

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1996

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Legislative Document

No. 1728

H.P. 1256

House of Representatives, January 23, 1996

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**An Act to Enhance Amusement Ride Safety.**

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Submitted by the Department of Public Safety pursuant to Joint Rule 24.  
Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative CLARK of Millinocket.  
Cosponsored by Representatives: MORRISON of Bangor, THOMPSON of Naples,  
WHEELER of Bridgewater.

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

**Sec. 1. 8 MRSA §502, 2nd ¶**, as amended by PL 1991, c. 464, §3, is further amended to read:

6       No ~~A~~ traveling circus, traveling amusement show or amusement  
7 device may not operate or exhibit any parade, show or  
8 entertainment in this State without first paying a license fee  
9 for each calendar year. Application for the license must be made  
10 to the Commissioner of Public Safety and contain the name of the  
11 person or corporation using or operating the traveling circus,  
12 traveling amusement show or amusement device, and a statement of  
13 proposed territory within the limits of the State, and names of  
14 the cities and towns in which the traveling circus, traveling  
15 amusement show or amusement device is to operate or exhibit. No  
16 ~~A~~ traveling circus or traveling amusement show or amusement  
17 device may not exhibit any parade, show or entertainment in this  
18 State without first furnishing the Commissioner of Public Safety,  
19 in an amount to be determined by the commissioner, a certificate  
20 of public liability insurance issued by an authorized insurer or  
21 approved surplus lines insurer pursuant to Title 24-A or any risk  
22 retention group registered in any state pursuant to 15 United  
23 States Code, Chapter 65 or through a purchasing group registered  
24 in any state pursuant to 15 United States Code, Chapter 65. Upon  
25 receipt of the application, accompanied by a certificate of  
26 public liability insurance and upon payment of the required fee,  
27 a license is issued. For amusement shows, carnivals, thrill  
28 shows, ice shows, rodeos or similar types of performances which  
29 that are held indoors or outdoors the fee is ~~\$250~~ \$300. For  
30 circuses which that are held outdoors or under tents or similar  
31 temporary cover or enclosure the fee is \$500. For circuses held  
32 indoors in an auditorium, arena, civic center or similar type  
33 building the fee is ~~\$250~~ \$300. For circuses produced in their  
34 entirety by a nonprofit, charitable organization a license is  
35 required but no fee is charged. The amusement device license fee  
36 is ~~\$37.50~~ \$50 per amusement device. A traveling amusement show,  
37 having amusement devices and having secured a traveling amusement  
38 show license, must pay an additional amusement device license fee  
39 for each amusement device over 5 rides. "Amusement device" means  
40 a device by which a person is carried or conveyed, where control  
41 by the rider over the speed or direction of travel is incomplete  
42 or is allowed to move on, around or over a fixed course within a  
43 defined area intended to thrill, excite or amuse, including, but  
44 not limited to, bungee jumping and water slides, regardless of  
45 whether a fee to operate is required. It does not include a  
46 vehicle or device, the operation of which is regulated as to  
47 safety by any other provision of law, except a municipal  
48 ordinance under Title 30-A, section 3001 or any coin-operated  
49 kiddie amusement device on a nonmoving base which that is  
50 designed to accommodate one child.

