

JAN 17 2020

A BILL FOR AN ACT

RELATING TO THE STATE FIRE CODE.

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

1 SECTION 1. The legislature finds that the state fire code
2 is among the building codes and standards that compose the state
3 building code. The state building code also includes the
4 building, residential, plumbing, electrical, energy, and
5 elevator codes. Pursuant to chapter 107, Hawaii Revised
6 Statute, the state fire code is first adopted by the state fire
7 council and is then adopted by the state building code council,
8 a body composed of experts representing designers, contractors,
9 industry representatives, county building, fire, and other state
10 regulatory code officials. The state building code council is
11 administratively attached to the department of accounting and
12 general services. Currently, the department of accounting and
13 general services is required to adopt administrative rules
14 pursuant to chapter 91, Hawaii Revised Statutes, after the
15 building codes are adopted by the state building code council.
16 Section 132-3, Hawaii Revised Statutes, requires the state fire
17 code to be adopted after public hearings are conducted pursuant



1 to chapter 91. The other building codes that make up the state
2 building code are exempt from the requirement to conduct public
3 hearings. Instead, these other building codes are adopted
4 pursuant to chapter 92, Hawaii Revised Statutes, which requires
5 stakeholders to meet and discuss the various building codes in
6 an open forum. These state codes form a consistent basis for
7 the adoption of building codes for designers, contractors, and
8 the counties.

9 Accordingly, the purpose of this Act is to repeal the
10 requirement that the state fire code be adopted after public
11 hearings pursuant to chapter 91, Hawaii Revised Statutes, and
12 instead requiring that the code be adopted pursuant to chapter
13 92, Hawaii Revised Statutes, in conformance with all other state
14 building codes.

15 SECTION 2. Section 132-3, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§132-3 Adoption of state fire code.** The state fire
18 council [~~shall, after public hearings pursuant to chapter 91],~~
19 in accordance with chapter 92, shall adopt a state fire code
20 setting forth minimum requirements relative to the protection of



1 persons and property from fire loss including without
2 limitation:

3 (1) [~~the~~] The storage, handling and use of hazardous
4 substances, materials and devices; and

5 (2) [~~the~~] The control of conditions hazardous to life or
6 property in the design, use or occupancy of buildings
7 and premises.

8 The state fire code shall become part of the Hawaii state
9 building codes as provided in section 107-25. The state fire
10 council shall meet annually to review and amend the state fire
11 code."

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

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

15

INTRODUCED BY: 
By Request



S.B. NO. **2130**

Report Title:

State Fire Council Package; State Fire Code; Process for Adoption

Description:

Amends the process for adoption of the state fire code to conform with other Hawaii state building codes.

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