

## ACT 18

H.B. NO. 2467

A Bill for an Act Relating to Fire Protection.

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

SECTION 1. Section 132-3, Hawaii Revised Statutes, is amended to read as follows:

**“§132-3 Adoption of state fire code.** The state fire council shall, after public hearings pursuant to chapter 91, adopt [~~prior to July 1, 1979;~~] a state fire code setting forth minimum requirements relative to the protection of persons and property from fire loss including without limitation: (1) the storage, handling and use of hazardous substances, materials and devices; and (2) the control of conditions hazardous to life or property in the design, use or occupancy of buildings and premises. The state fire code [~~insofar as is practicable, shall complement, augment and be consistent in form and language with the building and other codes of the respective counties. Upon adoption by the state fire council, the state fire code shall be transmitted to the respective county councils which may, by ordinance, either enact its provisions or enact more stringent provisions relating to protection of persons and property against fire loss; provided that the county councils may enact less stringent provisions with the prior written approval of the state fire council.~~] shall become part of the state building code as provided in section 107-25. The state fire council shall meet annually to review and amend the state fire code.”

SECTION 2. Section 261-4, Hawaii Revised Statutes, is amended to read as follows:

**“§261-4 Airports, general.** (a) Establishment, operation, maintenance. The department of transportation may, on behalf of and in the name of the State, out of appropriations and other moneys available or made available for such purposes, plan, acquire, establish, construct, enlarge, improve, maintain, equip, install, operate, regulate, and protect, airports, air navigation facilities, buildings, and other facilities to provide for the servicing of aircraft; to provide for the comfort, accommodation, and convenience of air travelers; and to protect against airport hazards.

(b) Acquisition of property. By purchase, gift, devise, lease, or condemnation in accordance with chapter 101, the department may acquire property, real or personal, or any interest therein, including the property rights, estates, and interests mentioned in section 262-11. The department may acquire rights and interests in airports owned or controlled by others, for the purpose of meeting a civilian need which is within the scope of its functions, even though it does not have the exclusive control and operation of such airports. The department may also acquire excess federal lands as permitted by federal law.

(c) Structures and improvements. All structures and improvements to land, to be used for airport purposes, may be planned, designed, and constructed by the department.

(d) Use of state and municipal facilities and services. In carrying out this chapter, the department may use the facilities and services of other agencies of the State and of the municipalities of the State and the agencies and municipalities shall make available their facilities and services.

(e) Fire and safety inspection. The State shall conduct fire and safety inspections at all state-owned airport facilities at least once a year, as provided in section 132-6(b).”

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

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

(Approved April 17, 2008.)