

JAN 19 2024

A BILL FOR AN ACT

RELATING TO THE STATE FIRE COUNCIL.

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

1 SECTION 1. The legislature finds that fire safety,
2 education, awareness, and prevention are critical components of
3 the State's fire and emergency response system. However, the
4 legislature recognizes that improving the State's fire and
5 emergency response system will better protect residents,
6 visitors, and property and preserve the State's natural
7 resources. The legislature believes that reestablishing a state
8 fire marshal position will improve the State's fire and
9 emergency response system and that the state fire council is the
10 most appropriate entity to appoint the state fire marshal.

11 Accordingly, the purpose of this Act is to require the
12 state fire council to appoint a state fire marshal.

13 SECTION 2. Section 132-16, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§132-16 State fire council; composition; functions.** (a)

16 There is established a state fire council [~~which~~] that shall be
17 placed within the department of labor and industrial relations



1 for administrative purposes. The state fire council shall
2 consist of the fire chiefs of the counties. The state fire
3 council may appoint an advisory committee to assist it in
4 carrying out its functions under this chapter. The advisory
5 committee may include the heads of the various county building
6 departments, a licensed architect recommended by the Hawaii
7 Society of the American Institute of Architects, a licensed
8 electrical engineer and a licensed mechanical engineer
9 recommended by the Consulting Engineers Council of Hawaii, a
10 representative of the Hawaii Rating Bureau, a representative of
11 the Hawaii firefighters association, representatives of the
12 county fire departments, and [~~such~~] any other members of the
13 public as the state fire council may determine can best assist
14 it. The state fire council shall elect a chairperson from among
15 its members.

16 (b) In addition to adopting a state fire code pursuant to
17 section 132-3, the state fire council shall:

18 (1) Administer the requirements for reduced ignition
19 propensity cigarettes, in accordance with chapter
20 132C; and



1 (2) Serve as a focal point through which all applications
2 to the federal government for federal grant assistance
3 for fire-related projects shall be made. Upon the
4 receipt of any [~~such~~] federal grants, the state fire
5 council shall administer those federal grants.

6 (c) The state fire council may also:

7 (1) Appoint advisory committees comprised of
8 representatives from each county fire department to
9 assist in drafting the state fire code and
10 coordinating statewide training, data collection, and
11 contingency planning needs for firefighters;

12 (2) Advise and assist the county fire departments where
13 appropriate, may prescribe standard procedures and
14 forms relating to inspections, investigations, and
15 reporting of fires, may approve plans for cooperation
16 among the county fire departments, and may advise the
17 governor and the legislature with respect to fire
18 prevention and protection, life safety, and any other
19 functions or activities for which the various county
20 fire departments are generally responsible; and



1 (3) Establish, in conformance with the adopted state fire
2 code and nationally recognized standards, statewide
3 qualifications and procedures, to be administered by
4 the county fire departments, for testing, certifying,
5 and credentialing individuals who perform maintenance
6 and testing of portable fire extinguishers,
7 water-based fire protection systems, other fire
8 protection systems, private fire hydrants, and fire
9 alarm systems; provided that the county fire
10 departments may establish and charge reasonable
11 certification fees.

12 (d) The state fire council shall appoint a state fire
13 marshal who shall satisfy the following qualifications:

- 14 (1) Possess one or more degrees in fire science or a
15 related field;
- 16 (2) Have relevant fire protection experience in the State;
- 17 (3) Be familiar with the fire protection challenges faced
18 by the State and each county; and
- 19 (4) Any other qualifications that the state fire council
20 deems appropriate based on the qualification
21 requirements of fire marshals in other states.



S.B. NO. 2809

1 [~~d~~] (e) The state fire council may adopt rules pursuant
2 to chapter 91 for purposes of this section."

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

5 SECTION 4. This Act shall take effect on July 1, 2024,
6 only if Senate Bill No. , in any form passed by the
7 legislature during the regular session of 2024, becomes an Act.

8

INTRODUCED BY: *David M. Dyson* *TD*



S.B. NO. 2809

Report Title:

State Fire Council; State Fire Marshal; Appointment;
Qualifications

Description:

Requires the State Fire Council to appoint the State Fire Marshal. Establishes that this measure only takes effect if another bill is passed that establishes a State Fire Marshal position.

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

