam supports;

15        (2) Additional fastening of roof sheathing and roof decking  
16 for high wind uplift;

17        (3) Impact and pressure resistant exterior opening  
18 protective devices; [~~and~~]

19        (4) Wall to foundation uplift restraint connections  
20 strengthening for wood foundation posts on footings [~~-~~]; and

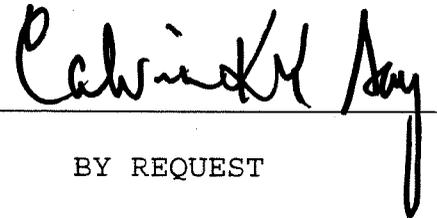
21        (5) Residential safe rooms.

1 The description, specifications, guidelines, and requirements for  
2 these wind resistive devices shall be further developed and  
3 determined by the commissioner in the commissioner's sole  
4 discretion. The commissioner, in the commissioner's sole  
5 discretion, may amend, narrow, or expand the definitions,  
6 description, specifications, and requirements of the wind  
7 resistive devices."

8 SECTION 4. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

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

11  
12 INTRODUCED BY:

  
BY REQUEST

13  
JAN 22 2007

JUSTIFICATION SHEET

DEPARTMENT: Defense

TITLE: A BILL FOR AN ACT RELATING TO THE LOSS MITIGATION GRANT PROGRAM.

PURPOSE: To amend the definition of "wind resistive devices" to include residential safe rooms within the meaning of section 431:22-104(b), make safe rooms eligible for grants under section 431:22-104, and encourage private development of safe rooms.

MEANS: Amend Section 431:22-101, Hawaii Revised Statutes (HRS).

JUSTIFICATION: Safe rooms under the current definition of "wind resistive devices" are defined and built pursuant to design standards of the department of defense's civil defense division rather than standards set forth by the insurance commissioner and do not qualify for grants. This bill makes safe rooms eligible for grants under section 431:22-104. The making of grants under section 431:22-104 applicable to residential safe rooms will encourage homeowners to construct or modify their residences to include safe rooms. Residential safe rooms will reduce the number of people requiring evacuation to designated hurricane resistant shelters. Additionally, there would be less traffic congestion for people that require evacuation to a designated shelter. Estimated cost of constructing or modifying a safe room is estimated to be at least \$10,000.

Impact on the public: Disaster preparedness for the State.

Impact on the department and other agencies: None.

GENERAL FUND: None

OTHER FUNDS: Grants will be made from the loss mitigation grant fund.

PPBS PROGRAM  
DESIGNATION: CCA 106.

OTHER AFFECTED  
AGENCIES: DCCA

EFFECTIVE  
DATE: Upon approval.