

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 1528**

S. P. 589

In Senate, April 27, 1953.

Reported by Senator Chapman of Cumberland from Committee on Legal Affairs and printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

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**AN ACT Relating to Fire Escapes.**

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

**R. S., c. 85, § 46, repealed and replaced.** Section 46 of chapter 85 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof :

**‘Sec. 46. Fire escapes for certain buildings; appeal.** Each story above the first story of a building used as a schoolhouse, hospital, orphan asylum, insane asylum, reformatory, opera house, hall for public assemblies, hotel, boarding or lodging house, accommodating more than 6 persons, or tenement house occupied by more than 2 families or store in which more than 10 persons are employed above the first story, shall be provided with more than one way of egress, by stairways on the inside or fire escapes on the outside of such building. Such stairways and fire escapes shall be so constructed, in such a number, or such size and in such location as to give reasonably safe, adequate and convenient means of exit, in view of the number of persons who may need to use such stairways or fire escapes, shall, at all times, be kept free from obstruction and shall be accessible from each room in each story above the first story. If the construction or use of the building is such that prudence would require the installation of a fire alarm system, such system shall be installed.

Fire escape devices and fire alarm systems shall be structurally sound and capable of doing the work for which they were designed. No individual, partnership or corporation shall offer for sale in this state, any type of fire escape device or fire alarm system unless first securing approval of the insurance commissioner or fire inspector. If such device or system is of such nature that examination and testing requires the services of a skilled technician, the cost of such examination and testing shall be paid by the person offering the same for sale.

The insurance commissioner and the fire inspector are directed to enforce the provisions of this section, and may order such changes and installations as the circumstances warrant, specify the time within which such changes and alterations shall be undertaken and completed and may close the building pending such changes and installations.

Any person aggrieved by any act or order of the insurance commissioner may appeal within 10 days to the justice of the superior court by presenting to him a petition therefor in term time or vacation, and such justice shall fix the time and place of hearing and cause notice thereof to be given to the commissioner; and after such hearing, the justice may affirm, modify or reverse the decision of the commissioner and shall remand the case to the commissioner for execution in accordance with the court degree. Provided, however, if the commissioner, in the interest of public safety, because he deems there is immediate danger, forbids the use of such buildings for any public purpose until satisfactory compliance with his order, such order shall become immediately effective, and the filing of an appeal to the superior court, shall not operate as a stay thereof.'