

DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

Adoption of Chapter 12-44.1

Hawaii Administrative Rules

SUMMARY

Chapter 12-44.1, Hawaii Administrative Rules, entitled "Licensing of Individuals Inspecting, Testing, and Maintaining Fire Alarm Systems, Fire Extinguishers, Fire Extinguishing Systems, and Private Fire Hydrants", is adopted.

HAWAII ADMINISTRATIVE RULES

TITLE 12

DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

SUBTITLE 7

BOARDS

CHAPTER 44.1

STATE FIRE COUNCIL

LICENSING OF INDIVIDUALS INSPECTING, TESTING, AND
MAINTAINING FIRE ALARM SYSTEMS, FIRE EXTINGUISHERS, FIRE
EXTINGUISHING SYSTEMS AND PRIVATE FIRE HYDRANTS

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SUBCHAPTER 1

RULES OF GENERAL APPLICABILITY

§12-44.1-1 Authority. (a) Authority to adopt rules is found in Hawaii Revised Statutes (HRS) 132-16. In adopting necessary rules, the State Fire Council (SFC) may use recognized standards, including standards:

- (1) adopted by federal law or regulation;
- (2) published by a nationally recognized standards-making organization; or
- (3) developed by individual manufacturers.

(b) The SFC may create specialized licensing or credentialing for individuals conducting inspection, testing and maintenance of fire alarm systems, fire extinguishers, fire extinguishing systems and private fire hydrants.

[Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-2 Purpose. The purpose of this chapter is to establish requirements for the inspection, testing, and maintenance of fire alarm systems, fire extinguishers, fire extinguishing systems and private fire hydrants in accordance with the adopted state fire code and nationally recognized standards. This chapter does not limit the power of the authority having jurisdiction (AHJ) to ensure the quality of work performed by contractors through a system of permits, fees, and inspections designed to assure compliance with state and county building codes, fire codes, and nationally recognized standards for the protection of

public health and safety. [Eff]
(Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-3 Administration and enforcement. The SFC shall maintain a current list of certified fire alarm system, fire extinguisher, fire extinguishing systems, and private fire hydrant contractors with the type of certificate held. The county fire departments shall administer and enforce this chapter. [Eff]
(Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-4 Notifications. (a) The AHJ shall be given notification prior to the scheduled testing or retesting of any fire alarm system, water based fire extinguishing system (including Class I, II, III and combined systems), automatic fire sprinkler system, and non-water based fire extinguishing system within their respective jurisdiction in the State of Hawaii. Notification shall be made at least three working days (72 hours) prior to the test date. Notification shall contain:

- (1) The purpose for the shutdown or test;
- (2) The system or component involved;
- (3) The estimated time of shutdown or test;
- (4) The estimated duration of the shutdown or test;
- (5) The name, license number, and company of the licensed individual who will be conducting the test;
- (6) The name, address, and tax map key (TMK) of the facility being tested;
- (7) The number and type of systems and risers.
- (8) The AHJ shall be notified when the system shutdown or test has been completed and returned back into service;
- (9) Failure to comply with the above will result in an invalid test, and a retest will be required to be performed at the testing company's expense.

(b) The requestor shall immediately notify the FPB of any system testing cancellations or changes to the scheduled date and time.

(c) An inoperable system sign shall be placed on a non-operating fire extinguishing system (including water based systems, automatic fire sprinkler system, non-water

based, hood extinguishing systems and spray booths/rooms) and shall read "Inoperable System." The sign shall be comprised of wood, metal, or plastic with red letters on a white background. The letters shall be a minimum height of 3-inches and a minimum width of ¼-inch stroke. The signs may be constructed of other suitable materials when approved by the AHJ.

(d) Inoperable fire hydrants shall be securely wrapped in place until all repairs have been made and a satisfactory hydrant test is completed. [Eff]
(Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-5 Violations. The SFC shall have cause for denial, nonrenewal, revocation or suspension of a license if they determine the licensee has:

(a) Rendered inoperative a fire alarm system, fire extinguishing system or private fire hydrant required by statute or by rule, except during such time the system is being inspected, serviced, repaired, tested or except pursuant to court order.

(b) Falsified any record required to be maintained by this chapter.

(c) Improperly inspected, tested, serviced, or repaired a fire alarm system, fire extinguisher, fire extinguishing system or private fire hydrant.

(d) Failed to obtain, retain, or maintain one or more of the qualifications for a license as specified in this chapter.

(e) Made a material misstatement, misrepresentation, or committed a fraud in obtaining or attempting to obtain a license.

(f) During the suspension or revocation of any license or permit, the former licensee or permittee engaged in business for which a license is required under this chapter.

(g) The SFC shall not grant any new license for the individual as long as the revocation or suspension remains in effect.

(h) The AHJ is authorized to recommend to the SFC suspension or revocation of an individual's license.

[Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-6 Disciplinary actions. (a) It shall be

unlawful for any individual to engage in the business of inspecting, testing or maintaining any fire alarm system, fire extinguisher, fire extinguishing system and/or private fire hydrant in this state except in conformity with this chapter.

(b) The SFC or AHJ may deny, suspend, or revoke the license of:

- (1) Any person who has violated any portion of this chapter;
- (2) Any person for a period of up to one year, during which the contractor must cease all operations as a contractor. The AHJ may authorize the licensee to complete any contracts that are incomplete.

(c) Upon revocation, no new license shall be issued to the licensee for a period of up to one year from the date of the license revocation. [Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-7 Definitions. The definitions contained herein shall apply to this chapter. Where terms are not defined, their ordinarily accepted meaning in which they are used shall prevail:

"Authority having jurisdiction (AHJ)" means an organization, office or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or a procedure.

"Automatic fire extinguishing system" means an approved system that is designed and installed to detect a fire and subsequently discharge an extinguishing agent without human activation or direction.

"Combined standpipe system" means a system where the water piping supplies both 2 ½" hose outlets for fire department use and outlets for automatic sprinklers.

"Department" means the respective city or county fire department.

"File number" means a designated and department proprietary, records managing system identifier utilized to identify the individual conducting and location of the maintenance testing, company name, date of the test and numerically ordered testing sequence.

"Fire alarm system" means a system or portion of a combination system that consists of components and circuits arranged to monitor and annunciate the status of fire alarm or supervisory signal-initialing devices and to initiate the appropriate response to those signals.

"Fire extinguishing system" means any fixed fire extinguishing device or their combination designed and installed for controlling, or extinguishing a fire that has occurred. It includes water and non-water based systems.

"Fire hydrant" means a valved connection on a water supply system having one or more outlets and is used to supply hose and fire department pumpers with water.

"Fire prevention bureau (FPB)" means the section of the respective county fire department responsible for preventing fires.

"Fire protection system" means any fire alarm device or fire extinguishing device or their combination designed and installed for detecting, controlling, or extinguishing a fire, or otherwise alerting occupants, or the fire department or both that a fire has occurred.

"Fire pump" means a pump that provides liquid flow and pressure dedicated to fire protection.

"Hawaii state building codes" means the building codes and standards that the state building code council (SBCC) adopts under HRS section 107-24. (Newly amended 2014 Leg. Session)

"Inoperable system tag" means a white tag with red letters affixed to the fire alarm, fire protection system or private fire service main denoting the system is not functioning.

"License" means a written non-transferable, formal authorization valid for a period not to exceed three years from the date of issuance.

"Licensed individual or licensee" means a person approved by the SFC to conduct inspection, testing, and maintenance of fire alarm systems, fire extinguishers, fire extinguishing systems, and private fire hydrants.

"Manual activation device" means a pull station or remote call point that activates a fire extinguishing system or fire alarm system.

"National fire codes (NFC)" means a document published by the National Fire Protection Association (NFPA) and containing the NFPA's adopted codes, standards, recommended practices and guidelines.

"Non-water based automatic fire extinguishing system" means any fixed fire extinguishing system which uses an extinguishing agent other than water. They may include dry chemical, foam, halogen-type (including non-halogenated), carbon dioxide, and special hazard systems.

"Portable fire extinguisher" means a portable device, carried or on wheels and manually operable, containing an extinguishing agent that can be expelled under pressure for

the purpose of suppressing or extinguishing fire.

"Spray booth" means a power-ventilated enclosure for a spray application operation or process that confines and limits the escape of the material being sprayed, including vapors, mists, dusts and residues that are produced by the spraying operation and conducts or directs these materials to an exhaust system.

"Spray room" means a power-ventilated, fully enclosed room used exclusively for open spraying of flammable or combustible materials.

"Standpipe system" means an arrangement of piping, valves, hose connections, and allied equipment installed in a building or structure, with the hose connections located in such a manner that water can be discharged in streams or spray patterns through attached hose and nozzles, for the purpose of extinguishing a fire, thereby protecting a building or structure and its contents in addition to protecting the occupants. This is accomplished by means of connections to water supply systems or by means of pumps, tanks, and other equipment necessary to provide an adequate supply of water to the hose connections.

"State fire council (SFC)" means the four county fire chiefs that is administratively attached to the department of labor and industrial relations or their authorized representatives or agents or their authorized representatives or agents.

"State fire code" means the minimum requirements relative to the protection of persons and property from fire loss as approved by the SFC and the state building code council.

"Underwriter's lab (UL)" means a nonprofit organization that develops and tests standards for product safety.

"Uniform building code (UBC)" means the building code as copyrighted by the International Conference of Building Officials (ICBO) and includes the Uniform Building Code Standards.

"Uniform fire code (UFC)" means the fire code as copyrighted by the International Conference of Building Officials and the Western Fire Chiefs Association and published by the International Fire Code Institute.

"Water-based fire extinguishing system" means any Class I, Class II, Class III, combined standpipe system, automatic sprinkler system or automatic water spray fixed system utilizing water as an extinguishing agent.

[Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

SUBCHAPTER 2

LICENSES

§12-44.1-8 General license provisions. (a) A license is required for an individual to inspect, test and maintain fire alarm systems, fire extinguishers, fire extinguishing systems, and private fire hydrants.

(b) A person to whom a license is issued shall comply with all federal, state, and county laws as well as applicable codes and standards.

(c) The licensee shall only perform work on fire alarm systems, fire extinguishers, fire extinguishing systems, and private fire hydrants the licensee has been certified and licensed on.

(d) A license may only be issued to a person 18 years of age or older.

(e) Licenses are nontransferable.

(f) Licenses are valid for three years from the date of issuance.

(g) A list of currently approved fire protection system individuals may be obtained from the SFC website.

(h) A licensee who receives appropriate training shall not be prohibited by a manufacturer from servicing any particular brand of fire alarm system, fire extinguisher, fire extinguishing system, or private fire hydrant. The licensee is legally qualified to act for the business organization in all matters connected with its business, and the licensee must supervise all activities undertaken by such business organization.

(i) Businesses may allow trained individuals to conduct the daily, weekly, monthly, and quarterly inspections of fire alarm systems, fire extinguishers, fire extinguishing systems or private fire hydrants, in accordance with the adopted state fire code or nationally recognized standards, without a license.

(j) Licenses shall be renewed prior to the expiration date.

(k) A delinquent licensee is one who fails to renew their license prior to the expiration date.

(l) An inactive status license may be obtained by written notification to the SFC. If approved, an inactive status license shall be valid for 3 years or when the license is renewed, whichever comes first.

(m) Reactivation of an inactive license may be approved after completing the application form, providing a copy of the inactive status letter, and re-examination of the applicant (if necessary). The AHJ shall collect the application fee.

(n) The holder of a delinquent or inactive license may not engage in any activities for which a license is required. [Eff _____] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12.44.1.9 Application for license. (a) An application for a license to inspect, test and maintain fire alarm systems, fire extinguishers, fire extinguishing systems and private fire hydrants shall be submitted to the SFC (Exhibit A). The application shall show the type of certification being requested.

(b) The applicant shall fully complete the application form and submit all supporting documents before the application will be accepted.

(c) A written examination may be administered by a third party testing organization approved by the SFC. Third party testing organizations may include, but is not limited to, the International Code Council (ICC) and the National Institute for Certification in Engineering Technologies (NICET).

(d) The applicant shall successfully pass a written examination designed to test the applicant's knowledge in the particular classification in which the applicant desires to be licensed and provide a copy of the certificate for satisfactory completion of the fire alarm system, fire extinguisher, fire extinguishing system or private fire hydrant they are obtaining a license for. The certification shall be in the name of the individual.

(e) Successful completion of training and examination for a fire alarm system, fire extinguisher, fire extinguishing system or private fire hydrant that are proprietary systems may be allowed as supporting license criteria by the SFC. For non-water based fire extinguishing systems, ICC and NICET may not provide training for extinguishing agents such as FM-200, Halon 1301, wet chemical, foams and other clean agent fire extinguishing systems. As such, training by manufacturers of such systems may fulfill the specific application requirements for these systems upon

approval of the SFC. However, the applicant shall still be certified in non-water-based extinguishing systems by an approved certifying agency.

(f) If the applicant is employed by a business, the application shall state the name of the business, mailing address (if different), email address and local telephone number.

(g) The SFC may establish additional qualification criteria for applicants, such as a field evaluation to determine practical application of cognitive skills.

(h) Related education, training, and experience may be submitted with the application for license but shall not substitute for third party testing except for reasons stated in paragraph "(e)" above.

(i) Applicants shall also provide a copy of a valid driver's license at the time the application is submitted.

(j) The qualifying license is valid solely for use by the licensee.

(k) A delinquent license shall be restored upon payment of the applicable fee plus a penalty equal to the applicable fee. In addition, the SFC shall require re-examination of the applicant for renewal of the license beyond a 90 day grace period.

[Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12.44.1-10 Classification of license and fees.
The fee for each license is payable by check or money order to the AHJ, cash will not be accepted. The fee is nonrefundable. The classification of licenses and fees are as follows:

- (a) Fire alarm system license - \$300.00
- (b) Portable fire extinguisher license - \$300.00
- (c) Water-Based fire extinguishing system license - \$300.00 (Includes automatic fire sprinklers, fire pumps, flammable finishing spray booth and spraying room, and private fire hydrants)
- (d) Non-water-based fire extinguishing systems license - \$300.00 (Includes commercial cooking equipment system) [Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

SUBCHAPTER 3

INSPECTION, TESTING AND MAINTENANCE OF FIRE ALARM SYSTEMS

§12-44.1-11 Scope. This chapter shall establish requirements for conducting inspection, testing and maintenance of fire alarm systems within the State of Hawaii. [Eff _____] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-12 Applicability. (a) Fire alarm systems shall be inspected, tested and maintained by a licensed individual in accordance with the currently adopted state fire code, nationally recognized standards, manufacturer guidelines, and this chapter.

(b) An annual fire alarm system check shall be performed.

(c) The AHJ shall maintain the right to inspect or witness any inspection, testing or maintenance on a fixed fire alarm system to determine the system and the licensee meets the minimum standards set forth by this chapter and acceptable industry standards. [Eff _____] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.3-13 Inspection tag or decal, and report. (a) It shall be unlawful to inspect, test, or maintain any fire alarm system without providing the proper tag or decal of the fire alarm system and providing the property owner or agent a completed test report.

(b) Fire alarm systems passing an annual check shall have an approved inspection tag or decal affixed to the annunciator panel or if not present, the fire alarm system control panel.

- (1) The tag or decal shall indicate the month and year the fire alarm system was tested, the license number of the licensee conducting the test and the inspection company's name;
- (2) The tag or decal shall be yellow, at least 2 ¼-inches in width and 3 ¼-inches in length and clearly visible without obstructing the visibility or operation of the annunciator panel;

- (3) The tag or decal shall be constructed of a durable material approved by the AHJ.
- (4) The tag or decal shall be punched with no more than one year and one month.
- (c) Fire alarm systems failing an annual check shall leave the expired inspection tag or decal on the annunciator panel or if not present, the fire alarm system control panel until the system is repaired.
- (d) The AHJ and the building owner shall be immediately notified when a fire alarm system becomes inoperable. Alternative notification and response plans shall be implemented as approved by the AHJ until the fire alarm system is fully operational.
- (e) An inspection report (Exhibit B) shall be given to the property owner or agent within 24 hours of the test.
- (1) Records shall be maintained by the property owner;
- (2) Inspection companies with older report forms shall have one year from the date of the approval of this chapter to comply with the approved report format. [Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

SUBCHAPTER 4

INSPECTION, TESTING AND MAINTENANCE OF PORTABLE FIRE EXTINGUISHERS

§12-44.1-14 Scope. This chapter shall establish requirements for conducting inspection, testing, and maintenance of portable fire extinguishers within the State of Hawaii. [Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-15 Applicability. (a) Portable fire extinguishers shall be inspected, tested and maintained in accordance with the currently adopted state fire code, nationally recognized standards, manufacturer guidelines and this chapter.

(b) All portable fire extinguishers required by this chapter shall be listed by Underwriters Laboratories, Inc. or by a nationally recognized testing laboratory.

(c) It is unlawful to have any toxic or poisonous vaporizing liquid fire extinguishers using extinguishing agents determined by the AHJ to be hazardous or harmful.

(d) It shall be unlawful to inspect, test, maintain, hydrostatic test, or recharge any fire extinguisher without a tag or label meeting the specifications set forth by the AHJ. [Eff _____] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-16 Inspection tag, decal and collar for portable fire extinguishers. (a) Annual maintenance tag:

- (1) Extinguishers passing an annual maintenance inspection shall have an approved tag affixed to the extinguisher;
- (2) The tag shall indicate the month and year the extinguisher was tested, the type of extinguisher tested, the license number of the licensee conducting the test and the inspection company's name;
- (3) The tag shall be yellow, at least 2 ¼-inches in width and 3 ¼-inches in length and clearly visible without the need to open any cabinets;
- (4) The tag shall be constructed of a durable material approved by the AHJ;
- (5) The tag shall be punched with no more than one year and one month;
- (6) The tag shall not obstruct the fire extinguisher classification or instructions for use;
- (7) Companies with older tags shall have one year from the date of the adoption of this chapter to comply with the aforementioned inspection tag format.

(b) Six year maintenance decal and verification collar:

- (1) Every six years or upon discharge, stored-pressure extinguishers shall be emptied and subjected to the applicable manufacturer's service procedures;
- (2) Fire extinguishers that pass the applicable six-year requirement shall have their previous six-year label removed and replaced with a silver or white inspection decal at least 2 ¼-inches in width and 3 ¼-inches in length applied by a heatless process;
- (3) The decal shall be constructed of a durable material approved by the AHJ;

- (4) The decal shall indicate the month and year the extinguisher was tested, the type of extinguisher tested, the license number of the licensee conducting the test and the inspection company's name;
- (5) The decal when placed on a cylinder, shall be punched with no more than one year and one month;
- (6) Each fire extinguisher undergoing internal examination or has been recharged shall have a verification collar constructed of a single circular piece of uninterrupted material forming a hole of a size that does not permit the collar assembly to move over the neck of the container unless the valve is completely removed.
- (7) The collar shall not interfere with the operation of the fire extinguisher.
- (8) The collar shall indicate the month and year the service was performed and the name of the company performing the servicing.
- (9) The verification collar shall be punched with no more than one year and one month.
- (c) Five and 12-year hydrostatic testing label and verification collar:
 - (1) Every five years (for stored pressure water, wetting agent, AFFF, FFFP, dry chemical with stainless steel shells, carbon dioxide, or wet chemical) or 12 years (for other dry chemical shells, halogenated agents, and dry powder) increment from the date of manufacture, stored-pressure extinguishers shall be hydrostatically tested;
 - (2) Fire extinguishers passing a hydrostatic test shall have their previous label removed;
 - (3) It shall be replaced with a silver or white inspection decal at least 2 ¼-inches in width and 3 ¼-inches in length applied by a heatless process;
 - (4) The decal shall be constructed of a durable material approved by the AHJ;
 - (5) The decal shall indicate the month and year the extinguisher was hydrostatically tested, the license number of the licensee conducting the test and the inspection company's name;
 - (6) Each fire extinguisher undergoing hydrostatic testing shall have a verification collar constructed of a single circular piece of uninterrupted material forming a hole of a

size that does not permit the collar assembly to move over the neck of the container unless the valve is completely removed;

- (7) The collar shall not interfere with the operation of the fire extinguisher and shall not be punched with more than one year and one month;
- (8) The collar shall indicate the month and year the service was performed, and the name of the company performing the servicing.

(d) All extinguishers that fail the inspection or test shall have no tag, decal or verification collar affixed and corrective action shall be taken.

(e) Inspection tags for portable fire extinguishers shall not have a FPB file number. [Eff]
(Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

SUBCHAPTER 5

INSPECTION, TESTING AND MAINTENANCE OF WATER-BASED FIRE EXTINGUISHING SYSTEMS

§12-44.1-17 Scope. This chapter shall establish requirements for conducting inspection, testing and maintenance of water-based fire extinguishing systems (class I, II, III, and combined systems) within the State of Hawaii. (a) Class I system is a fixed fire extinguishing system providing 2 ½" hose connections for use by fire departments.

(b) Class II system provides 1½ inch hose stations to supply water for use primarily by trained personnel or by the fire department during an initial response.

(c) Class III system provides 1 ½ inch hose stations to supply water for use by trained personnel and 2 ½ inch hose connections to supply larger volume of water for use by fire departments.

(d) Combined system where the water piping services both 2 1/2 inch outlets for fire department use and outlets for automatic fire sprinklers. [Eff]
(Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-18 Applicability. (a) Annual and 5-year inspections consistent with the contractual provisions with the property owner or agent shall be conducted by the licensee. (Class I, II, III have 5 year maintenance requirements, except for the 1 ½" hose which is annually. Sprinklers require an annual maintenance inspection.)

(b) Water-based fire extinguishing systems shall be inspected, tested and maintained in accordance with the adopted state fire code, nationally recognized standards, and this chapter.

(c) Water-based fire extinguishing systems installed and approved in previous editions of the state or county fire codes shall be inspected, tested and maintained in accordance with the appropriate codes and standards.

(d) Exhibit I may be used as a reference for applicable codes and standards in effect when buildings were permitted.

(e) Automatic fire sprinkler systems connected to the combined system shall be tested in accordance with the chapter for automatic fire sprinklers (refer to Subchapter 6).

(f) Individuals conducting inspections, testing, and maintenance shall be licensed under this chapter.

(g) The property owner or designated representative shall be responsible for properly maintaining the fire protection system.

(h) Equipment or parts used in the maintenance of these systems shall be listed by a nationally recognized testing laboratory, such as Underwriters Laboratories, Inc.

(i) The AHJ shall maintain the right to inspect or witness any inspection, testing or maintenance on a fixed fire extinguishing system to determine the system and the licensee meets the minimum standards set forth by this chapter. [Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-19 Class I flow test requirements. A flow test shall be conducted every 5 years on all class I standpipe systems to verify the required flow and pressure are available at the hydraulically most remote hose valve outlet(s) while flowing the standpipe system demand. (a) Where water damage is a possibility, an air test shall be conducted on the system at 25 psi (1.7 bar) prior to introducing water into the system.

(b) Upon completion of a satisfactory two-hour hydrostatic test at 200 pounds per square inch (psi), a smooth bore nozzle shall be attached to the roof outlet.

(c) A pitot gauge shall be attached to one of the 2 ½-inch roof outlets.

(d) The discharge from the roof outlet shall be a minimum of 250 gpm.

(e) An open butt flow test shall not be allowed.

(f) Fire department connection gaskets shall be replaced with new gaskets.

(g) All caps shall be UL listed or approved.

[Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2) (Imp: HRS Chapter 132)

§12-44.1-20 Class II, class III and combined systems flow test requirements. The following testing procedures shall be complied with: (a) All systems shall be flow-tested to the requirements in effect when the building was permitted (Exhibit I). The required water flow requirements shall be maintained for at least 30 seconds for systems supplied by street mains and at least two minutes for systems supplied by booster pumps or pressure tanks.

(b) A flow test shall be conducted every 5 years on all class III standpipe systems to verify that the required flow and pressure are available at the hydraulically most remote hose valve outlet(s) while flowing the standpipe system demand.

(c) The tester shall determine the class II or class III maintenance water flow requirements for the building being tested. [Eff]

(Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-21 Inspection decal, tag, collar and sign for class I, class II, class III, and combined standpipe fire extinguishing systems. (a) Class I class II, class III, and combined standpipe fire extinguishing systems passing a five year inspection (annual inspection for class II hoses) shall have an approved, weatherproof, inspection decal affixed to the fire department connection. If the system does not have a fire department connection, decals shall be

affixed to hose cabinets located on the ground floor and the top-most floor.

(b) The decal shall indicate the type of system, the month and year the system was tested, the license number of the licensee conducting the test and the inspection company's name.

(c) The decal shall be yellow, at least 2 ¼-inches in width and 3 ¼-inches in length, and clearly visible without obstructing the operation of the fixed fire extinguishing system.

(d) The decal shall be constructed of a durable material approved by the AHJ.

(e) The decal shall be punched with no more than one year and one month.

(f) A collar tag is a circular, solid plastic collar with at least a 3-inch diameter hole in the center and shall slide onto each hose length approximately midway from the male and female couplings after the physical inspection has been completed and deemed satisfactory. The verification collar shall indicate the month and year the hose was inspected, the license number of the licensee conducting the test, and the inspection company's name. Verification collars may be constructed of other suitable materials when approved by the AHJ.

(g) The verification collar shall be punched with no more than one year and one month.

(h) Inspection companies with older decals, tags, and collars shall have one year from the date of the adoption of this chapter to comply with the approved inspection decal, tag and collar format.

(i) All systems that fail the test but are still operational shall have a "UNSAT" tag affixed to the fire department connection. The sign shall have a yellow background with black letters and be constructed of wood, metal, or plastic. The letters shall be a minimum height of 3-inches and a minimum width of ¼-inch stroke. The sign shall remain in place until all repairs have been made and a satisfactory system test is completed. If the system does not have a fire department connection, "UNSAT" signs shall be affixed to hose cabinets located on the ground floor and the top-most floor.

(j) All systems that cannot be utilized for fire fighting operations shall have an "Inoperable System" sign affixed to the fire department connection. The sign shall have a red background with white letters and be constructed of wood, metal, or plastic. The letters shall be a minimum height of 3-inches and a minimum width of ¼-inch stroke.

The sign shall remain in place until all repairs have been made and a satisfactory system test is completed. If the system does not have a fire department connection, "Inoperable System" signs shall be affixed to hose cabinets located on the ground floor and the top-most floor.

(k) The appropriate FPB shall be notified immediately of any systems determined to be inoperable.

(l) An inspection report shall be provided to the property owner or agent within 24 hours of the test.

[Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-22 Inspection Report. (a) An inspection report (Exhibit C & D) shall be provided to the property owner or agent within 24 hours of the test.

(b) Records shall be maintained by the property owner.

(c) An electronic copy of the test report shall be submitted to the FPB within five working days.

(d) The AHJ shall approve all inspection report forms.

(e) Inspection companies with older report forms shall have one year from the date of the approval of this chapter to comply with the approved report format.

[Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

SUBCHAPTER 6

INSPECTION, TESTING AND MAINTENANCE OF AUTOMATIC FIRE SPRINKLER SYSTEMS

§12-44.1-23 Scope. This chapter shall establish requirements for conducting inspection, testing and maintenance of automatic fire sprinkler systems within the State of Hawaii. [Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-24 Automatic fire sprinkler systems. Automatic fire sprinkler systems are an integrated system of underground and overhead piping designed for fire protection purposes in accordance with fire protection engineering

standards. [Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-25 Applicability. (a) Automatic fire sprinkler systems shall be inspected, tested and maintained in accordance with the adopted state fire code, nationally recognized standards and this chapter.

(b) Automatic fire sprinklers systems installed and approved in previous editions of the state or county fire code, or nationally recognized standards shall be inspected, maintained and tested in accordance with the appropriate codes and standards. See Exhibit I.

(c) All weekly, monthly and quarterly inspection, testing and maintenance requirements need not be conducted by a licensed individual, but shall be the responsibility of the owner or agent of the property.

(d) A licensed individual shall conduct annual inspections, testing and maintenance activities.

[Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-26 Pretest. The following pretest procedures shall be complied with: (a) An air test shall be conducted on the piping between the fire department connection and the sprinkler riser.

(b) The piping shall be filled with 25 psi of air and held for 15 minutes. No drop in pressure is allowed.

(c) An air test need not be conducted when the piping is above ground and less than five feet in length.

(d) Automatic fire sprinkler systems without a fire department connection do not require an air test.

[Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-27 Inspection decal and sign for automatic fire sprinkler systems. (a) Satisfactory systems shall have an approved inspection decal affixed to the fire department connection and the sprinkler riser. Automatic fire sprinkler systems that do not have a fire department connection shall have a decal affixed to the riser.

(b) The decal shall indicate the type of system, the month and year the system was tested, the license number of the licensee conducting the test, the inspection company's name, and the FPB file number.

(c) The decal shall be clearly visible and shall be punched with no more than one year and one month.

(d) Inspection companies with older decals shall have one year from the date of the approval of this chapter to comply with the inspection decal format.

(e) All systems that fail the test but are still operational shall have a "UNSAT" tag affixed to the fire department connection. The sign shall have a yellow background with black letters and be constructed of wood, metal, or plastic. The letters shall be a minimum height of 3-inches and a minimum width of ¼-inch stroke. The sign shall remain in place until all repairs have been made and a satisfactory system test is completed.

(f) All systems that cannot be utilized for fire fighting operations shall have an "Inoperable System" sign affixed to the fire department connection. The sign shall have a red background with white letters and be constructed of wood, metal, or plastic. The letters shall be a minimum height of 3-inches and a minimum width of ¼-inch stroke. The sign shall remain in place until all repairs have been made and a satisfactory system test is completed.

(g) The AHJ shall be notified immediately of any systems determined to be inoperable. [Eff
] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-28 Inspection report. (a) An inspection report (Exhibit E) shall be given to the property owner or agent within 24 hours of the test.

(b) Records shall be maintained by the property owner.

(c) A hard copy of the test report shall also be submitted to the AHJ within five working days.

(d) The AHJ shall approve all inspection report forms.

(e) Inspection companies with older report forms shall have one year from the date of the approval of this chapter to comply with the approved report format.

[Eff
] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

SUBCHAPTER 7

INSPECTION, TESTING AND MAINTENANCE OF FIRE PUMPS

§12-44.1-29 Scope. This chapter shall establish requirements for conducting inspection, testing and maintenance of fire pumps within the State of Hawaii. [Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-30 Fire pumps. Provide water flow and pressure for private fire protection. The assembly includes the water supply suction and discharge piping and valving; pump; electric, diesel, or steam turbine driver and control; and auxiliary equipment. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-31 Electrical motor fire pump. A fire pump directly powered by an electrical motor. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-32 Diesel motor fire pump. A fire pump directly powered by a diesel motor. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-33 Testing. (a) Fire pumps shall be inspected, tested and maintained in accordance with the adopted state fire code, nationally recognized standards and this chapter.

(b) Fire pumps installed and approved in previous editions of the state or county fire code, or nationally recognized standards shall be inspected, maintained and tested in accordance with the appropriate codes and standards.

(c) All weekly, monthly, and quarterly inspection, testing and maintenance requirements are not required to be conducted by a licensed individual but shall be the responsibility of the owner or agent of the property. A licensed individual shall conduct annual inspections, testing, and maintenance activities.

[Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-34 Inspection decal and sign for fire pump systems. (a) Satisfactory systems shall have an approved inspection decal affixed to the fire pump controller.

(b) The decal shall indicate the type of system, the month and year the system was tested, the license number of the licensee conducting the test, and the inspection company's name.

(c) The decal shall be clearly visible and shall be punched with no more than one year and one month.

(d) Inspection companies with older decals shall have one year from the date of the approval of this chapter to comply with the inspection decal format.

(e) All systems that fail the test but are still operational shall have a "UNSAT" tag affixed to the fire department connection. The sign shall have a yellow background with black letters and be constructed of wood, metal, or plastic. The letters shall be a minimum height of 3-inches and a minimum width of ¼-inch stroke. The sign shall remain in place until all repairs have been made and a satisfactory system test is completed. If the system does not have a fire department connection, "UNSAT" signs shall be affixed to hose cabinets located on the ground floor and the top-most floor.

(f) All systems that cannot be utilized for fire fighting operations shall have an "Inoperable System" sign affixed to the fire department connection. The sign shall have a red background with white letters and be constructed of wood, metal, or plastic. The letters shall be a minimum height of 3-inches and a minimum width of ¼-inch stroke. The sign shall remain in place until all repairs have been made and a satisfactory system test is completed. If the system does not have a fire department connection, "Inoperable System" signs shall be affixed to hose cabinets located on the ground floor and the top-most floor.

(g) The AHJ shall be notified immediately of any systems determined to be inoperable. [Eff

] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-35 Inspection report. (a) An inspection report (Exhibit F) shall be given to the property owner or agent within 24 hours of the test.

(b) Records shall be maintained by the property owner.

(c) A hard copy of the test report shall also be submitted to the FPB within five working days.

(d) The AHJ shall approve all inspection report forms.

(e) Inspection companies with older report forms shall have one year from the date of the approval of this chapter to comply with the approved report format.

[Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

SUBCHAPTER 8

INSPECTION, TESTING AND MAINTENANCE OF NON-WATER BASED FIRE EXTINGUISHING SYSTEMS

§12-44.1-36 Scope. This chapter shall establish requirements for conducting inspection, testing and maintenance of non-water based fire extinguishing systems within the State of Hawaii. [Eff]
(Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-37 Non-water based fire extinguishing systems. This chapter shall establish requirements for conducting inspection, testing and maintenance of non-water based fire extinguishing systems within the State of Hawaii. Non-water based systems include, but are not limited to, CO2, FM-200, Halon 1301, dry or wet chemical, low-, medium-, and high-expansion foam and other clean agent fire extinguishing systems. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-38 Applicability. (a) Non-water-based fire extinguishing systems shall be inspected, tested and

maintained in accordance with the adopted state fire code, nationally recognized standards, this chapter and manufacturer guidelines.

(b) Non-water based fire extinguishing systems installed and approved in previous editions of the state or county fire code, or nationally recognized standards shall be inspected, maintained and tested in accordance with the appropriate codes and standards.

(c) A list of the appropriate non-water based standards are found in Exhibit I. [Eff]
(Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-39 Inspection Tag, Decal and Sign for Non-Water-Based Fire Extinguishing Systems. (a) Satisfactory systems shall have an approved inspection tag affixed to the manual activation device or, if not present, actuator valve to the extinguishing agent.

(b) The tag shall indicate the type of system, the month and year the system was tested, the license number of the inspector conducting the test, the inspection company's name and the FPB file number.

(c) The tag shall be clearly visible and shall be punched with no more than one year and one month.

(d) Inspection companies with older decals shall have one year from the date of the approval of this chapter to comply with the inspection tag format.

(e) Every 12 years from the date of manufacture, stored-pressure extinguishing agent cylinders shall be hydrostatically tested. Before placing the extinguishing agent cylinders back into service, a silver or white, six-year maintenance decal shall be placed on the cylinder. The decal shall indicate the month and year the 12-year maintenance was completed, the license number of the licensee conducting the test and the inspection company's name. A verification collar for high-pressure cylinders shall also be placed around the neck of the cylinder. The verification collar shall indicate the month and year of the 12-year maintenance. The verification collar shall be punched with no more than one year and one month.

(f) Inspection companies with older decals shall have one year from the date of the approval of this chapter to comply with the silver or white maintenance decal format.

(g) All systems that fail the test but are still operational shall have a "UNSAT" tag affixed to the manual

activation switch. The sign shall have a yellow background with black letters and be constructed of wood, metal, or plastic. The letters shall be a minimum height of 3-inches and a minimum width of ¼-inch stroke. The sign shall remain in place until all repairs have been made and a satisfactory system test is completed.

(h) All systems that cannot be utilized for fire fighting operations shall have an "Inoperable System" sign affixed to the fire department connection. The sign shall have a red background with white letters and be constructed of wood, metal, or plastic. The letters shall be a minimum height of 3-inches and a minimum width of ¼-inch stroke. The sign shall remain in place until all repairs have been made and a satisfactory system test is completed.

(i) The AHJ shall be notified immediately of any systems determined to be unsatisfactory.

[Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-40 Inspection Report. (a) An inspection report (Exhibit G) shall be given to the property owner or agent within 24 hours of the test.

(b) Records shall be maintained by the property owner.

(c) A hard copy of the test report shall also be submitted to the FPB within five working days.

(d) The AHJ shall approve all inspection report forms.

(e) Inspection companies with older report forms shall have one year from the date of the approval of this chapter to comply with the approved report format.

[Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

SUBCHAPTER 9

INSPECTION, TESTING AND MAINTENANCE OF COMMERCIAL COOKING EQUIPMENT

§12-44.1-41 Scope. This chapter shall establish requirements for conducting inspection, testing and maintenance of commercial cooking extinguishing systems

within the State of Hawaii. [Eff]
(Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-42 Hood extinguishing system. A fire protection system for the protection of grease removal devices, hood exhaust plenums and exhaust duct systems. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-43 Applicability. (a) Commercial cooking equipment protected by a hood extinguishing system shall be inspected, tested and maintained in accordance with the adopted state fire code, nationally recognized standards, this chapter and manufacturer guidelines.

(b) Commercial cooking extinguishing systems installed and approved in previous editions of the state or county fire code, or nationally recognized standards shall be inspected, tested and maintained in accordance with the appropriate codes and standards. See Exhibit I.

(c) Hood extinguishing systems shall be service-tested at least every six months. [Eff]
(Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-44 Air acceptance test. Prior to the commencement of initial cooking operations, a satisfactory air acceptance test of the hood extinguishing system shall be made in accordance with the manufacturer's guidelines. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-45 Inspection tag, decal, collar and sign for hood extinguishing systems. (a) Satisfactory systems shall have an approved inspection tag affixed to the hood extinguishing system's piping near the manual activation device.

(b) The tag shall indicate the type of system, the month and year the system was tested, the license number of

the licensee conducting the test, the inspection company's name and the FPB file number.

(c) The tag shall be clearly visible and shall be punched with no more than one year and one month.

(d) Inspection companies with older tags shall have one year from the date of the approval of this chapter to comply with the inspection tag format.

(e) All systems that fail the test but are still operational shall have a "UNSAT" tag affixed to the manual pull station. The sign shall have a yellow background with black letters and be constructed of wood, metal, or plastic. The letters shall be a minimum height of 3-inches and a minimum width of ¼-inch stroke. The sign shall remain in place until all repairs have been made and a satisfactory system test is completed.

(f) All systems that cannot be utilized for fire fighting operations shall have an "Inoperable System" sign affixed to the manual pull station. The sign shall have a red background with white letters and be constructed of wood, metal, or plastic. The letters shall be a minimum height of 3-inches and a minimum width of ¼-inch stroke. The sign shall remain in place until all repairs have been made and a satisfactory system test is completed.

(g) The AHJ shall be immediately notified of an inoperable system.

(g) Every six years, or upon discharge, stored-pressure extinguishing agent cylinders shall be emptied and subjected to the applicable maintenance procedures. Before placing the extinguishing agent cylinders back into service, a silver or white, six-year maintenance decal shall be placed on the cylinder. The decal shall indicate the month and year the six-year maintenance was completed, the license number of the licensee conducting the test and the inspection company's name. A verification collar for high-pressure cylinders shall also be placed around the neck of the cylinder. The verification collar shall indicate the month and year of the six-year maintenance. The verification collar shall be punched with no more than one year and one month.

(g) Inspection companies with older decals shall have one year from the date of the approval of this chapter to comply with the silver or white inspection decal format.

(h) Every 12 years from the date of manufacture, stored-pressure extinguishing agent cylinders shall be hydrostatically tested. Before placing the extinguishing agent cylinders back into service, a silver or white 12-year

maintenance decal shall be placed on the cylinder. The decal shall indicate the month and year the 12-year maintenance was completed, the license number of the licensee conducting the test and the inspection company's name. A verification collar for high-pressure cylinders shall also be placed around the neck of the cylinder. The verification collar shall indicate the month and year of the 12-year maintenance. The verification collar shall be punched with no more than one year and one month.

(i) Inspection companies with older decals shall have one year from the date of the approval of this chapter to comply with the silver or white inspection decal format. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-46 Inspection report. (a) An inspection report (Exhibit H) shall be given to the property owner or agent within 24 hours of the test.

(b) Records shall be maintained by the property owner.

(c) A hard copy of the test report shall also be submitted to the FPB within five working days.

(d) The AHJ shall approve all inspection report forms.

(e) An approved inspection report form for commercial cooking hood extinguishing systems is marked "Exhibit F".

(f) Inspection companies with older report forms shall have one year from the date of the approval of this chapter to comply with the approved report format.

[Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

SUBCHAPTER 10

INSPECTION, TESTING AND MAINTENANCE OF FLAMMABLE FINISHING SPRAY BOOTHS AND SPRAYING ROOMS

§12-44.1-47 Scope. This chapter shall establish requirements for conducting inspection, testing and maintenance of flammable finishing spray booths and spraying rooms within the State of Hawaii. [Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-48 Spray booth system. An automatic fire extinguishing system used to protect a mechanically-ventilated appliance of varying dimensions and construction, provided to enclose or accommodate a spraying operation, confine, and limit the escape of spray vapor and residue, and exhaust it safely. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-49 Applicability. (a) Spray booths and spraying room systems shall be inspected, tested and maintained in accordance with the adopted state fire code, nationally recognized standards, this chapter and the manufacturer's guidelines.

(b) Spray booths and spraying room systems installed and approved in previous editions of the state or county fire code, or nationally recognized standards shall be inspected, tested and maintained in accordance with the appropriate codes and standards.

(c) If the spray room or spray booth is protected by an approved automatic fire sprinkler system, the chapter and form for automatic fire sprinkler systems shall apply. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-50 Inspection tag, decal and collar for spray booth and spraying room systems. (a) Satisfactory systems shall have an approved inspection tag affixed to the extinguishing system's manual activation device.

(b) The tag shall indicate the type of system, the month and year the system was tested, the license number of the licensee conducting the test, the inspection company's name and the FPB file number.

(c) The inspection tag shall be clearly visible and shall be punched with no more than one year and one month.

(d) Inspection companies with older inspection tags shall have one year from the date of the approval of this chapter to comply with the inspection tag format.

(e) All systems that fail the test but are still operational shall have a "UNSAT" tag affixed to the fire department connection. The sign shall have a yellow background with black letters and be constructed of wood, metal, or plastic. The letters shall be a minimum height of

3-inches and a minimum width of ¼-inch stroke. The sign shall remain in place until all repairs have been made and a satisfactory system test is completed.

(f) All systems that cannot be utilized for fire fighting operations shall have an "Inoperable System" sign affixed to the fire department connection. The sign shall have a red background with white letters and be constructed of wood, metal, or plastic. The letters shall be a minimum height of 3-inches and a minimum width of ¼-inch stroke. The sign shall remain in place until all repairs have been made and a satisfactory system test is completed.

(g) The AHJ shall be notified immediately of an inoperable system.

(h) Every six years or upon discharge, stored-pressure extinguishing agent cylinders shall be emptied and subjected to the applicable maintenance procedures. Before placing the extinguishing agent cylinders back into service, a silver or white, six-year maintenance decal shall be placed on the cylinder. The decal shall indicate the month and year the six-year maintenance was completed, the license number of the licensee conducting the test and the inspection company's name. A verification collar for high-pressure cylinders shall also be placed around the neck of the cylinder. The verification collar shall indicate the month and year of the six-year maintenance. The verification collar shall be punched with no more than one year and one month.

(i) Inspection companies with older decals shall have one year from the date of the approval of this chapter to comply with the silver or white inspection decal format.

(j) Every 12 years from the date of manufacture, stored-pressure extinguishing agent cylinders shall be hydrostatically tested. Before placing the extinguishing agent cylinders back into service, a silver or white, 12-year maintenance decal shall be placed on the cylinder. The decal shall indicate the month and year the 12-year maintenance was completed, the license number of the licensee conducting the test and the inspection company's name. A verification collar for high-pressure cylinders shall also be placed around the neck of the cylinder. The verification collar shall indicate the month and year of the 12-year maintenance. The verification collar shall be punched with no more than one year and one month.

(k) Inspection companies with older decals shall have one year from the date of the approval of this chapter to

comply with the silver or white inspection decal format.
[Eff] (Auth: RCH §4-105, ROH §1-9.1,
HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1.51 Inspection report. (a) An inspection report (Exhibit E or G) shall be given to the property owner or agent within 24 hours of the test.

(b) Records shall be maintained by the property owner.

(c) A hard copy of the test report shall also be submitted to the FPB within five working days.

(d) The AHJ shall approve all inspection report forms.

(e) An approved inspection report form for spray booths and spraying room systems shall utilize water or non-water based extinguishing system forms (Exhibit C or F).

(f) Inspection companies with older report forms shall have one year from the date of the approval of this chapter to comply with the approved report format.

[Eff] (Auth: RCH §4-105, ROH §1-9.1,
HRS §132-2)(Imp: HRS Chapter 132)

SUBCHAPTER 11

INSPECTION, TESTING AND MAINTENANCE OF PRIVATE FIRE HYDRANTS

§12-44.1-52 Scope. This chapter shall establish requirements for conducting inspection, testing and maintenance of private fire hydrants within the State of Hawaii. [Eff] (Auth: HRS §132-16)(Imp: HRS §132-16; SLH 2014, Act 165)

§12-44.1-53 Private fire hydrants. Private fire hydrants are valved connections on a water supply system having one or more outlets and is used to supply hose and fire department pumpers with water and are located on private property. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-54 Applicability. The AHJ's Board of Water, the adopted state fire code or nationally recognized standards shall provide the minimum requirements for the inspection, testing and maintenance of private fire hydrants. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-55 Inspection. (a) The inspection, testing and maintenance of private fire hydrants, except for one-and two-family dwellings, is the responsibility of the property owner. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-56 Testing. (a) An annual inspection or after each operation consistent with the contractual provisions with the owner shall be conducted by the licensee.

(b) At least once each year, each private fire hydrant shall be opened fully and the water allowed to flow until all foreign materials have been cleared. The flow shall be maintained for not less than one minute.

(c) All fire hydrants that fail the inspection, testing, and maintenance test shall be wrapped. The hydrant shall remain wrapped in place until all repairs have been made and a satisfactory hydrant test is completed. The fire department shall be notified immediately of any fire hydrant determined to be out of service. Fire hydrants deemed to be permanently inoperable or unusable shall be removed. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

§12-44.1-57 Inspection report. (a) An inspection report (shall be given to the property owner or agent within 24 hours of the test.

(b) Records shall be maintained by the property owner.

(c) A hard copy of the test report shall also be submitted to the FPB within five working days.

(d) The AHJ shall approve all inspection report forms.

(e) Inspection companies with older report forms shall have one year from the date of the approval of this chapter to comply with the approved report format.

[Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §132-2)(Imp: HRS Chapter 132)

SUBCHAPTER 12

APPEALS

§12-44.1-58 Right to a hearing. Whenever the AHJ denies, suspends, or revokes a license under these this chapter the AHJ shall immediately notify the licensee in writing, either by registered or certified mail with return receipt requested, of the AHJ's decision and the right of the licensee to a hearing. [Eff]
(Auth: RCH §4-105, HRS §91-2)(Imp: HRS §91-9)

§12-44.1-59 Filing of petition. (a) The licensee shall have ten calendar days from the date of receipt of the AHJ's decision denying, revoking, or suspending the license. The licensee may file a written petition of appeal for a hearing with the AHJ. Appeals submitted after the time limits prescribed in this section will not be considered.

(b) Petitions of appeal shall be filed with the AHJ.

(c) The petition of appeal shall contain the following information:

- (1) The petitioner's name, address and telephone number
- (2) The issue on appeal
- (3) A statement of the relevant facts
- (4) The remedy sought, including the rationale and legal basis in support of the requested remedy
- (5) The petitioner's signature and date the petition is submitted to the AHJ.

[Eff] (Auth: RCH §4-105, HRS §91-2)(Imp: HRS §91-9)

§12-44.1-60 Hearing. (a) Within ten calendar days of the filing of a petition of appeal, the AHJ or the designated hearing officer shall notify the petitioner in writing as to the date, time and place of the hearing by registered or certified mail with return receipt requested. The petitioner shall be given written notice of the hearing at least 15 days prior to the hearing.

(b) The notice of hearing and the hearing shall be in conformity with the provisions of Chapter 91, HRS, relating to contested cases. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §91-2)(Imp: §91-9)

§12-44.1-61 Designation of hearing officer. The AHJ may designate a hearing officer. [Eff]
(Auth: RCH §4-105, ROH §1-9.1, HRS §91-2)(Imp: HRS §91-9)

§12-44.1-62 Decision and order. Each decision and order adverse to the petitioner shall be in writing or stated in the record and shall be accompanied by separate findings of fact and conclusions of law. The petitioner shall be notified by delivery or mailing of a certified copy of the decision and order and accompanying findings of facts and conclusions of law within 30 days from the close of the hearing. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §91-2)(Imp: HRS §91-12)

§12-44.1-63 Judicial review. Any person aggrieved by the final decision and order of the hearing officer may appeal such action in the circuit court in accordance with Section 91-14, HRS. [Eff] (Auth: RCH §4-105, ROH §1-9.1, HRS §91-2)(Imp: HRS §91-1)

CHAPTER 13

SEVERABILITY

§12-44.1-64 Severability. If any part, section, sentence, clause, or phrase of this chapter, or its application to any person or transaction or other circumstances, is for any reason held to be unconstitutional or invalid, the remaining parts, sections, sentences, clauses, and phrases of this chapter, or the application of this chapter to other persons or transactions or circumstances, shall not be affected. The legislature hereby declares that it would have passed this chapter and each part, section, clause, or phrase thereof, irrespective of the fact that any one or more parts, sections, sentences, clauses, or phrases of this chapter, or its application to any person or transaction or other circumstance, be declared unconstitutional or invalid. [Eff] (Auth: HRS §516-82)(Imp: HRS §516-82)