



GOV. MSG. NO. 722

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

June 10, 2009

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on June 10, 2009, the following bill was signed into law:

SB564 SD2 HD1 CD1

A BILL FOR AN ACT
RELATING TO FIRE PROTECTION.
ACT 105 (09)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor

on JUN 10 2009

THE SENATE
TWENTY-FIFTH LEGISLATURE, 2009
STATE OF HAWAII

ACT 105
S.B. NO. 564
S.D. 2
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO FIRE PROTECTION.

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

1 SECTION 1. Section 132-5, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "§132-5 Right of entry for inspection; unlawful to
4 obstruct. The county fire chief or the chief's designees, at
5 all reasonable hours may enter any buildings, structures, or
6 premises within the fire chief's jurisdiction, except the
7 interior of private dwellings, to make any inspection,
8 investigation, or examination that is authorized to be made
9 under this chapter. The county fire chief or the chief's
10 designees may enter any private dwelling whenever the fire chief
11 or the chief's designees have reason to believe that dangerous
12 conditions creating a fire hazard exist in the dwelling. The
13 county fire chief or the chief's designees may enter any private
14 dwelling when a fire has occurred in the dwelling. It shall be
15 unlawful to obstruct, hinder, or delay any person having the
16 right to make the inspection, investigation, or examination in
17 the performance of duty.



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

10 SECTION 2. Section 132-6, Hawaii Revised Statutes, is
11 amended by amending subsections (a) and (b) to read as follows:

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

21 (b) The inspection shall be made [~~at~~]:



- 1 (1) At least once each year at all public schools [~~and~~];
- 2 and
- 3 (2) At least once every [~~two~~ five years, or as often as
- 4 deemed practicable or necessary by the county fire
- 5 chief [~~at~~] at all other [~~facilities~~ buildings and
- 6 premises to provide fire prevention and pre-fire
- 7 planning within the jurisdiction of the county fire
- 8 chief.

9 The State shall conduct fire and safety inspections at all
10 state-owned airport facilities at least once a year."

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

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

APPROVED this 10 day of JUN, 2009


GOVERNOR OF THE STATE OF HAWAII