

JAN 19 2022

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 of the adoption of any
3 codes or regulations by the counties that require the
4 installation of residential fire sprinklers in one- and two-
5 family dwellings, except to meet firefighting road access or
6 water supply requirements. Because of the reliability and
7 effectiveness of residential fire sprinklers in suppressing a
8 fire in its initial stages, national residential building codes
9 have required these sprinklers since 2009.

10 The legislature also finds that a prohibition of any
11 measure that may be considered and adopted at the county level
12 to improve and enhance fire survivability and reduce fire losses
13 of community residents by eighty per cent is not in the best
14 interest of public health and safety. Residential fire
15 sprinklers greatly reduce the spread of fire, thereby
16 significantly reducing property damage and loss. The
17 legislature further finds that the intensity, severity, and



1 spread of fire in residential buildings are directly related to
2 building contents and furnishings, and, although improvements
3 have been made in building construction, design, and materials,
4 the volatility and toxicity of today's synthetic materials allow
5 untenable conditions to be reached more rapidly. Moreover, the
6 legislature recognizes that the respective counties face unique
7 challenges and issues relating to fire protection, including
8 population density, proximity of structures, infrastructure,
9 access, and limited fire protection resources.

10 Accordingly, this Act recognizes and re-establishes
11 individual county authority or "home rule" as to appropriate or
12 applicable requirements. This concept is recognized,
13 acknowledged, and supported by the evidence presented in the
14 National Fire Protection Association's Fire Sprinkler
15 Initiative. The Fire Sprinkler Initiative's, report on
16 legislation and adoptions notes that two states, California and
17 Maryland, have statewide requirements for residential fire
18 sprinklers in new one- and two-family dwellings. However, the
19 report also notes that eighteen states have no statewide
20 requirements but allow local jurisdictions to require
21 residential fire sprinklers. Additionally, the state building



1 code council, established in 2007, is responsible for reviewing
2 and adopting the latest editions of national model building
3 codes for the State. The council is also the forum for
4 discussion by building code experts from the various fields of
5 building design, construction, safety, and health.

6 Finally, the legislature notes that on November 13, 2018,
7 the state building code council adopted the state residential
8 code, which requires all construction of new one- and two-family
9 dwellings in the State to have residential fire sprinklers
10 installed.

11 Therefore, the purpose of this Act is to shorten the
12 prohibition on county requirements for automatic sprinklers or
13 sprinkler systems in one- and two-family detached dwelling units
14 and non-residential agricultural and aquacultural structures
15 located outside urban areas.

16 SECTION 2. Act 83, Session Laws of Hawaii 2012, as amended
17 by Act 53, Session Laws of Hawaii 2017, is amended by amending
18 section 3 to read as follows:

19 "SECTION 3. This Act shall take effect on July 1, 2012;
20 provided that on June 30, [~~2027~~] 2022, this Act shall be
21 repealed."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on June 29, 2022.

4

INTRODUCED BY: *MMH-GM*
By Request



Report Title:

State Fire Council Package; Fire Safety; Sprinklers

Description:

Shortens the prohibition on county requirements for automatic sprinklers or sprinkler systems in 1- and 2-family detached dwelling units and non-residential agricultural and aquacultural structures located outside urban areas.

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