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GOVERNOR

JOSH GREEN  
LIEUTENANT GOVERNOR



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March 29, 2022

The Honorable Aaron Ling Johanson, Chair  
Committee on Consumer Protection  
and Commerce  
House of Representatives  
State Capitol, Room 436  
Honolulu, Hawaii 96813

Dear Chair Johanson:

Subject: Senate Bill (SB) 449, House Draft (HD) 1 Relating to Public Safety

I am Steven Goble, Chair of the State Fire Council (SFC). The SFC strongly supports SB 449, HD 1, which requires property owners of residential real property to disclose, as part of the mandatory seller disclosures in real estate transactions, whether the installed smoke alarm is in accordance with existing building or residential codes based on information provided by the state fire council.

The currently adopted building code requires new or renovated homes to have smoke alarms in and outside of every bedroom and on every level. Smoke alarms that are properly installed and maintained play a vital role in reducing fire deaths and injuries. If there is a fire, smoke spreads quickly, and smoke alarms allow you time to escape. Today's smoke alarms are more technologically advanced to respond to a multitude of fire conditions and come with ten-year batteries. The estimated cost to add smoke alarms to a residential unit is \$20 - \$150; depending on size of residence, number of bedrooms, configuration, etc. Some county fire departments offer free smoke alarms & installation upon request.

To improve clarity, the SFC suggests the following revisions to SB 449, HD 1:

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

**§132-16 State fire council; composition;**

**functions.** (a) There is established a state fire council which shall be placed within the department of labor and industrial relations for administrative purposes. The state fire council shall consist of the fire chiefs of the counties. The state fire council may appoint an advisory committee to assist it in carrying out its functions under this chapter. The advisory committee may include the heads of the various county building departments, a licensed architect recommended by the Hawaii Society of the American Institute of Architects, a licensed electrical engineer and a licensed mechanical engineer recommended by the Consulting Engineers Council of Hawaii, a representative of the Hawaii Rating Bureau, a representative of the Hawaii firefighters association, representatives of the county fire departments, and such other members of the public as the state fire council may determine can best assist it. The state fire council shall elect a chairperson from among its members.

(b) In addition to adopting a state fire code pursuant to section 132-3, the state fire council shall:

(1) Administer the requirements for reduced ignition propensity cigarettes, in accordance with chapter 132C; and

(2) Serve as a focal point through which all applications to the federal government for federal grant assistance for fire-related projects shall be made. Upon the receipt of any such federal grants, the state fire council shall administer those federal grants.

(c) The state fire council may also:

(1) Appoint advisory committees comprised of representatives from each county fire department to assist in drafting the state fire code and coordinating statewide training, data collection, and contingency planning needs for firefighters;

(2) Advise and assist the county fire departments where appropriate, may prescribe standard procedures and forms relating to inspections, investigations, and reporting of fires, may approve plans for cooperation among the county fire departments, and may advise the governor and the legislature with respect to fire prevention and protection, life safety, and any other functions or activities for which the various county fire departments are generally responsible; and

(3) Establish, in conformance with the adopted state fire code and nationally recognized standards, statewide

qualifications and procedures, to be administered by the county fire departments, for testing, certifying, and credentialing individuals who perform maintenance and testing of portable fire extinguishers, water-based fire protection systems, other fire protection systems, private fire hydrants, and fire alarm systems; provided that the county fire departments may establish and charge reasonable certification fees.

(d) The state fire council shall create and maintain an informational guide on approved smoke alarms that are in accordance with existing state or county building or residential codes. The informational guide shall be prominently posted on the state fire council website and on each county fire department website.

~~[(d)]~~ (e) The state fire council may adopt rules pursuant to chapter 91 for purposes of this section. [L 1978, c 241, §2(19); am L 1985, c 103, §1; am L 1987, c 271, §1; gen ch 1992; am L 2000, c 12, §1; am L 2005, c 190, §2; am L 2008, c 218, §2; am L 2014, c 165, §2; am L 2019, c 4, §2]

The SFC strongly urges your committee's support on the passage of SB 449, HD 1.

The Honorable Aaron Ling Johanson, Chair

Page 5

March 29, 2022

Should you have questions, please contact SFC Administrative Specialist Gary Lum at 723-7169 or [glum@honolulu.gov](mailto:glum@honolulu.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven Goble', with a long horizontal flourish extending to the right.

STEVEN GOBLE  
Chair

SG/GL



March 30, 2022

**The Honorable Aaron Ling Johanson, Chair**

House Committee on Consumer Protection & Commerce  
Via Videoconference

**RE: S.B. 449, HD1, Relating to Public Safety**

**HEARING: Wednesday, March 30, 2022, at 2:00 p.m.**

Aloha Chair Johanson, Vice Chair Kitagawa, and Members of the Committee,

I am Ken Hiraki, Director of Government Affairs, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its over 11,000 members. HAR **expresses concerns on** S.B. 449, HD1, which requires property owners of residential real property to disclose, as part of the mandatory seller disclosures in real estate transactions, whether the installed smoke alarm is in accordance with existing building or residential codes based on information provided by the State Fire Council.

While Hawai'i REALTORS® supports homeowners installing smoke alarms, we would like to ensure there is no confusion and provide clarity to sellers in the real estate transaction.

As such, if the Committee is inclined to pass the measure, HAR would respectfully request the following amendments:

1. Amend page 2, lines 12, by removing reference to the Purchase Contract:

"as part of the seller's disclosure statement ~~on the real estate purchase contract,~~"

Since the reference is to Hawai'i Revised Statutes 508D, HAR would like to note that the Seller's Real Property Disclosure Statement is a separate form from the Purchase Contract. In other words, it is technically not "on" the real estate Purchase Contract. Removing the reference to the purchase contract will eliminate the confusion.

2. To avoid any confusion between a "smoke alarm" and a "smoke detector," HAR recommends adding a definition to the term smoke alarm, such as – "A smoke alarm is a stand-alone, self-contained device, with a detector, which senses the products of combustion (smoke) and sounds an audible, and sometimes visual warning or alarm."

Mahalo for the opportunity to testify.

**MICHAEL P. VICTORINO**  
Mayor

**BRADFORD K. VENTURA**  
Fire Chief

**GAVIN L.M. FUJIOKA**  
Deputy Fire Chief



**DEPARTMENT OF FIRE & PUBLIC SAFETY**

COUNTY OF MAUI  
200 DAIRY ROAD  
KAHULUI, HI 96732

March 30, 2022



The Honorable Aaron Ling Johanson, Chair  
Committee on Consumer Protection  
and Commerce  
House of Representatives  
State Capitol, Room 436  
Honolulu, Hawaii 96813

Dear Chair Johanson:

**SUBJECT: SENATE BILL (SB) 449, HOUSE DRAFT (HD) 1, RELATING TO PUBLIC SAFETY**

I am Bradford K. Ventura, member of the State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC strongly supports SB 449, HD 1, which requires property owners of residential real property to disclose, as part of the mandatory seller disclosures in real estate transactions, whether the installed smoke alarm is in accordance with existing building or residential codes based on information provided by the State Fire Council.

The currently adopted building code requires new or renovated homes to have smoke alarms in and outside of every bedroom and on every level. Smoke alarms that are properly installed and maintained play a vital role in reducing fire deaths and injuries. If there is a fire, smoke spreads quickly, and smoke alarms allow you time to escape. Today's smoke alarms are more technologically advanced to respond to a multitude of fire conditions and come with ten-year batteries. The estimated cost to add smoke alarms to a residential unit is \$20 - \$150; depending on size of residence, number of bedrooms, configuration, etc. Some county fire departments offer free smoke alarms & installation upon request.

To improve clarity, the SFC suggests the following revisions to SB 449, HD 1:

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

**§132-16 State fire council; composition; functions.** (a) There is established a state fire council which shall be placed within the department of labor and industrial relations for

administrative purposes. The state fire council shall consist of the fire chiefs of the counties. The state fire council may appoint an advisory committee to assist it in carrying out its functions under this chapter. The advisory committee may include the heads of the various county building departments, a licensed architect recommended by the Hawaii Society of the American Institute of Architects, a licensed electrical engineer and a licensed mechanical engineer recommended by the Consulting Engineers Council of Hawaii, a representative of the Hawaii Rating Bureau, a representative of the Hawaii firefighters association, representatives of the county fire departments, and such other members of the public as the state fire council may determine can best assist it. The state fire council shall elect a chairperson from among its members.

(b) In addition to adopting a state fire code pursuant to section 132-3, the state fire council shall:

(1) Administer the requirements for reduced ignition propensity cigarettes, in accordance with chapter 132C; and

(2) Serve as a focal point through which all applications to the federal government for federal grant assistance for fire-related projects shall be made. Upon the receipt of any such federal grants, the state fire council shall administer those federal grants.

(c) The state fire council may also:



(1) Appoint advisory committees comprised of representatives from each county fire department to assist in drafting the state fire code and coordinating statewide training, data collection, and contingency planning needs for firefighters;

(2) Advise and assist the county fire departments where appropriate, may prescribe standard procedures and forms relating to inspections, investigations, and reporting of fires, may approve plans for cooperation among the county fire departments, and may advise the governor and the legislature with respect to fire prevention and protection, life safety, and any other functions or activities for which the various county fire departments are generally responsible; and

(3) Establish, in conformance with the adopted state fire code and nationally recognized standards, statewide qualifications and procedures, to be administered by the county fire departments, for testing, certifying, and credentialing individuals who perform maintenance and testing of portable fire extinguishers, water-based fire protection systems, other fire protection systems, private fire hydrants, and fire alarm systems; provided that the county fire departments may establish and charge reasonable certification fees.

(d) The state fire council shall create and maintain an informational guide on approved smoke alarms that are in accordance with existing state or county building or residential codes. The informational guide shall be prominently posted on

The Honorable Aaron Ling Johanson, Chair

Page 4

March 30, 2022

the state fire council website and on each county fire department website.

[~~(d)~~] (e) The state fire council may adopt rules pursuant to chapter 91 for purposes of this section. [L 1978, c 241, §2(19); am L 1985, c 103, §1; am L 1987, c 271, §1; gen ch 1992; am L 2000, c 12, §1; am L 2005, c 190, §2; am L 2008, c 218, §2; am L 2014, c 165, §2; am L 2019, c 4, §2]

The SFC strongly urges your committee's support on the passage of SB 449, HD 1.

If you have questions, please contact SFC Administrative Specialist Gary Lum at (808) 723-7169 or [glum@honolulu.gov](mailto:glum@honolulu.gov).

Sincerely,

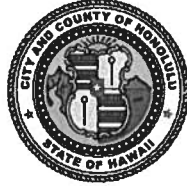


BRADFORD K. VENTURA  
Fire Chief

HONOLULU FIRE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

636 South Street  
Honolulu, Hawaii 96813-5007  
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

RICK BLANGIARDI  
MAYOR



SHELDON K. HAO  
FIRE CHIEF

JASON SAMALA  
DEPUTY FIRE CHIEF

March 29, 2022

**LATE**

The Honorable Aaron Ling Johanson, Chair  
Committee on Consumer Protection  
and Commerce  
House of Representatives  
State Capitol, Room 436  
Honolulu, Hawaii 96813

Dear Chair Johanson:

Subject: Senate Bill (SB) 449, House Draft (HD) 1 Relating to Public Safety

My name is Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD). The HFD strongly supports SB 449, HD 1, which requires property owners of residential real property to disclose, as part of the mandatory seller disclosures in real estate transactions, whether the installed smoke alarm is in accordance with existing building or residential codes based on information provided by the State Fire Council.

The currently adopted building code requires new or renovated homes to have smoke alarms in and outside of every bedroom and on every level. Smoke alarms that are properly installed and maintained play a vital role in reducing fire deaths and injuries. If there is a fire, smoke spreads quickly, and smoke alarms allow you time to escape. Today's smoke alarms are more technologically advanced to respond to a multitude of fire conditions and come with ten-year batteries. The estimated cost to add smoke alarms to a residential unit is \$20-\$150, depending on the size of residence, the number of bedrooms, the configuration, etc. Some county fire departments offer free smoke alarms and installation upon request.

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The Honorable Aaron Ling Johanson, Chair  
Page 4  
March 29, 2022

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The HFD strongly urges your committee's support on the passage of SB 449, HD 1.

Should you have questions, please contact Administrative Specialist Gary Lum at 808-723-7169 or [glum@honolulu.gov](mailto:glum@honolulu.gov).

Sincerely,



SHELDON K. HAO  
Fire Chief

SKH/GL:cn