

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1673

S.P. 560

In Senate, May 26, 1987

Reported by Senator Bustin of Kennebec for the Committee on Banking and Insurance and printed under Joint Rule 2. Original Bill sponsored by Senator Collins of Aroostook. Cosponsored by: Senator Theriault of Aroostook.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT Concerning Liability Insurance
Coverage for Amusement Devices.

1
2
3

4 Be it enacted by the People of the State of Maine as
5 follows:

6 § 8 MRSA §502, 2nd ¶, as amended by PL 1983, c.
7 328, is further amended to read:

8 No traveling circus, traveling amusement show or
9 amusement device shall may operate or exhibit any pa-
10 rade, show or entertainment in this State without
11 first paying a license fee for each calendar year.
12 Application for the license shall be made to the Com-
13 missioner of Public Safety and shall contain the name
14 of the person or corporation using or operating the
15 traveling circus, traveling amusement show or amuse-

1 ment device, and a statement of proposed territory
2 within the limits of the State, and names of the
3 cities and towns in which the traveling circus,
4 traveling amusement show or amusement device is to
5 operate or exhibit. No traveling circus or traveling
6 amusement show or amusement device shall ~~may~~ exhibit
7 any parade, show or entertainment in this State with-
8 out first furnishing the Commissioner of Public Safe-
9 ty, in an amount to be determined by him, a certifi-
10 cate of public liability insurance issued by an au-
11 thorized insurer or approved surplus lines insurer
12 pursuant to Title 24-A or any risk retention group
13 licensed in any state pursuant to the United States
14 Code, Title 15, Chapter 65, or through a purchasing
15 group licensed in any state pursuant to the United
16 States Code, Title 15, Chapter 65. Upon receipt of
17 the application, accompanied by a certificate of pub-
18 lic liability insurance and upon payment of the re-
19 quired fee, a license shall be issued. For amusement
20 shows, carnivals, thrill shows, ice shows, rodeos or
21 similar types of performances which are held indoors
22 or outdoors the fee shall be \$250. For circuses which
23 are held outdoors or under tents or similar temporary
24 cover or enclosure the fee shall be \$500. For cir-
25 cuses held indoors in an auditorium, arena, civic
26 center or similar type building the fee shall be
27 \$250. For circuses produced in their entirety by a
28 nonprofit, charitable organization a license is re-
29 quired but no fee shall ~~may~~ be charged. The amusement
30 device license fee shall be \$25 per amusement device.
31 A traveling amusement show, having amusement devices
32 and having secured a traveling amusement show li-
33 cense, shall pay an additional amusement device li-
34 cense fee for each amusement device over 8 rides.
35 "Amusement device" means a device by which a person
36 is conveyed, where control by the rider over the
37 speed or direction of travel is incomplete. It does
38 not include a vehicle or device, the operation of
39 which is regulated as to safety by any other provi-
40 sion of law, except a municipal ordinance under Title
41 30, section 2151, or any coin-operated kiddie amuse-
42 ment device on a nonmoving base which is designed to
43 accommodate one child.

1 STATEMENT OF FACT

2 This new draft clarifies current law regarding
3 the purchase of liability insurance. The original
4 bill would have reduced the amount of insurance re-
5 quired. This new draft merely adds a reference to
6 what is already provided under federal law.

7 2905052087