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Testimony of
MARK B. GLICK, Chief Energy Officer

before the
SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Tuesday, March 19, 2024
3:00 PM
State Capitol, Conference Room 225 and Videoconference

Providing Comments on
HB 2089, HD2

RELATING TO THE STATE BUILDING CODE.

Chair McKelvey, Vice Chair Gabbard, and members of the Committee, the Hawai'i State Energy Office (HSEO) has deep concerns with HB 2089, HD2, which would require that the adoption of the International Building Code (IBC) and the International Residential Code (IRC) take place **every other** code cycle, putting them on a six-year adoption cycle while the remaining codes shall be adopted during every three-year cycle per HRS section 107-24.

Failure to follow the nationally adopted building code cycles could put the health, safety, and welfare of building occupants at risk. Hawai'i Revised Statutes section 107-24 states that "the adoption of a code or standard shall be within two years of the official publication date of the code or standard," synchronizing Hawai'i's code adoption cycles with national code adoption cycles. Noncompliance could also jeopardize opportunities for federal funding which is often contingent on timely code adoption.

To elaborate, national codes are updated by national experts based on lessons learned from disasters and failure analyses, as well as advances in technologies.¹ Delaying Hawai'i's adoption of the IBC and IRC would reduce the rate at which better designs and technologies are included in Hawai'i's buildings. FEMA, the Federal

¹ National Institute of Building Sciences. *Benefits and Challenges of a Timely Code Adoption Cycle*.
<https://www.caba.org/wp-content/uploads/2020/04/IS-2018-92.pdf>

Emergency Management Agency, uses timely code adoption as a criterion in its funding for disaster mitigation, resilience and recovery projects. This is explained more on the Federal Emergency Management Agency's Building Code Adoption Tracking website.²

The Building Codes Save Study³ reiterates that one of the most cost-effective ways to safeguard our communities against natural disasters is to adopt and follow hazard-resistant building codes. Not only are casualties reduced, but the cost of building damage is also reduced during a natural disaster. Building codes also help communities get back on their feet faster by minimizing indirect costs such as business interruptions and lost income.

To address rebuilding with resilience, experts from the Insurance for Business and Home Safety (IBHS) conducted research on Maui investigating the conflagration in Lahaina. IBHS provided recommendations for changes designed to prevent the spread of wildfires through urban areas.⁴

This bill directly contradicts one of the recommendations, "Apply modern building codes."

The research cited above is just one example of the many ongoing national efforts to understand the impacts and importance of structural elements in our buildings and communities. This is the knowledge base that is used in the three-year cycles of updates to codes and standards.

Keeping the existing three-year code adoption cycle in statute would enable future critical measures to be considered and incorporated into Hawaii's building codes on a regular basis, reducing risk and expense to building owners, occupants, and communities in Hawai'i.

Therefore, we are concerned that contrary to its intent, the effect of this bill may be regressive, reducing our compliance with modern building code standards, undermining long-term resilience and potentially exposing our communities to greater risk in the face of natural disasters.

Thank you for the opportunity to testify.

² <https://www.fema.gov/emergency-managers/risk-management/building-science/bcat>

³ Federal Emergency Management Agency, *Building Codes Save: A Nationwide Study of Loss Prevention*.

<https://www.fema.gov/emergency-managers/risk-management/building-science/building-codes-save-study>

⁴ Insurance Institute for Business & Home Safety, <https://ibhs.org/maui/>