

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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STATE OF MAINE

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shall hear such appeal at the earliest convenient day and shall make such decree as justice may require.

Sec. 23. Suspension of registration. If any such operator fails to comply with the lawful order of the board issued under sections 19 and 20 and within the time fixed thereby, the board may suspend the registration of such operator for such time as it may consider necessary for the protection of the safety of the public.

Sec. 24. Penalty. Any operator convicted of operating a passenger tramway without having been registered by the board, or after his registration has been suspended by the board, shall be punished by a fine of \$50 per day for each day of such illegal operations.'

Sec. 25. Application. This chapter removes ski tows, lifts and tramways from regulation under any other law covering mechanical rides.

Sec. 26. Provisions. The provisions for regulation, registration and licensing of passenger tramways under this chapter shall be in lieu of all other regulations, registration or licensing requirements by the Insurance Commissioner under chapter 100, sections 69 and 70.

Effective September 16, 1961

Chapter 326

AN ACT Regulating the Operation of Motor Vessels.

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

R. S., c. 98, §§ 6-A - 6-E, additional. Chapter 98 of the Revised Statutes is amended by adding 5 new sections to be numbered 6-A to 6-E, to read as follows:

'Operation of Motor Vessels.

Sec. 6-A. Speed prohibited. Whoever operates any watercraft, vessel, water skis, surfboard, similar device or motorboat, however propelled, upon the tidewaters of any municipality or upon any of the offshore waters within the jurisdiction of this State at a speed greater than is reasonable and proper, having due regard for traffic, proximity to wharves, docks, moorings or shores, and for any other conditions then existing, shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 90 days, or by both.

Sec. 6-B. Operating to endanger. Whoever operates any watercraft, vessel, water skis, surfboard, similar device or motorboat, however propelled, upon the tidewaters of any municipality or upon any of the offshore waters within the jurisdiction of this State in such a manner as to endanger any person or property shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 90 days, or by both.

Sec. 6-C. Operating recklessly. Whoever operates any watercraft, vessel, water skis, surfboard, similar device or motorboat, however propelled, upon

the tidewaters of any municipality or upon any of the offshore waters within the jurisdiction of this State recklessly, or in a wanton manner causing injury to any person or property, shall be punished by a fine of not less than \$50 nor more than \$200, or by imprisonment for not more than 3 months, or by both. Whoever is convicted a 2nd time for a violation of this section shall be punished by a fine of not less than \$200 nor more than \$500, or by imprisonment for not more than 11 months, or by both.

Sec. 6-D. Intoxication; drugs. Whoever operates any watercraft, vessel, water skis, surfboard, similar device or motorboat, however propelled, upon the tidewaters of any municipality or upon any of the offshore waters within the jurisdiction of this State while intoxicated or under the influence of any narcotic drug, barbiturate or marijuana, shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 90 days, or by both.

Sec. 6-E. Enforcement. Every law enforcement officer in this State, including harbor masters and their deputies, shall have the authority to enforce sections 6-A to 6-E, and in the exercise thereof shall have the authority to stop and board any such watercraft, vessel or motorboat found in violation of said sections. It shall be unlawful for the operator of any such watercraft, vessel or motorboat to fail to stop upon hail from any such officer, and a violation of the same shall be punished as provided in section 6-B.'

Effective September 16, 1961

Chapter 327

AN ACT Regulating Mechanical Rides by Insurance Department.

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

Sec. 1. R. S., c. 100, §§ 69-A - 69-F, additional. Chapter 100 of the Revised Statutes is amended by adding 6 new sections 69-A - 69-F, to read as follows:

'Mechanical Rides.

Sec. 69-A. Definition of mechanical ride. "Mechanical ride" means a power-operated device by which a person is conveyed, where control by the rider over the speed or direction of travel is incomplete. It does not include a vehicle or device the operation of which is regulated as to safety by any other provision of law except a municipal ordinance under chapter 90-A, section 3.

Sec. 69-B. License required. A person or organization may not operate a mechanical ride which is open to the public without first obtaining a license from the Insurance Commissioner.

I. Inspection and license fee. On receipt of an application for a license and a license fee of \$15 for each mechanical ride, the commissioner shall have it inspected.

A. Exception. A traveling amusement show or other organization which pays a license fee under section 56 need not pay this license fee.