A BILL FOR AN ACT

RELATING TO FIRE PROTECTION.

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

SECTION 1. The legislature finds that automatic fire sprinkler systems have a proven record of significantly reducing property damage, injuries, and deaths in residential fires. Installing both smoke alarms and sprinklers in the home reduces the risk of fire-related deaths by eighty-two per cent. Typically, only the sprinkler head closest to the fire will activate, and eighty-five per cent of fires are contained by the operation of just one sprinkler.

The legislature also finds that new dwellings are especially susceptible to residential fires. The engineered lumber used as composite joists or beams in newly constructed homes burns and collapses much more quickly than traditional wood. Modern furnishings also reach higher temperatures much more quickly than antique furnishings. A home without sprinklers places not only the occupants but also fire fighters in extreme danger.
Accordingly, the purpose of this Act is to require builders of new one- and two-family dwellings to provide buyers with information on the benefits and costs associated with installing and maintaining a residential fire sprinkler system.

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to title 26 to be appropriately designated and to read as follows:

"CHAPTER

NEW HOME BUYER FIRE PROTECTION ACT

§ -1 Definitions. As used in this chapter:

"Builder" means any individual, trustee, partnership, corporation, or other entity contracting with an owner for the construction of a new dwelling.

"Buyer" means an individual, trustee, partnership, corporation, or other entity purchasing any estate or interest in a new dwelling.

"New dwelling" means a new one- or two-family residential dwelling, not previously occupied, and constructed for residential use.

§ -2 Disclosure of residential fire sprinkler system benefits and costs. At the time of or prior to agreeing to
final pricing for construction of a new dwelling, the builder shall provide to the buyer a copy of written materials prepared and adopted by the state fire council that detail the benefits of residential fire sprinkler systems. The builder shall also provide a written estimate of the costs associated with installing and maintaining a residential fire sprinkler system. The buyer shall acknowledge receipt of the materials in writing on a form provided by and filed with the department of commerce and consumer affairs professional licensing division. Upon request of the buyer, the builder shall install a residential fire sprinkler system or other requested fire suppression system at the buyer’s expense.

§ 3 Remedies and penalties. Upon a finding that any person has wilfully violated this chapter, the person shall be subject for a first offense to a civil penalty of not less than $75 or more than $150 and, for each subsequent offense, a civil penalty of not less than $100 or more than $250. For the purposes of this chapter, a wilful violation occurs when the person committing the violation knew or should have known that the conduct was of the nature prohibited by this chapter.
§ 4 Residential fire sprinkler cost estimate form.  (a)
To effectuate this chapter, the department of consumer affairs professional and vocational licensing division shall develop a standard form or forms to be used to confirm the buyer's receipt of the written materials required by section -2. The form or forms may be amended from time to time by the department of commerce and consumer affairs.

(b) The form shall include:

(1) An acknowledgement that the buyer received a copy of written materials prepared and adopted by the state fire council that detail the benefits of residential fire sprinkler systems;

(2) The cost estimate provided by the builder for installing and maintaining a residential fire sprinkler system; and

(3) An indication of whether the buyer accepted or rejected the installation of a residential fire sprinkler system or other fire suppression system."
SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY: [Signature]

By Request
Report Title:
State Fire Council Package; Fire Protection; Mandatory Disclosure; DCCA

Description:
Requires the builders of new dwellings to provide buyers with information on the benefits and costs associated with installing and maintaining a residential fire sprinkler system. Requires the Department of Commerce and Consumer Affairs Professional and Vocational Licensing Division to develop a standard form for this purpose.

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