

ACT 10

H.B. NO. 1138

A Bill for an Act Relating to Fire Protection.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The purpose of this Act is to clarify the fire inspection responsibilities of the State and the various counties as they relate to state-owned airport facilities.

SECTION 2. Section 132-5, Hawaii Revised Statutes, is amended to read as follows:

**“§132-5 Right of entry for inspection; unlawful to obstruct.** The county fire chief or the chief’s designees [~~may~~], at all reasonable hours may enter any buildings, structures, or premises within the fire chief’s jurisdiction, except the interior of private dwellings, to make any inspection, investigation, or examination [~~which~~] that is authorized to be made under this chapter. The county fire chief or the chief’s designees may enter any private dwelling whenever the fire chief or the chief’s designees have reason to believe that dangerous conditions creating a fire

hazard exist in the dwelling. The county fire chief or the chief's designees may enter any private dwelling when a fire has occurred in the dwelling. It shall be unlawful to obstruct, hinder, or delay any person having the right to make the inspection, investigation, or examination in the performance of duty.

The county fire chief or the chief's designees shall make an inspection of all state-owned or county-owned buildings and facilities, except state-owned airport facilities, the frequency of which shall be made in accordance with section 132-6, and shall make a report to the authorities responsible for the maintenance of any state-owned or county-owned building or facility when it is found that a building or facility does not meet minimum standards of fire and safety protection."

SECTION 3. Section 132-6, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Each county fire chief [~~shall~~], in person or by officers or members of the fire chief's fire department designated by the fire chief for that purpose, shall inspect all buildings, premises, and public thoroughfares, except the interiors of private dwellings[,], and state-owned airport facilities, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire[,], or any violation of any law, ordinance, rule, or order relating to fire hazard or to the prevention of fires."

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 Statutory material to be repealed is bracketed and stricken.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

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

(Approved April 9, 2007.)