

JAN 22 2021

---

---

# A BILL FOR AN ACT

RELATING TO FIRE PROTECTION.

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

1           SECTION 1. The purpose of this Act is to require home  
2 builders of one- and two-family dwellings to provide buyers with  
3 information on costs associated with the installation and  
4 maintenance of a residential fire sprinkler system. The written  
5 materials will include the benefits of a fire sprinkler system  
6 prepared by the state fire council.

7           The legislature finds that automatic fire sprinkler systems  
8 have a proven record of significantly reducing life loss,  
9 injury, and property damage and are commonly installed in most  
10 commercial and high-rise buildings. However, eight out of ten  
11 fire deaths occur in the home, and installing smoke alarms and  
12 sprinklers reduce the risk of death in a home by eighty-two per  
13 cent. Only the sprinkler head closest to the fire will  
14 activate, and eighty-five per cent of fires are contained by the  
15 operation of just one sprinkler. Engineered lumber is used as a  
16 composite joist or beam as part of today's modern, lightweight  
17 construction material. Compared with traditional wood materials



1 in older homes, lightweight construction assemblies collapsed in  
2 six minutes verses eighteen minutes for wood. Modern  
3 furnishings also reach significantly dangerous temperatures much  
4 quicker than legacy furnishings. These place not only  
5 occupants, but fire fighters in extreme peril when a fire occurs  
6 in a home without sprinklers. California, Maryland, and the  
7 District of Columbia require residential sprinklers in all new  
8 one- and two-family dwellings. About twenty-two states do not  
9 require sprinklers but allow local jurisdictions to require  
10 them. California has not seen any decrease in the residential  
11 construction or the sale of new homes.

12 SECTION 2. The Hawaii Revised Statutes is amended by  
13 adding a new chapter to be appropriately designated and to read  
14 as follows:

15 "CHAPTER

16 NEW HOME BUYER FIRE PROTECTION

17 § -1 Definitions. As used in this chapter:

18 "Builder" means any individual, trustee, partnership,  
19 corporation, or other entity contracting with an owner for the  
20 construction of a new dwelling.



1 "Buyer" means any individual, trustee, partnership,  
2 corporation, or other entity purchasing any estate or interest  
3 in a new dwelling.

4 "New dwelling" means a new one- or two-family residential  
5 dwelling not previously occupied and constructed for residential  
6 use.

7 **§ -2 Disclosure of residential fire sprinkler system**  
8 **information.** At the time of or prior to agreeing to final  
9 pricing for construction of a new dwelling with a buyer, a  
10 builder shall provide the buyer with a copy of written materials  
11 prepared and promulgated by the state fire council, which detail  
12 the benefits of a residential fire sprinkler system. At the  
13 same time, a builder shall provide written materials, including  
14 the costs associated with the installation and maintenance of a  
15 residential fire sprinkler system. The buyer shall acknowledge  
16 receipt of written materials in writing. Upon the buyer's  
17 request, the builder, at the buyer's expense, shall install a  
18 residential fire sprinkler system or other requested fire  
19 suppression system.

20 **§ -3 Violation; penalties.** Upon finding that any  
21 builder has willfully violated this chapter, the builder shall



1 be fined in accordance with section 444-23. For purposes of  
2 this section, a willful violation occurs when the person  
3 committing the violation knew or should have known that the  
4 conduct was of the nature prohibited by this chapter.

5       **§ -4 Residential fire sprinkler cost estimate form.** (a)

6 The department of commerce and consumer affairs' professional  
7 and vocational licensing division shall develop a standard form  
8 for new construction for the buyer's acceptance or rejection of  
9 a residential fire sprinkler system. The form shall include the  
10 cost estimate provided by the builder and whether or not written  
11 information on the benefits of a residential fire sprinkler  
12 system was provided by the state fire council.

13       (b) This form or forms may be amended from time to time by  
14 the department of commerce and consumer affairs."

15       SECTION 3. This Act does not affect rights and duties that  
16 matured, penalties that were incurred, and proceedings that were  
17 begun before its effective date.



# S.B. NO. 453

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

2

INTRODUCED BY:                     *M.M.M.*                      
By Request



# S.B. NO. 453

**Report Title:**

State Fire Council Package; DCCA; Fire Protection; Mandatory Disclosure Fire Protection; New Home Buyers; Builders; Contractors

**Description:**

Requires builders to provide cost estimates for residential fire sprinklers to potential buyers of all new one- and two-family dwellings. The state fire council shall provide written information on the benefits of a sprinkler system.

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

