

	FIRST	REGULAR SE	ESSION
ONI	E HUNDRED AN	ID ELEVENTH	H LEGISLATURE
Legislative Do	ocument		No. 13
H.P. 1051		House of	Representatives, March 30, 19
Referred to		on Legal Affai	afety pursuant to Joint Rule 24 irs. Sent up for concurrence an
			EDWIN H. PERT, Cle
	epresentative Co s: Representative		co and Representative Stover
	STA	TE OF MAIN	νE
]		YEAR OF OU IDRED AND E	JR LORD SIGHTY-THREE
i		end the La reling Show	aw Governing vs.
Be it enac [.] follows:	ced by the H	People of t	the State of Maine a
			d replaced by PL 1977 a following enacted i
§502. Fee:	s, prosecuti	.ons; trave	eling shows
The mu	unicipal of		
	for any of	the exhibi	tions or performance
			ceiving for their tow
a sum which	they deem	proper, 24	hours or more beir for performance as the
			cute, by complaint fo
			ations of section 501

1	No thereling givens thereling emissions there on
	No traveling circus, traveling amusement show or
2	amusement device shall operate or exhibit any parade,
3	show or entertainment in this State without first
4	paying a license fee for each calendar year. Applica-
5	tion for the license shall be made to the Commis-
6	sioner of Public Safety and shall contain the name of
7	the person or corporation using or operating the
8	traveling circus, traveling amusement show or amuse-
9	ment device, and a statement of proposed territory
10	within the limits of the State, and names of the cit-
11	ies and towns in which the traveling circus, travel-
12	ing amusement show or amusement device is to operate
13	or exhibit. No traveling circus or traveling amuse-
14	ment show or amusement device may exhibit any parade,
15	show or entertainment in this State without first
16	furnishing the Commissioner of Public Safety, in an
17	amount to be determined by him, a certificate of
18	public liability insurance. Upon receipt of the
19	application, accompanied by a certificate of public
20	liability insurance and upon payment of the required
21	fee, a license shall be issued. For amusement shows,
22	carnivals, thrill shows, ice shows, rodeos or similar
23	types of performances which are held indoors or
24	outdoors, the fee shall be \$250. For circuses which
25	are held outdoors or under tents or similar temporary
26	cover or enclosure, the fee shall be \$500. For cir-
27	cuses held indoors in an auditorium, arena, civic
28	center or similar type building, the fee shall be
29	\$250. For circuses produced in their entirety by a
30	nonprofit, charitable organization, a license is re-
31	quired, but no fee may be charged. The amusement
32	device license fee shall be \$25 per amusement device.
33	A traveling amusement show, having amusement devices
34	and having secured a traveling amusement show li-
35	cense, shall pay an additional amusement device li-
36	cense fee for each amusement device over 8 rides.
37	"Amusement device" means a device by which a person
38	is conveyed, where control by the rider over the
39	speed or direction of travel is incomplete. It does
40	not include a vehicle or device, the operation of
41	which is regulated as to safety by any other provi-
42	sion of law, except a municipal ordinance under Title
43	30, section 2151, or any coin-operated kiddle amuse-
43 44	ment device on a nonmoving base which is designed to
45	accommodate one child.
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License fees shall be credited to the State Fire Marshal's Office to defray expenses of that office. Any balance of fees shall not lapse but shall be carried forward as a continuing account to be expended for the same purposes in the following fiscal years.

The license shall be further conditioned that a 6 7 traveling circus, traveling amusement show or amuse-8 ment device being operated in a manner which is dangerous to the safety of the public be stopped until 9 10 the condition is remedied. Breach of any condition in 11 the license shall be a cause for immediate suspension or revocation of the license, at the discretion of 12 13 the commissioner.

14The Commissioner of Public Safety shall make,15amend or rescind, after public hearing, notice of16which has been duly advertised in the state paper,17reasonable rules for the operation of traveling cir-18cuses, traveling amusement shows or amusement19devices.

20 The exhibiting of any parade, show or entertain-21 ment of any traveling circus, traveling amusement 2.2 show or amusement device contrary to this section shall be deemed a misdemeanor, and the person, per-23 24 sons, firm or corporation owning or controlling the traveling circus, traveling amusement show or amuse-ment device, or the manager or officer in charge 25 26 27 thereof within the State, shall be punished by a fine 28 of not more than \$1,000.

29The District Court and Superior Court in the30counties where traveling circuses, traveling amuse-31ment shows or amusement devices exhibit or parade32shall have jurisdiction over the offense.

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STATEMENT OF FACT

The current law does not provide for the inspection and permitting of several new amusement devices now operating throughout the State. These new amusement rides cannot be classified as mechanical rides, yet their operation creates life-safety problems when not effectively regulated. 1 This bill is designed to include those 2 nonmechanical amusement devices which include water 3 slides, swinging gyms, moonwalks and giant slides. 4 Each year, several injuries occur on these devices. 5 This bill provides authority to promulgate regula-6 tions governing their safety.

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