A BILL FOR AN ACT

RELATING TO THE STATE FIRE CODE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:

SECTION 1. The legislature finds that the state fire code is among the building codes and standards that compose the state building code. The state building code also includes the building, residential, plumbing, electrical, energy, and elevator codes. Pursuant to chapter 107, Hawaii Revised Statutes, the state fire code is first adopted by the state fire council and is then adopted by the state building code council, a body composed of experts representing designers, contractors, industry representatives, county building, fire, and other state regulatory code officials. The state building code council is administratively attached to the department of accounting and general services. Currently, the department of accounting and general services is required to adopt administrative rules pursuant to chapter 91, Hawaii Revised Statutes, after the building codes are adopted by the state building code council. Section 132-3, Hawaii Revised Statutes, requires the state fire code to be adopted after public hearings are conducted pursuant
to chapter 91, Hawaii Revised Statutes. The other building
codes that make up the state building code are exempt from the
requirement to conduct public hearings. Instead, these other
building codes are adopted pursuant to chapter 92, Hawaii
Revised Statutes, which requires stakeholders to meet and
discuss the various building codes in an open forum. These
state codes form a consistent basis for the adoption of building
codes for designers, contractors, and the counties.

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

SECTION 2. 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],
in accordance with chapter 92, shall adopt 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 shall become part of the Hawaii state building codes as provided in section 107-25. The state fire council shall meet annually to review and amend the state fire code."

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.
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. (SD1)

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