

Hawai'i Construction Alliance

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January 19, 2021

State Building Code Council Meeting
Department of Accounting and General Services
Kalanimoku Building
1151 Punchbowl Street
Honolulu, HI 96813

RE: Comments and Proposed Amendments to the Hawaii State Building Code

Dear Chair and members:

The Hawai'i Construction Alliance is comprised of the Hawai'i Regional Council of Carpenters; the Operative Plasterers' and Cement Masons' Union, Local 630; International Union of Bricklayers & Allied Craftworkers, Local 1; the Laborers' International Union of North America, Local 368; and the Operating Engineers, Local Union No. 3. Together, the member unions of the Hawai'i Construction Alliance represent 15,000 working men and women in the basic crafts of Hawai'i's construction industry.

We write to provide comments on Agenda Item #8 regarding the creation of an investigative committee on modular/manufactured housing/off-site construction.

We believe the investigative committee should include members of the community who have actively participated in the discussion of these issues through written or oral testimony at the subcommittee of building officials and the state building code council meetings.

The investigative committee should identify and draft amendments to the state building code removing all provisions, within the 2018 IBC and the proposed state building code, providing a special pathway for factory-built /modular housing and buildings. These amendments should be considered at a future SBO meeting. We believe the current permitting and inspection requirements currently required by state and county laws should apply to all forms of construction in order to maintain high safety standards for Hawaii consumers.

The investigative committee should identify and remove all language from Chapter 17 of the IBC, including proposed state code amendments, related to administrative, permitting, or enforcement and inspection procedures to ensure compliance with Section 107-26, Hawaii Revised Statutes. Chapter 17 of the IBC, Special Inspections and Tests, relates to the administration, permitting and inspection procedures of the counties. At prior meetings, we have commented that Chapter 17 provides a special pathway allowing factory-built or modular

housing and buildings to be tested and inspected by an approved agency, paid for by the owner or owner's agent. Chapter 17 of the 2018 IBC, includes terms like "assemblies," and "methods of construction," which are broad enough to include factory-built and modular housing and buildings. At the county level, it is the local building official's responsibility to verify that housing meets all code requirements, not an approved agency. To avoid any conflicts with state law, we recommended the deletion of Chapter 17 in its entirety.

The investigative committee should follow specific procedural requirements consistent with the spirit of the Sunshine Law in the forming of the committee and considering the committee's findings and recommendations. The January 19, 2021 meeting "discussion" should focus on the selection, purpose, and expectations of the proposed investigative committee on modular/manufactured housing/off-site construction as stated in the SBCC Agenda. The actual formation of the committee should occur at a subsequent meeting. After the formation of the investigative committee, the committee should meet, discuss and formulate findings and recommended amendments to the state building code for SBO consideration. Findings and recommendations should be presented at a future SBO meeting. Investigative committee presents finding and recommendations at SBO meeting. After findings and recommendations are presented to the SBO, the SBO should consider the adoption of amendments provided by the investigative committee.

Mahalo,

A handwritten signature in black ink, appearing to read "Nathaniel Kinney". The signature is fluid and cursive, with a large, stylized initial "N" and "K".

Nathaniel Kinney
Executive Director
Hawai'i Construction Alliance
execdir@hawaiiconstructionalliance.org