

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



ANNE E. PERREIRA-EUSTAQUIO
DIRECTOR

JOANN A. VIDINHAR
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.labor.hawaii.gov
Phone: (808) 586-8844 / Fax: (808) 586-9099
Email: dlir.director@hawaii.gov

March 15, 2022

The Honorable Aaron Ling Johanson, Chair
Committee on Consumer Protection
and Commerce
House of Representatives
State Capitol, Room 436
Honolulu, Hawaii 96813

Dear Chair Johanson:

Subject: Senate Bill (SB) 448, Senate Draft (SD) 1, Relating to Public Safety

I am Steven Goble, Vice Chair of the State Fire Council (SFC). The SFC strongly supports SB 448, SD 1, which repeals Section 46-19.8, Hawaii Revised Statutes, and allows the counties to regulate the installation of residential fire protection sprinkler systems.

The current statute prevents the four counties from incorporating safe building codes particular to their counties or "home rule." The proper forum for national, model building codes to be reviewed, vetted, and adopted at the state level is the State Building Code Council (SBCC), which is represented by a broad spectrum of stakeholders, including the building industry, architects, structural engineers, building, and fire code officials.

According to the National Fire Protection Association's (NFPA) latest U.S. data, 92% of all civilian structure fire deaths resulted from home structure fires. Few fatal home fires involve installed features of homes. Instead, they usually involve the actions and errors of the occupants in combination with the flaws and vulnerabilities of products brought into the home. Research conducted by the National Institute of Standards and Technology has shown that home fires become deadly in as few as three minutes. New and old homes alike are filled with these newer contents and furnishings, which provide less margin for success for smoke alarms and add to the need for fire sprinklers. Modern, lightweight home construction products, especially wood truss roof systems and wood joists, can rapidly fail under fire conditions, which is an extreme risk to fire fighters who respond to a fire. Automatic fire sprinkler systems have proven to be a solution to saving lives and property from fire. Death rates and property loss are

substantially reduced when these systems are installed and properly maintained. A comparison of fires in the City and County of Honolulu from 2006 to 2019 revealed 41 to 1 fatalities; 207 to 12 persons injured, and \$332,131,913 to \$21,709,215 estimated damage loss to structures in nonsprinklered to sprinklered structure fires.

The International Residential Code has had a residential fire sprinkler provision since 2009. California and Maryland require sprinklers in new one- and two-family dwellings statewide along with the District of Columbia. Eighteen other states do not have a statewide residential fire sprinkler mandate, but allow local jurisdictions to require them. Twenty-six states prohibit fire sprinklers through legislation or the code adoption process.

Eighty-five percent of fire deaths occur in the home. Working smoke alarm reliability ranges from 50% to 78%, depending on the study, and may alert occupants in time to escape, but do nothing to suppress a fire. The reliability of a residential fire sprinkler system is 96.6%. A fire sprinkler system is designed to extinguish or hinder a fire until fire fighters arrive. It will do this 84% of the time with only one activated sprinkler head using 15 gallons per minute (gpm) in contrast to a fire department hose stream which delivers 150-250 gpm.

There is no equivalent alternative as effective in stopping fires as an automatic fire sprinkler system. Although modern homes have safety building provisions, they are also constructed of lightweight structural components that are susceptible to collapse within a short time from exposure to fire. While gypsum board helps protect floor joists from collapse in a fire, joists unprotected by gypsum board are found in balconies and covered recreation or laundry areas below the second floor. The addition of modern furnishings also contribute to rapid fire acceleration and spread in residences that result in reduced escape times for homeowners and their family.

There is little to no maintenance for a residential fire sprinkler system. A separate domestic and fire sprinkler system is maintained by a visual pressure gauge check and an annual flow test, which can be accomplished using a garden hose. A combined system will not need a flow test since the system operates in conjunction with the domestic system.

The SBCC is continuing its research into the limitations on the use of a 5/8" meter for residential fire sprinkler systems as the NFPA states it will meet the requirements of some homes. This is the standard domestic size meter used on the neighbor islands, which could mean there would be no additional water meter upgrade or cost. We are assured the majority of homes being built will not require a one-inch meter to supply a residential fire sprinkler system.

The Honorable Aaron Ling Johanson, Chair
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March 15, 2022

Life, safety, property conservation, and environmental protection are priorities for the SFC. Allowing the passage of this bill to restrict the installation of an automatic fire sprinkler in new one- and two-family homes increases the risk to the public, property, environment, and fire fighters.

The SFC strongly urges your committees' support on the passage of SB 448, SD 1.

Should you have questions, please contact SFC Administrative Specialist Gary Lum at 723-7169 or glum@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven Goble', with a long horizontal flourish extending to the right.

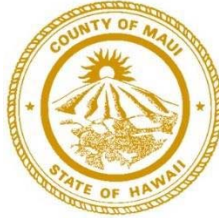
STEVEN GOBLE
Vice Chair

SG/GL:

MICHAEL P. VICTORINO
Mayor

BRADFORD K. VENTURA
Fire Chief

GAVIN L.M. FUJIOKA
Deputy Fire Chief



DEPARTMENT OF FIRE & PUBLIC SAFETY
COUNTY OF MAUI
200 DAIRY ROAD
KAHULUI, HI 96732

March 16, 2022

The Honorable Aaron Ling Johanson, Chair
Committee on Consumer Protection
and Commerce
House of Representatives
State Capitol, Room 436
Honolulu, Hawaii 96813

Dear Chair Johanson:

**SUBJECT: SENATE BILL (SB) 448, SENATE DRAFT (SD) 1, RELATING TO
PUBLIC SAFETY**

I am Bradford K. Ventura, member of the State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC strongly supports SB 448, SD 1, which repeals Section 46-19.8, Hawaii Revised Statutes, and allows the counties to regulate the installation of residential fire protection sprinkler systems.

The current statute prevents the four counties from incorporating safe building codes particular to their counties or "home rule." The proper forum for national, model building codes to be reviewed, vetted, and adopted at the state level is the State Building Code Council (SBCC), which is represented by a broad spectrum of stakeholders, including the building industry, architects, structural engineers, building, and fire code officials.

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need for fire sprinklers. Modern, lightweight home construction products, especially wood truss roof systems and wood joists, can rapidly fail under fire conditions, which is an extreme risk to fire fighters who respond to a fire. Automatic fire sprinkler systems have proven to be a solution to saving lives and property from fire. Death rates and property loss are substantially reduced when these systems are installed and properly maintained. A comparison of fires in the City and County of Honolulu from 2006 to 2019 revealed 41 to 1 fatalities; 207 to 12 persons injured, and \$332,131,913 to \$21,709,215 estimated damage loss to structures in nonsprinklered to sprinklered structure fires.

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Eighty-five percent of fire deaths occur in the home. Working smoke alarm reliability ranges from 50% to 78%, depending on the study, and may alert occupants in time to escape, but do nothing to suppress a fire. The reliability of a residential fire sprinkler system is 96.6%. A fire sprinkler system is designed to extinguish or hinder a fire until fire fighters arrive. It will do this 84% of the time with only one activated sprinkler head using 15 gallons per minute (gpm) in contrast to a fire department hose stream which delivers 150-250 gpm.

There is no equivalent alternative as effective in stopping fires as an automatic fire sprinkler system. Although modern homes have safety building provisions, they are also constructed of lightweight structural components that are susceptible to collapse within a short time from exposure to fire. While gypsum board helps protect floor joists from collapse in a fire, joists unprotected by gypsum board are found in balconies and covered recreation or laundry areas below the second floor. The addition of modern furnishings also contributes to rapid fire acceleration and spread in residences that result in reduced escape times for homeowners and their family.

There is little to no maintenance for a residential fire sprinkler system. A separate domestic and fire sprinkler system is maintained by a visual pressure gauge check and an annual flow test, which can be accomplished using a garden hose. A combined system will not need a flow test since the system operates in conjunction with the domestic system.

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The Honorable Aaron Ling Johanson, Chair

Page 3

March 16, 2022

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The SFC strongly urges your committees' support on the passage of SB 448, SD 1.

If you have questions, please contact SFC Administrative Specialist Gary Lum at (808) 723-7169 or glum@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Ventura".

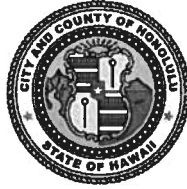
BRADFORD K. VENTURA

Fire Chief

HONOLULU FIRE DEPARTMENT
CITY AND COUNTY OF HONOLULU

636 South Street
Honolulu, Hawaii 96813-5007
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

RICK BLANGIARDI
MAYOR



SHELDON K. HAO
FIRE CHIEF

JASON SAMALA
DEPUTY FIRE CHIEF

March 15, 2022

The Honorable Aaron Ling Johanson, Chair
Committee on Consumer Protection
and Commerce
House of Representatives
State Capitol, Room 436
Honolulu, Hawaii 96813

Dear Chair Johanson:

Subject: Senate Bill (SB) 448, Senate Draft (SD) 1 Relating to Public Safety

My name is Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD). The HFD supports SB 448, SD 1, which repeals Section 46-19.8, Hawaii Revised Statutes, and allows the counties to regulate the installation of residential fire protection sprinkler systems.

The current statute prevents the four counties from incorporating safe building codes particular to their counties or "home rule." The proper forum for national, model building codes to be reviewed, vetted, and adopted at the state level is the State Building Code Council (SBCC), which is represented by a broad spectrum of stakeholders, including the building industry, architects, structural engineers, building, and fire code officials.

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The Honorable Aaron Ling Johanson, Chair
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March 16, 2022

Life, safety, property conservation, and environmental protection are priorities for the HFD. Allowing the passage of this bill to restrict the installation of an automatic fire sprinkler in new one- and two-family homes increases the risk to the public, property, environment, and fire fighters.

The HFD strongly urges your committee's support on the passage of SB 448, SD 1.

Should you have questions, please contact Administrative Specialist Gary Lum at 808-723-7169 or glum@honolulu.gov.

Sincerely,

A handwritten signature in blue ink that reads "Sheldon K. HAO".

SHELDON K. HAO
Fire Chief

SKH/GL:cn



March 15, 2022

Representative Aaron Johanson, Chair
Representative Lisa Kitagawa, Vice-Chair
House Committee on Consumer Protection and Commerce

Re: SB448, SD1 Relating to Public Safety.
Testimony in Opposition; Thursday, March 17, 2022 at 2 p.m.

Chair Johanson, Vice-Chair Kitagawa and Members of the Judiciary Committee:

I am Jane Sugimura, President of the Hawaii Council of Associations of Apartment Owners (HCCA).

HCCA opposes this bill because the cost of retrofitting fire sprinklers is very expensive and unless the Counties are willing to subsidize some or all of the cost to retrofit existing residential units, then requiring the homeowners to retrofit would be unreasonably burdensome – especially during this challenging time when we are all dealing with the effects of the COVID pandemic, e.g., supply-chain increase in the cost of goods and inflation and the recovery of our local economy.

HCCA was part of the task group involved in the passage of the Fire Safety Ordinance in the City & County of Honolulu that mandates the installation of fire sprinklers in high-rise residential buildings unless the building passed a life safety evaluation as specified in the ordinance. The ordinance was passed in 2018 and an unintended consequence of the ordinance is that the insurance premiums for all unsprinklered buildings have increased 30%-40% and we are informed that the increases will occur on an annual basis until fire sprinklers are installed notwithstanding the ordinance allows a passing score on a life safety evaluation to avoid having to install fire sprinklers. This means that that a high-rise building that passes the life safety evaluation, will face annual insurance premium increases unless they install fire sprinklers, which was never the intent to the original enactment.

So unless this bill is amended to provide for government subsidies to homeowners who are required to retrofit their homes with fire sprinklers, HCCA stands in opposition to the bill.

Thank you for allowing me to testify on this bill.

A handwritten signature in black ink, appearing to read "Jane Sugimura", is written over the printed name and title.

Jane Sugimura
President

March 14, 2022

Steve Bunting
333 Ward Ave. Suite 3
Honolulu, HI 96814
Sbunting@twc.net

The Honorable Aaron Ling Johanson, Chair
The Honorable Lisa Kitagawa, Vice Chair
Honorable Members of the House Committee on Consumer Protection and Commerce
Hawaii State Capitol, Room 436
Honolulu, HI 96813

Dear Chair Johnson, Vice Chair Kiatgawa, and Members of the Committee:

The Building Industry Association's contention that "Wildfires in California likely prompted the mandate for fire sprinklers in all new one and two-family dwellings" could not be more incorrect. Residential fire sprinklers were never intended to be effective in reducing damage due to wildland fires. (Equally as incorrect, the Building Industry Association often purports that kitchen fires are the real problem. In truth, kitchen fires account for only 21% of all fire deaths.)

In California, over one hundred and fifty (150) individual jurisdictions had fire sprinkler requirements for one and two-family dwellings by 2010. Pressure from builders and others was forcing the California Building Standards Commission to adopt statewide uniform sprinkler standards.

In 2012, the Building Standards Commission did adopt a statewide fire sprinkler requirement with the support of the Building Industry Association (BIA). Why did the BIA drop its opposition? Because the side-yard setback requirements were reduced from five feet to three feet in sprinklered residences, thereby allowing builders to increase the interior square footage of homes or squeeze more homes onto a project. Once there was money to be made by installing inexpensive fire sprinklers in new homes, the BIA's contrived opposition simply melted away.

In addition to increased side-yard setbacks, there are several other incentives that can be considered that will further reduce the cost of residential fire sprinklers, including:

- Decreased road widths.
- Increased fire hydrant spacing.
- Reduction of the fire wall rating between a garage and the attached home.
- Reduction or elimination of permit fees.
- Reduction of the required fire flow.
- Increase in dead end street lengths.
- Reduced requirements for cul-de sac width and turning radius.

The Honorable The Honorable Aaron Ling Johanson, Chair
Page 2
March 14 2022

In my own city, we became aware of the frustration builders had with seeking pre-construction approval for residential sprinklers. It's extremely difficult to accurately design a residential fire sprinkler system in advance. Post construction obstacles and other installation difficulties often necessitated design changes and a resubmittal of plans. To assist builders, we allowed the sprinkler system plans to be submitted "post installation", thereby reducing time, money and frustration associated with the sprinkler installations.

The adoption of the residential fire sprinkler prohibition in 2017 was based upon a mountain of misinformation. The purported high cost of residential fire sprinklers was due in large part to the unreasonably high cost of meter upsizing for fire protection by our state's water purveyors. Those fees should have been looked at by the legislature. They still should be.

I strongly urge your support for SB 448 and HB 207. Let's allow our counties to develop mutually beneficial incentives, like those described above, which will greatly reduce the cost of residential fire sprinklers in new construction.

For less than the cost of draperies in a new home, we can begin reducing unnecessary and tragic fire deaths in Hawaii.

Sincerely,

A handwritten signature in black ink that reads "Steve Bunting". The signature is written in a cursive, flowing style with a long horizontal line extending from the end of the name.

Steve Bunting
Division Chief/Fire Marshal (Ret.)
The Newport Beach Fire Department

LATE



HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
State Capitol, Via Videoconference
415 South Beretania Street
2:00 PM

March 17, 2022

RE: SB 448, Relating to Public Safety

Chair Johanson, Vice Chair Kitagawa, and members of the committee:

My name is Daryl Takamiya, 2022 President of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

BIA-Hawaii is in strong opposition to SB 448, which proposes to repeal section 46-19.8, Hawaii Revised Statutes, thereby allowing counties to mandate the installation of a residential fire sprinkler system in all new one and two-family dwellings.

In 2017, the Legislature extended for ten years the law that prohibited the counties from mandating the installation of automatic fire sprinklers in all new one and two-family dwellings (Act 53, 2017 SLH).

The information provided in the bill does not include the following information:

- Builders provide various options for new homes and renovations/remodeled homes. Fire sprinklers are provided at the owner's request, and depending on the location, could cost a considerable amount of money.
- Most of the fire damage and loss occur in homes built prior to upgrades and revisions to the building codes that require the installation of fire walls, smoke detectors and other construction techniques and materials that are intended to minimize losses due to fires.
- Only two states have mandatory fire sprinkler requirements: California and Maryland. In the case of Maryland, fire sprinklers are required because most of the state is rural and not serviced by any municipal fire department. Wildfires in California likely prompted the mandate for fire sprinklers in all new one and two-family dwellings, and as a result, California has one of the highest home prices in the nation.



Simply put, BIA-Hawaii is not anti-sprinkler, but pro-affordable housing, and pro-consumer choice. **As of December 2021, the median new home price on Oahu was \$1,060,000.** Adding the mandatory cost of an automatic fire sprinkler system in a new one or two-family dwelling will further raise the cost of housing in Hawaii.

We are in strong opposition to SB 448, and appreciate the opportunity to provide our comments on this matter.

1065 Ahua Street
Honolulu, HI 96819
Phone: 808-833-1681 FAX: 839-4167
Email: info@gcahawaii.org
Website: www.gcahawaii.org



GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

LATE

Uploaded via Capitol Website

March 17, 2022

TO: HONORABLE AARON LING JOHANSON, CHAIR, HONORABLE LISA KITAGAWA, VICE CHAIR, COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

SUBJECT: **OPPOSITION OF S.B. 448 SD1, RELATING TO PUBLIC SAFETY.** Amends the cash or protest bond amount for parties initiating administrative proceedings for review of certain protest decisions.

HEARING

DATE: Thursday, March 17, 2022
TIME: 2:00 p.m.
PLACE: Capitol Room 329

Dear Chair Johanson, Vice Chair Kitagawa and Members of the Committee,

The General Contractors Association of Hawaii (GCA) is an organization comprised of approximately five hundred (500) general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. Our mission is to elevate Hawaii's construction industry and strengthen the foundation of our community.

GCA is **opposed** to S.B. 448 SD1, which repeals section 46-19.8, Hawaii Revised Statutes, and Act 53, Session Laws of Hawaii 2017, which prohibited the counties from adopting codes and regulations that would require the installation or retrofitting of residential fire sprinklers in one- and two-family dwellings and other types of structures.

In 2017, the legislature extended for ten years the law that prohibited the counties from mandating the installation of automatic fire sprinklers in all new one and two-family dwellings (Act 53, 2017 SLH).

We are facing an affordable housing crisis. Adding the mandatory cost of an automatic fire sprinkler system in a new one or two-family dwelling will raise the cost of housing and put homeownership further out of reach for many of our residents.



COASTAL CONSTRUCTION COMPANY, INC.

1900 HAU STREET • HONOLULU, HAWAII 96819 • (808) 847-3277

TO: HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Aaron Ling Johanson, Chair
Rep. Lisa Kitagawa, Vice Chair
Rep. Henry J.C. Aquino
Rep. Dee Morikawa
Rep. Sharon E. Har
Rep. Richard H.K. Onishi
Rep. Mark J. Hashem
Rep. David A. Tarnas
Rep. Sam Satoru Kong
Rep. Lauren Matsumoto
Rep. John M. Mizuno

LATE

DATE: March 17, 2022

SUBJECT: SB 448 -- Relating to Public Safety, Fire Sprinkler Mandates.

HEARING: Thursday, March 17, 2022 at 2:00 p.m. VIA VIDEOCONFERENCE
Conference Room 329, State Capitol, 415 South Beretania Street

Dear Chair Johanson, Vice Chair Kitagawa, and Members of the Committee,

Coastal Construction Company, Inc. **opposes SB 448**, which proposes to repeal section 46-19.8 of the Hawaii Revised Statutes. The repeal of this statute would reverse legislative work completed in 2017 to extend the law that prohibited the counties from mandating the installation of automatic fire sprinklers in all new one and two-family dwellings (Act 53, 2017 SLH), and instead *allow* counties to mandate the installation of a residential fire sprinkler system in all new one and two-family dwellings.

The State of Hawaii is in a major housing crisis, with the median cost of homes at over \$1M. Adding more mandates, such as mandatory fire sprinklers, will further raise the cost of housing.

This comes at a time when the economy is recovering from a global pandemic crisis and multiple economic shutdowns; the cost to build a home in Hawaii has been hit hard with exponential price increases of construction materials such as lumber, transportation delays, and more, over the past two years. Any potential for unnecessary and untimely increases to the cost to buy a home is not in the best interest of the consumer and this issue, at this time, is best entrusted to the efforts of elected officials who passed the 2017 legislation to prohibit fire sprinkler mandates.

Fire sprinklers should not be mandated in single family homes, and we strongly believe this choice should be left to the homebuyer.

With the increasing cost across the board this both impacts the people of Hawaii and all construction trades and I believe this should be left to individual homeowner/home buyer. Cost of housing is already at an all time high and by mandating fire sprinklers will only add to the burden of home buying. It can be said that just one fire is too much but at what cost and how much of an issue is this really and are homeowners/homebuyers willing to pay the cost? This should be their choice and not a requirement. If fire concerns are true than each individual homeowner has their own responsibility to inspect and maintain existing requirements which include smoke detectors.

Thank you for the opportunity to testify on this very important issue impacting consumers and the community in Hawaii.

Jon Rapisura, Project Coordinator
Coastal Construction Company, Inc.



94-153 Leonui Street
Waipahu, Hawaii 96797
info@reflections-glass.com

Tel (808) 676-6767
Fax (808) 676-2329
www.reflections-glass.com

To: Rep. Aaron Ling Johanson, Chair
Rep. Lisa Kitagawa, Vice Chair
Rep. Henry J.C. Aquino
Rep. Dee Morikawa
Rep. Sharon E. Har
Rep. Richard H.K. Onishi
Rep. Mark J. Hashem
Rep. David A. Tarnas
Rep. Sam Satoru Kong
Rep. Lauren Matsumoto
Rep. John M. Mizuno

LATE

DATE: March 16, 2022

SUBJECT: SB 448 -- Relating to Public Safety, Fire Sprinkler Mandates.

HEARING: Thursday, March 17, 2022 at 2:00 p.m. VIA VIDEOCONFERENCE
Conference Room 329, State Capitol, 415 South Beretania Street

Dear Chair Johanson, Vice Chair Kitagawa, and Members of the Committee,

Reflections Glass **opposes SB 448**, which proposes to repeal section 46-19.8 of the Hawaii Revised Statutes. The repeal of this statute would reverse legislative work completed in 2017 to extend the law that prohibited the counties from mandating the installation of automatic fire sprinklers in all new one and two-family dwellings (Act 53, 2017 SLH), and instead *allow* counties to mandate the installation of a residential fire sprinkler system in all new one and two-family dwellings.

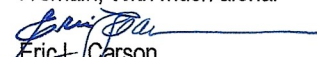
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Fire sprinklers should not be mandated in single family homes, and we strongly believe this choice should be left to the homebuyer.

Reflections Glass has been in business for 35 years and we have never seen the increases in all products in our supply chain. We have seen increases for our products in our supply chain rise over 25% in the last 8 months. The inflation this country is facing couple with the most expensive housing in the country this would make home ownership an impossibility for most in Hawaii.

Thank you for the opportunity to testify on this very important issue impacting consumers and the community in Hawaii, I remain, With much aloha!


Eric L. Carson
President, CEO

ELC/no



March 16, 2022

LATE

Representative Aaron Ling Johanson, Chair
Representative Lisa Kitagawa, Vice Chair
Members of the Committee on
Consumer Protection and Commerce

RE: **SB 448 – RELATING PUBLIC SAFETY**
Hearing date – March 17, 2022 at 2:00 p.m.

Aloha Chair Johanson, Vice Chair Kitagawa and members of the committee,

Thank you for allowing NAIOP Hawaii to submit testimony in **OPPOSITION** to SB 448 – PUBLIC SAFETY. NAIOP Hawaii is the Hawaii chapter of the nation's leading organization for office, industrial, retail, residential and mixed-use real estate. NAIOP Hawaii has over 200 members in the State including local developers, owners, investors, asset managers, lenders and other professionals.

SB 448 proposes to repeal section 46-19.8, Hawaii Revised Statutes, thereby allowing counties to mandate the installation of a residential fire sprinkler system in all new one and two-family dwellings. NAIOP opposes the repeal of HRS § 46-19.8 which will lead to a requirement to install fire sprinkler systems which are unnecessary and would have negative unintended consequences on housing projects.

Primarily, NAIOP is concerned that repealing HRS § 46-19.8 will allow the counties to mandate installation of a residential fire sprinkler systems that cost a significant amount of money and will raise the cost of affordable housing. Developers are required to build 30% of their development to be affordable housing. The increased cost associated with installation of residential fire sprinkler systems in all new one and two-family dwellings will be reflected in the cost of affordable housing units or prevent a project from penciling out altogether.

Moreover, most residential properties are privately owned or maintained by an association. Therefore, mandating installation of a fire sprinkler system will significantly raise the monthly maintenance costs for each homeowner. **Further, as of December 2021, the median new home price on Oahu was \$1,060,000.** Adding the mandatory cost of an automatic fire sprinkler system in a new one or two-family dwelling will further raise the cost of housing in Hawaii and increase

Representative Aaron Ling Johanson, Chair
Representative Lisa Kitagawa, Vice Chair
Members of the Committee on
Consumer Protection and Commerce
March 16, 2022
Page 2

the cost of living for Hawaii residents who are recovering from the pandemic and coping with raising inflation due to global events.

Most importantly, the rising costs associated with installing the required fire sprinkler systems may prevent projects from penciling out. Ultimately, in order for projects to be constructed developers will need to pass on the costs to buyers. In conjunction with the rising interest rates, an increase in price of affordable housing will result in less residents that can afford to buy a house or unit. Accordingly, this bill would be inconsistent with addressing the need to create more affordable housing which is a priority of the legislature.

For these reasons we urge you to defer SB 448. Thank you for the opportunity to testify on this measure.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read 'J Camp', with a stylized flourish at the end.

Jennifer Camp, President
NAIOP Hawaii



LATE

TO: HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Aaron Ling Johanson, Chair Rep. Mark J. Hashem
Rep. Lisa Kitagawa, Vice Chair Rep. David A. Tarnas
Rep. Henry J.C. Aquino Rep. Sam Satoru Kong
Rep. Dee Morikawa Rep. Lauren Matsumoto
Rep. Sharon E. Har Rep. John M. Mizuno
Rep. Richard H.K. Onishi

DATE: March 16, 2022

SUBJECT: SB 448 -- Relating to Public Safety, Fire Sprinkler Mandates.

HEARING: Thursday, March 17, 2022 at 2:00 p.m. VIA VIDEOCONFERENCE
Conference Room 329, State Capitol, 415 South Beretania Street

Dear Chair Johanson, Vice Chair Kitagawa, and Members of the Committee,

Graham Builders **opposes SB 448**, which proposes to repeal section 46-19.8 of the Hawaii Revised Statutes. The repeal of this statute would reverse legislative work completed in 2017 to extend the law that prohibited the counties from mandating the installation of automatic fire sprinklers in all new one and two-family dwellings (Act 53, 2017 SLH), and instead *allow* counties to mandate the installation of a residential fire sprinkler system in all new one and two-family dwellings.

The State of Hawaii is in a major housing crisis, with the median cost of homes at over \$1M. Adding more mandates, such as mandatory fire sprinklers, will further raise the cost of housing. Our company installed two FS systems within the last 5 years, each costing between \$15,000 to \$17,000 including design and installation. We are now in permit for another new home that requires fire sprinklers and that system will cost even more due to trenching for new water lines.

This comes at a time when the economy is recovering from a global pandemic crisis and multiple economic shutdowns; the cost to build a home in Hawaii has been hit hard with exponential price increases of construction materials such as lumber, transportation delays, and more, over the past two years. Any potential for unnecessary and untimely increases to the cost to buy a home is not in the best interest of the consumer and this issue, at this time, is best entrusted to the efforts of elected officials who passed the 2017 legislation to prohibit fire sprinkler mandates.

Fire sprinklers should not be mandated in single family homes, and we strongly believe this choice should be left to the homebuyer.

Thank you for the opportunity to testify on this very important issue impacting housing consumers and the community in Hawaii.

Evan K. Fujimoto

Evan K. Fujimoto, President
Graham Builders

MONTAGE DÉCOR LLC
94-117 Malakeke Place, Unit 102
Waipahu, Hawaii 96797
Phone: (808) 200-7868
Contractor's License No. BC-32806

LATE

TO: HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Aaron Ling Johanson, Chair
Rep. Lisa Kitagawa, Vice Chair
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DATE: March 17, 2022

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HEARING: Thursday, March 17, 2022 at 2:00 p.m. VIA VIDEOCONFERENCE
Conference Room 329, State Capitol, 415 South Beretania Street

Dear Chair Johanson, Vice Chair Kitagawa, and Members of the Committee,

Montage Décor LLC opposes **SB 448**, which proposes to repeal section 46-19.8 of the Hawaii Revised Statutes. The repeal of this statute would reverse legislative work completed in 2017 to extend the law that prohibited the counties from mandating the installation of automatic fire sprinklers in all new one and two-family dwellings (Act 53, 2017 SLH), and instead *allow* counties to mandate the installation of a residential fire sprinkler system in all new one and two-family dwellings.

The State of Hawaii is in a major housing crisis, with the median cost of homes at over \$1M. Adding more mandates, such as mandatory fire sprinklers, will further raise the cost of housing.

Fire sprinklers should not be mandated in single family homes, and we strongly believe this choice should be left to the homebuyer.

Rising cost of building material are only going to rise due to the rise of prices at the gas pump. Already Hawaii has an expensive real estate market with the Honolulu Board of Realtors reporting the median price for a single-family home soaring to \$1,125,000.00 and the median price of condos \$497,000.00. To add to the fuel there are more restrictions on conventional loans for condos that started this month.

If more citizens cannot afford the rise in construction cost as it is already getting expensive, forcing fire sprinklers in new one and two-family dwellings will only add the nails to the coffin.

Furthermore, the City and County of Honolulu Department of Planning and Permitting is already broken causing financial impact to construction companies including mine. Adding another item for DPP to inspect on the blue print would only add more delays at the DPP.

Thank you for the opportunity to testify on this very important issue impacting consumers and the community in Hawaii.



Gavin Ishikawa / President
Montage Décor LLC



**Hawai'i
Association of
REALTORS®**



| 808-733-7060



| 808-737-4977



| 1259 A'ala Street, Suite 300
Honolulu, HI 96817

March 17, 2022

The Honorable Aaron Ling Johanson, Chair

House Committee on Consumer Protection & Commerce

Via Videoconference

LATE

RE: Senate Bill 448, SD1, Relating to Public Safety

HEARING: Thursday, March 17, 2022, at 2:00 p.m.

Aloha Chair Johanson, Vice Chair Kitagawa, and Members of the Committee,

I am Ken Hiraki, Director of Government Affairs, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its over 11,000 members. HAR **opposes** Senate Bill 448, SD1, which repeals section 46-19.8, Hawaii Revised Statutes, and Act 53, Session Laws of Hawaii 2017, which prohibited the counties from adopting codes and regulations that would require the installation or retrofitting of residential fire sprinklers in one- and two-family dwellings and other types of structures.

Hawai'i is in a major housing crisis. According to the Department of Business Economic Development and Tourism's 2019 report on Housing Demand in Hawai'i, the state needs up to 46,000, housing units to meet demand in Hawai'i by 2030. We have a supply problem and we need to build more homes. This measure will add to the cost of housing, which is already high. As of February 2022, the median single-family home prices have reached over \$1 million (\$1.34 million Kaua'i; \$1.06 million Maui; \$1.125 million O'ahu; and \$515k Hawai'i Island.) Moreover, inflation, supply chain issues, costs of lumber and other construction materials, have all added to the cost of housing.

Any potential for untimely increases to the cost to buy a home is not in the best interest of the consumer and this will add to the cost of housing. Added costs to homes will continue to put the dream of homeownership further out of reach for Hawaii's families.

Mahalo for the opportunity to testify.



ARMSTRONG
BUILDERS LLC

80 Sand Island Access Road, Suite 209
Honolulu, Hawaii 96819
Phone: 808-848-2484 Fax: 808-842-0527

TO: HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Aaron Ling Johanson, Chair
Rep. Lisa Kitagawa, Vice Chair
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LATE

DATE: March 17, 2022

SUBJECT: SB 448 -- Relating to Public Safety, Fire Sprinkler Mandates.

HEARING: Thursday, March 17, 2022 at 2:00 p.m. VIA VIDEOCONFERENCE
Conference Room 329, State Capitol, 415 South Beretania Street

Dear Chair Johanson, Vice Chair Kitagawa, and Members of the Committee,

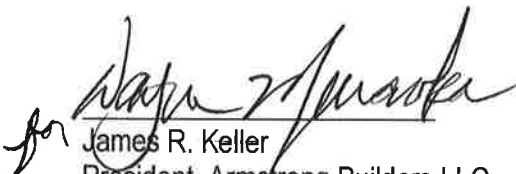
Armstrong Builders LLC **opposes SB 448**, which proposes to repeal Section 46-19.8 of the Hawaii Revised Statutes. The repeal of this statute would reverse legislative work completed in 2017 to extend the law that prohibited the counties from mandating the installation of automatic fire sprinklers in all new one and two-family dwellings (Act 53, 2017 SLH), and instead *allow* counties to mandate the installation of a residential fire sprinkler system in all new one and two-family dwellings.

The State of Hawaii is in a major housing crisis, with the median cost of homes at over \$1M. Adding more mandates, such as mandatory fire sprinklers, will further raise the cost of housing.

The cost of building a home in Hawaii has increased tremendously over the past two years, pushed by exponential price increases of construction materials, appliances, shipping, and labor. The proposed repeal of HRS §46-19.8 would likely result in further increases to already high home building costs and make building a home in Hawaii unaffordable to many of our residents.

Armstrong Builders has been building homes here in Hawaii for more than 50 years, and we understand the need to build quality homes that are safe. We also understand that suddenly mandated safety requirements, such as those that would likely result from a repeal of Section 46-19.8, would have the unintended consequence of making homes even more unaffordable to Hawaii residents.

For these reasons, Armstrong Builders opposes SB 448. Thank you for your consideration of our testimony on these important issues.


James R. Keller
President, Armstrong Builders LLC

TO: Members of the Committee on Consumer Protection & Commerce

FROM: Natalie Iwasa
808-395-3233

LATE

HEARING: 2 p.m. Thursday, March 17, 2022

SUBJECT: SB448, SD1, Sprinklers in Homes - **OPPOSED**

Aloha Chair Johanson and Committee Members,

Thank you for allowing me the opportunity to provide testimony on SB448, SD1, which would repeal HRS Sec. 16-19.8 and Act 53 of 2017, which prohibited counties from adopting regulations to require sprinklers in homes.

The cost of buying a home in Hawaii is already out of reach for many residents. If this law were repealed, it is highly likely that the Honolulu City Council, and probably other county councils, would require retroactive installation of fire sprinklers in one- and two-family homes.

Please vote “no” on SB448, SD1.

SB-448-SD-1

Submitted on: 3/17/2022 7:35:18 AM

Testimony for CPC on 3/17/2022 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Anthony B. Borge	Individual	Oppose	Written Testimony Only

Comments:

In stong OPPOSITION of SB 448 which proposes to repeal section 46-19.8, HRS.

Thank you.

Anthony Borge

SB-448-SD-1

Submitted on: 3/17/2022 10:29:51 AM

Testimony for CPC on 3/17/2022 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Greg Thielen	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Johanson, Vice Chair Kitagawa and Members of the Committee,

I am writing in **STRONG OPPOSITION** to SB448 that would repeal section 46-19.8 HRS

The legislature has actually passed into law the prohibition on mandatory fire sprinklers on two occasions. The first was in 2012 and the more recent version was in 2017. The reason this bill was able to pass twice and the reason it should stay in effect now is quite simple. Hawaii has a severe ongoing home affordability crisis. The costs of building continue to outpace inflation due to regulatory burden. Confronted with this undeniable fact the legislature wisely joined the vast majority of other States in approving this type of legislation.

Furthermore, proponents of mandatory fire sprinklers have failed to provide any proof of need for these improvements in new home construction locally. They rely instead on it's presence in a National **model** code and national statistics to make their case. The simple reason that only **two States** in the entire Country have approved fire sprinklers is because they simply do not make sense. I would urge you to please respect the wisdom of this decision and allow this twice passed law to stand.