
A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 SECTION 1. The legislature finds that smoke alarms, when
2 properly installed and maintained, play a vital role in reducing
3 fire deaths and injuries. When there is a fire, smoke spreads
4 fast and working smoke alarms give people an early warning so
5 they can escape quickly. Smoke alarms are a key part of a home
6 fire escape plan.

7 The purpose of this Act is to require:

8 (1) A property owner of residential real property that is
9 wholly or partially occupied for residential purposes
10 to disclose, as part of the mandatory seller
11 disclosures in real estate transactions, whether the
12 installed smoke alarm in the residential real property
13 is in accordance with existing building or residential
14 codes based on information provided by the state fire
15 council; and

16 (2) The state fire council to create and maintain an
17 informational guide on approved smoke alarms that are



1 in accordance with existing state or county building
 2 or residential codes and post the informational guide
 3 on the state fire council's website and each county
 4 fire department's website.

5 SECTION 2. Chapter 508D, Hawaii Revised Statutes, is amended
 6 by adding a new section to be appropriately designated and to read
 7 as follows:

8 **"§508D- Smoke alarms; residential real property. (a)**
 9 Notwithstanding any law to the contrary, a property owner of a
 10 residential real property that is wholly or partially occupied
 11 for residential purposes shall include, as part of the seller's
 12 disclosure statement, whether the installed smoke alarm in the
 13 residential real property is in accordance with existing state
 14 or county building or residential codes based on information
 15 provided by the state fire council pursuant to section
 16 132-16(d).

17 (b) For purposes of this section, "smoke alarm" means a
 18 stand-alone, self-contained device, with a detector that senses
 19 the products of combustion and sounds an audible, and sometimes
 20 visual, warning or alarm."



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

3 **"§132-16 State fire council; composition; functions.** (a)

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

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



- 1 (1) Administer the requirements for reduced ignition
2 propensity cigarettes, in accordance with chapter
3 132C; and
- 4 (2) Serve as a focal point through which all applications
5 to the federal government for federal grant assistance
6 for fire-related projects shall be made. Upon the
7 receipt of any such federal grants, the state fire
8 council shall administer those federal grants.
- 9 (c) The state fire council may also:
- 10 (1) Appoint advisory committees comprised of
11 representatives from each county fire department to
12 assist in drafting the state fire code and
13 coordinating statewide training, data collection, and
14 contingency planning needs for firefighters;
- 15 (2) Advise and assist the county fire departments where
16 appropriate, may prescribe standard procedures and
17 forms relating to inspections, investigations, and
18 reporting of fires, may approve plans for cooperation
19 among the county fire departments, and may advise the
20 governor and the legislature with respect to fire
21 prevention and protection, life safety, and any other



1 functions or activities for which the various county
2 fire departments are generally responsible; and
3 (3) Establish, in conformance with the adopted state fire
4 code and nationally recognized standards, statewide
5 qualifications and procedures, to be administered by
6 the county fire departments, for testing, certifying,
7 and credentialing individuals who perform maintenance
8 and testing of portable fire extinguishers, water-
9 based fire protection systems, other fire protection
10 systems, private fire hydrants, and fire alarm
11 systems; provided that the county fire departments may
12 establish and charge reasonable certification fees.

13 (d) The state fire council shall create and maintain an
14 informational guide on approved smoke alarms that are in
15 accordance with existing state or county building or residential
16 codes. The informational guide shall be prominently posted on
17 the state fire council website and on each county fire
18 department website. For purposes of this subsection, "smoke
19 alarm" means a stand-alone, self-contained device, with a
20 detector that senses the products of combustion and sounds an
21 audible, and sometimes visual, warning or alarm.



1 [~~(d)~~] (e) The state fire council may adopt rules pursuant
2 to chapter 91 for purposes of this section."

3 SECTION 4. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 5. This Act shall take effect on July 1, 2050.

6



Report Title:

State Fire Council Package; Residential Real Property; Smoke Alarms; Property Owners; Seller Disclosure Statements; Informational Guide

Description:

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. Requires the state fire council to create and maintain an informational guide on approved smoke alarms that are in accordance with existing building or residential codes and post the guide on specified websites. Effective 7/1/2050. (HD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

