



December 13, 2011

Chairman, Brian Gale:

RE: Verbal testimony from December 13, 2011 sprinkler hearing.

My name is Michael McDowell and I am the president of the Home Builder's Association of Massachusetts, a position I assumed last month following the passing of our former president, John DeShazo. Those of you who knew John know that his energy, his wit and his insight is sorely missed by our association, and I only hope I can adequately fill his shoes for the remainder of his term.

I want to thank the board for the opportunity to appear before you today. But before I get into my testimony, I want to offer our heartfelt condolences on the loss of four Massachusetts residents to fire in the last few weeks, Jon Davies, a Worcester firefighter, Dean Morganti, of Framingham, Dorothy Weiss, of Stow, and Marcelle McKee, of Methuen. These tragedies remind us as builders, we must all work together to minimize the possibility of fire, fire related injuries and deaths as we go about our business of building new homes for Massachusetts families.

This is exactly what we have done in the past and will continue to do. The Home Builders Association of Massachusetts has a record of supporting sensible proposals to make fire codes more stringent. We supported in the 70's the standardization of the Massachusetts State Building Code 780 CMR and we are committed to a uniform State Building Code, which is the first line of defensive in preventing fires. The number of fires in housing since 1975 due to construction is amazingly low and both the BBRS and builders should celebrate this achievement.

We already have mandatory sprinklers in large 1 and 2 family dwellings. We supported the requirement for smoke alarms, as they have changed from battery operated, one in each bedroom, hard wired, to photoelectric. We have also supported carbon monoxide detectors and heat detectors, all of which has made housing extremely safe in regards to fire safety.

But today, there is one proposal, while no doubt well intentioned, will only serve to add significant cost to construction of a new home without any measurable increase in safety. That of course, is the proposal to require fire sprinkler systems in all new 1 and 2 family homes, which we oppose.

As president, I represent a group of extraordinary men and women who are builders and remodelers, and associate members who support our activities. I am fortunate to have gotten to know 100's of them. As a group, they are dedicated, hardworking, honest individuals that all take extreme pride in what they do. Many of them have carried on traditions from their fathers and forefathers.

Some recent ads have stated we build substandard housing, not only is this insulting, it is outrageous. We build quality homes and are proud of it.

We believe in giving our customers choices, for example type of construction, to use flammable or non-flammable materials. We give them an option if they want to have sprinklers or no sprinklers. We are ready to serve our customers and to do what they ask. We are not frequently asked to install sprinklers. We would be glad to provide sprinklers in existing or new homes for anyone, including Massachusetts Fire officials, firefighters, etc.

Local option code provisions would return Massachusetts to a fragmented building code. This would weaken our uniform state building code, which we have enjoyed since 1975. This will increase the complexity, time and expense to consumers seeking to construct a new home, we oppose this.

The adoption of mandatory fire sprinklers for all 1 and 2 family dwellings would put Massachusetts in the minority. Thirty-one (31) states across the nation have already banned or said NO to mandatory fire sprinklers in 1 and 2 family dwellings.

I believe in American's exceptionalism, many of people misunderstand the term, it does not mean Americans are better than anyone else; it means we have liberties and freedoms, especially freedom of choice in this country. Every time we pass a regulation, we limit freedom, and choice by making things mandatory. Please let us keep sprinklers as an option.

God Bless America and Thank you!



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The Building Inspector of America
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