

STAND. COM. REP. NO. 361

Honolulu, Hawaii

Feb 14, 2007

RE: H.B. No. 93
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 93 entitled:

"A BILL FOR AN ACT RELATING TO BUILDING CODES,"

begs leave to report as follows:

The purpose of this bill is to promote the safety of users of buildings and facilities throughout the state by providing for a statewide building code and design standards.

The Department of Defense; Structural Engineers Association of Hawaii; American Institute of Architects, Hawaii State Council; and Honolulu Seawater Air Conditioning, LLC, testified in support of this bill. The Department of Planning and Permitting of the City and County of Honolulu supported this measure with revisions. The Honolulu Fire Department and State Fire Council supported the intent of this bill. Plumbers and Fitters Local 675 opposed this measure. The Department of Accounting and General Services (DAGS) submitted comments.

The counties currently adopt building codes on independent schedules, resulting in the simultaneous use of several archaic building codes in Hawaii. These older code provisions may not include improvements to implement disaster-resistant building construction standards. Your Committee finds that a coordinated process to bring the various building codes into compliance with updated standards will improve public safety and promote efficiency in the construction industry.

HB93 HD1 HSCR CPC HMS 2007-1736



Your Committee has amended this measure by:

- (1) Deleting the bill's preamble, which is already stated in another section of this bill;
- (2) Defining "state building code" to mean the uniform statewide model building code;
- (3) Clarifying that the state building code would apply to all construction in the state;
- (4) Requiring the state building code to include the latest edition of the Uniform Plumbing Code, as copyrighted and published by the International Association of Plumbing and Mechanical Officials, including its appendices;
- (5) Requiring the state building code to include design standards for emergency shelters capable of withstanding storms and natural hazards in addition to a five-hundred-year hurricane event;
- (6) Specifying that DAGS is required to adopt a temporary building code for state building construction;
- (7) Requiring the State Building Code Council (Council) member from the Department of Labor and Industrial Relations to have significant experience in elevator or fire safety;
- (8) Amending the provision setting forth the Council's membership to correct a reference to the American Institute of Architects' Hawaii State Council;
- (9) Providing that the executive director and executive assistant of the Council are not subject to the civil service law;
- (10) Prohibiting state building code provisions that conflict with Chapter 464, Hawaii Revised Statutes (HRS), relating to the licensure of professional engineers, architects, surveyors, and landscape architects;
- (11) Exempting state building construction, following the adoption of the state building code, from:



- (A) Building codes of counties that have not adopted the state building code;
 - (B) County amendments to the state building code that are inconsistent with the objectives of the state building code; and
 - (C) County amendments to the state building code that are contrary to those adopted by another county;
- (12) Exempting from the state building code, county ordinances allowing the exercise of indigenous Hawaiian architecture pursuant to section 46-1.55, HRS;
 - (13) Specifying that DAGS is the expending agency for the appropriation to fund the operations of the Council;
 - (14) Changing the effective date to July 1, 2020, to encourage further discussion; and
 - (15) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 93, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 93, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROBERT N. HERKES, Chair



